

COUNCIL MEETING

Municipal Building
175-5th Street North
Second Floor Council Chamber

CITY OF ST. PETERSBURG

November 19, 2012
3:00 PM

Welcome to the City of St. Petersburg City Council meeting. To assist the City Council in conducting the City's business, we ask that you observe the following:

1. If you are speaking under the Public Hearings, Appeals or Open Forum sections of the agenda, please observe the time limits indicated on the agenda.
2. Placards and posters are not permitted in the Chamber. Applause is not permitted except in connection with Awards and Presentations.
3. Please do not address Council from your seat. If asked by Council to speak to an issue, please do so from the podium.
4. Please do not pass notes to Council during the meeting.
5. Please be courteous to other members of the audience by keeping side conversations to a minimum.
6. The Fire Code prohibits anyone from standing in the aisles or in the back of the room.
7. If other seating is available, please do not occupy the seats reserved for individuals who are deaf/hard of hearing.

GENERAL AGENDA INFORMATION

For your convenience, a copy of the agenda material is available for your review at the Main Library, 3745 Ninth Avenue North, and at the City Clerk's Office, 1st Floor, City Hall, 175 Fifth Street North, on the Monday preceding the regularly scheduled Council meeting. *The agenda and backup material is also posted on the City's website at www.stpete.org and generally electronically updated the Friday preceding the meeting and again the day preceding the meeting. The updated agenda and backup material can be viewed at all St. Petersburg libraries.* An updated copy is also available on the podium outside Council Chamber at the start of the Council meeting.

If you are deaf/hard of hearing and require the services of an interpreter, please contact the City Clerk, 893-7448, or call our TDD Number, 892-5259, at least 24 hours prior to the meeting and we will provide that service for you.

A. Meeting Called to Order and Roll Call.

Invocation and Pledge to the Flag of the United States of America.

B. Approval of Agenda with Additions and Deletions.

Open Forum

*If you wish to address City Council on subjects other than **public hearing or quasi-judicial items listed on this agenda**, please sign up with the Clerk prior to the meeting. Only the individual wishing to speak may sign the Open Forum sheet and only City residents, owners of property in the City, owners of businesses in the City or their employees may speak. All issues discussed under Open Forum must be limited to issues related to the City of St. Petersburg government.*

Speakers will be called to address Council according to the order in which they sign the Open Forum sheet. In order to provide an opportunity for all citizens to address Council, each individual will be given three (3) minutes. The nature of the speakers' comments will determine the manner in which the response will be provided. The response will be provided by City staff and may be in the form of a letter or a follow-up phone call depending on the request.

C. Consent Agenda (see attached)

D. New Ordinances - (First Reading of Title and Setting of Public Hearing)

Setting December 6, 2012 as the public hearing date for the following proposed Ordinance:

1. [Ordinance amending the St. Petersburg City Code by deleting Subsections of 8-4 which are now contained in the Florida Building Code; amending the definition of 'manmade body of water'; renumbering and amending the remaining portions of Section 8-4 relating to manmade bodies of water; and providing a definition for interested parties in demolition matters.](#)

E. Reports

1. [Resolution recommending that Project B2083044243 \("Project"\), a confidential project pursuant to Section 288.075, Florida Statutes, be approved as a Qualified Target Industry Business pursuant to Section 288.106, Florida Statutes; finding that the commitments of local financial support necessary for the Project exist; and committing \\$43,000 as the City's share of the local financial support for the Project under the Tax Refund Program for Qualified Target Industry Businesses.](#)
2. [Tampa Bay Regional Planning Council. \(Vice-Chair Newton\) \(Oral\) - DELETED](#)
3. [Tourist Development Council. \(Chair Curran\) \(Oral\)](#)
4. [Tampa Bay Estuary Program. \(Councilmember Kornell\) \(Oral\)](#)
5. [Manhattan Casino Revised Lease.](#)

F. New Business

1. [Referring to the Public Services & Infrastructure Committee a discussion relative to 4G Infrastructure. \(Vice-Chair Newton\)](#)
2. [Requesting Council support a Resolution to support a Traffic Signal at the Eckerd College Entrance. \(Councilmember Kornell\)](#)
3. [American Traffic Solutions, Inc. Contract](#)

G. Council Committee Reports

1. [Youth Services Committee Follow-up Report. \(9/20/12\)](#)
 - (a) Approving a transfer of \$85,000 from the additional General Fund Contingency approved by City Council (\$500,000) at the Final Public Hearing for the FY13 Adopted Budget to City Council (010), City Council (1001) to provide a one-time match of funds for the renovation of a building which houses the quality pre-school model at St. Petersburg College Allstate Center; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.
2. [Budget, Finance & Taxation Committee. \(11/8/12 & 11/13/12\)](#)
 - (a) Ordinance amending the St. Petersburg City Code by amending Chapter 2, Article V by adding Division 5 to create a local hiring program.
3. [Public Services & Infrastructure Committee. \(11/8/12\)](#)
 - (a) Ordinance of the City of St. Petersburg amending the City Code to create new sections regulating the closing hours for alcoholic beverage establishments; requiring extended hours permits for alcoholic beverage establishments serving alcohol after midnight; providing for suspension and revocation of permits; providing for appeals; establishing fees; and establishing and amending definitions.

H. Legal

I. Public Hearings and Quasi-Judicial Proceedings - 6:00 P.M.

Public Hearings

*NOTE: The following Public Hearing items have been submitted for **consideration** by the City Council. If you wish to speak on any of the Public Hearing items, please obtain one of the YELLOW cards from the containers on the wall outside of Council Chamber, fill it out as directed, and present it to the Clerk. You will be given 3 minutes **ONLY** to state your position on any item but may address more than one item.*

1. [Confirming the preliminary assessment for Lot Clearing Number 1510.](#)
2. [Confirming the preliminary assessment for Building Securing Number 1170.](#)
3. [Confirming the preliminary assessment for Building Demolition Number 398.](#)
4. [Approving a Substantial Amendment to the City's FY 2010-2011 Annual Action Plan \("Amendment"\) to expand the Areas of Greatest Need of the Neighborhood Stabilization](#)

Program-3 (“NSP-3”) in which NSP-3 investment may be targeted to include the Melrose Mercy Neighborhood; to Decrease Activity “B”, Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (50% of Area Median Income (“AMI”) and Below) by \$463,642 and Reallocate those funds to Activity “E”, Redevelop Demolished or Vacant Properties as Housing (50% AMI and Below); to Decrease Activity “B”, Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (51%-120% of AMI) by \$340,000 and reallocate those funds to Activity “D”, Demolition of Vacant or Foreclosed Properties, to make available a total of \$370,000 for Activity “D”; and authorizing the Mayor or his designee to submit the Amendment to the U.S. Department of Housing and Urban Development and to execute all documents necessary to implement the Amendment.

5. Ordinance 56-H approving final year-end adjustments to the City of St. Petersburg Operating and Capital Improvement Budgets for the Fiscal Year ending September 30, 2012; approving the final amended Budget for the Fiscal Year ending September 30, 2012 by incorporating into the aforementioned final amended Budget all adjustments and appropriations contained in this Ordinance and all adjustments and appropriations previously made by Resolution for the Fiscal Year ending September 30, 2012; and approving year-end commitments, assignments, and appropriations from the General Fund Balance as of September 30, 2012 for inclusion in the Budget for the Fiscal Year ending September 30, 2013.

J. Open Forum

1. Open Forum

K. Adjournment



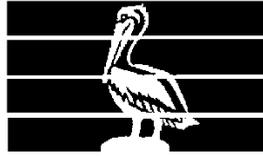
**Consent Agenda A
November 19, 2012**

NOTE: Business items listed on the yellow Consent Agenda cost more than one-half million dollars while the blue Consent Agenda includes routine business items costing less than that amount.

(Purchasing)

1. [Lift Station 85 Albert Whitted Master 30” Force Main, Part B Project:](#)
 - (a) Awarding a contract to Kamminga & Roodvoets, Inc. in the amount of \$4,921,021 for the construction of Lift Station 85 Albert Whitted Master 30” Force Main, Part B Project (Engineering Project No. 12013-211; Oracle No. 13975); and approving a transfer in the amount of \$5,762,000 from the unappropriated balance of the Water Resources Operating Fund (4001) to the Water Resources Capital Projects Fund (4003).
 - (b) Authorizing the Mayor or his designee to execute Amendment No.1 to Task Order No. 08-20-MC/W to the agreement between the City of St. Petersburg and McKim & Creed, P.A. in the amount of \$59,740 for professional consulting phase services for the Lift Station 85 Albert Whitted Master 30” Force Main – Part B. (Engineering Project No. 12013-211, Oracle No.13975)
2. [Renewing blanket purchase agreements with Odyssey Manufacturing Co; Allied Universal Corp; and Carmeuse Lime & Stone, Inc. for water and wastewater chemicals for the Water Resources and Parks and Recreation departments at an estimated annual cost of \\$1,285,980.](#)
3. [Awarding a contract to Spectrum Contracting, Inc. in the amount of \\$1,126,516.40 for the construction of the Northwest Water Reclamation Facility \(NWWRF\) North Chlorine Contact Basins Improvements FY11 Project \(Engineering Project Number 11066-111; Oracle Number 12975\); rescinding unencumbered appropriations from the following projects in the Water Resources Capital Project Fund \(4003\): \\$250,000 from the WRF NW Disinfection Basin Improvements FY12 Project \(13385\) and \\$400,000 from the WRF NW Aeration Basin Structural Repairs FY12 Project \(13386\); appropriating \\$1,142,000 from the unappropriated balance of the Water Resources Capital Project Fund \(4003\), resulting partially from these rescissions, to the WRF NW Chlorine Contact Basin Improvements FY11 Project \(12975\).](#)
4. [Awarding a Contract to New Vista Builders Group, LLC. In the amount of \\$604,100 for the Jamestown Apartments Renovations, Phase 1 Project \(13398\) \(Engineering Project No. 11237-019, Oracle No. 13398\).](#)

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda B November 19, 2012

NOTE: The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. Council questions on these items were answered prior to the meeting. Each Councilmember may, however, defer any item for added discussion at a later time.

(Purchasing)

1. [Approving a five year agreement with Environmental Products of Florida, a sole source supplier, for a maintenance and repair agreement for six Vector 2100 Series vehicles for the Fleet Management Department at a cost of \\$360,000.](#)
2. [Renewing a blanket purchase agreement with Xerox Corporation for the lease and maintenance of copiers at an estimated annual amount of \\$340,000.](#)
3. [Renewing a blanket purchase agreement with Neptune Technology Group, Inc., a sole source supplier, for water meters for the Water Resources Department at an estimated annual cost of \\$320,000.](#)
4. [Awarding a two-year blanket purchase agreement to Enviro Painting, Inc. for Painting and Coating Aerial Crossings at an estimated cost of \\$218,939.50.](#)
5. [Renewing a blanket purchase agreement with Boley Centers, Inc. for management services for the Summer Youth Intern Program \(SYIP\) for the Community Services Department at an estimated annual cost of \\$250,000.](#)
6. [Renewing a blanket purchase agreement with Life Extension Clinics Inc. for medical exams and testing for the Police and Fire Departments at an estimated annual cost of \\$175,000.](#)
7. [Awarding a contract to Electrical Engineering Enterprises, Inc. in the amount of \\$164,976 for the N.E. Master Lift Station Transfer Switch Replacement project. \(Oracle Nos. 12960 and 12958\)](#)
8. [Awarding a one-year blanket purchase agreement to Hach Company, a sole source supplier, for laboratory supplies, equipment repair and chemicals for the Water Resources Department at an estimated annual cost of \\$150,000.](#)

(City Development)

9. [Authorizing the Mayor or his designee to convey the surplus, unimproved City-owned property located at 1774 – 12th Avenue South, St. Petersburg, to Community Partners In Revitalization, Inc., for \\$1.00, plus all closing costs.](#)
10. [Authorizing the Mayor or his designee to execute two \(2\) License Agreements with TFTSP \(The First Tee\) Youth Golf Council St. Petersburg, Inc., a Florida not-for-profit](#)

corporation, for use of ±268 sq. ft. of office/storage space within the Mangrove Bay Golf Course Club House located at 875 – 62nd Avenue Northeast, St. Petersburg, for a period of three (3) years, at an aggregate rent of \$36.00 and for use of ±64 sq. ft. of storage space within the Twin Brooks Golf Course Club House located at 3800 – 22nd Avenue South, St. Petersburg, for a period of three (3) years, at an aggregate rent of \$36.00; to waive the reserve for replacement requirement. (Requires an affirmative vote of at least six (6) members of City Council.)

11. Authorizing the Mayor or his designee to execute a five (5) year License Agreement with Pam Piper for an annual fee of \$50.00 to fence a minor portion of a City-owned property located in Safety Harbor for the City's 36-Inch water transmission main.
12. Resolution initiating the partial vacation of 2nd Avenue South and 5th Street South contiguous to the YMCA property for the purpose of providing dedicated parking to improve the feasibility of the restoration of the YMCA building. [To be voted on separately from Consent]

(Leisure & Community Services)

13. Authorizing the Mayor or his designee to accept \$20,000 from the Pinellas County Health Department for the installation costs of the Azalea Fitness Zone and to execute all documents necessary to effectuate this transaction; and authorizing a supplemental appropriation in the amount \$20,000 from the increase in the unappropriated balance of the General CIP Fund (3001), resulting from these additional revenues, to the Play Equipment Replacement FY 12 Project (13252).
14. Amending City Council Resolution No. 2011-329, as amended, to change the proposed funding source of the City's loan to Urban Edge Apartments, Ltd. from the HOME Investment Partnership Program ("HOME") Fund (1113) to the Community Housing Donation Fund ("CHDF") (1117); rescinding an unencumbered appropriation in the amount of \$120,000 in the HOME Fund (1113) for the Urban Edge Senior Apartments Project (13550); approving supplemental appropriations from the increase in the HOME Fund (1113) resulting from the above rescission, in the amount of \$100,000 to the HOME Purchase Assistance FY 10/11 Project (12820) and \$20,000 to the HOME Rehabilitation FY10/11 Project (12817); approving a supplemental appropriation in the amount of \$120,000 from the unappropriated fund balance in the CHDF Fund (1117) to the Urban Edge Senior Apartments Project (13550); providing that all other provisions of Resolution No. 2010-329, as amended, not amended herein shall remain in full force and effect; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.
15. Authorizing the Mayor or his designee to accept Assistance Funding ("Order") from the Florida Fish and Wildlife Conservation Commission ("FFWCC") Gopher Tortoise Habitat Management Program for a Gopher Tortoise habitat management plan at Boyd Hill Nature Preserve at a maximum reimbursement amount of \$14,553; and to execute all other documents necessary to effectuate the Order; approving a supplemental appropriation in the amount of \$14,553 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Boyd Hill Nature Trail (1902389) Gopher Tortoise Habitat Management Project (TBD).
16. Authorizing the Mayor or his designee to accept an estoppel affidavit and a deed in lieu of foreclosure from New Millennial, LLC, for the property located at 2937 3rd Avenue

South, St. Petersburg, Florida ("Property"); with the City to pay estimated delinquent taxes in the amount of \$6,500; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.

17. Authorizing the Mayor or his designee to accept a Land and Water Conservation Fund Grant ("Grant") from the U.S. Department of the Interior, National Parks Service, through the Florida Department of Environmental Protection ("Department") for the Lake Maggiore Park Improvements Project at a maximum reimbursement amount of \$200,000; to execute a Land and Water Conservation Fund Grant Agreement with the Department; and to execute all other documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$200,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the Lake Maggiore/Boyd Hill FY08 Project (11756).

(Public Works)

18. Authorizing the Mayor or his designee to execute an annual Master Agreement and up to three one-year renewal options between the City of St. Petersburg and Advanced Engineering & Design, Inc., AECOM Technical Services, Inc., Black & Veatch Corporation, Brown and Caldwell, Carollo Engineers, Inc., CDM Smith, CH2M Hill Engineers, Inc., George F. Young, Inc., Greeley and Hansen LLC, McKim & Creed, Inc., and URS Corporation Southern to furnish services with regard to Potable Water, Wastewater & Reclaimed Water Projects.

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(Miscellaneous)

19. Approving a supplemental appropriation in the amount of \$36,064 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Federal Justice Forfeiture (140-2858) to purchase four LASER Mapping Systems for the Police Department's Traffic Enforcement Section; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.
20. Approving the minutes of the City Council meetings held August 2, August 9 and August 16, 2012.

MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

City Council Workshop - Proposed Bayfront Hospital Partnership

Tuesday, November 13, 2012, 11:00 a.m., Room 100

CRA/Agenda Review & Administrative Updates

Tuesday, November 13, 2012, 1:00 p.m., Room 100

Budget, Finance & Taxation Committee

Tuesday, November 13, 2012, 1:30 p.m., Room 100

City Council Workshop - County Preemptive Ordinance

Monday, November 19, 2012, 1:00 p.m., Room 100

City Council Workshop - Pier with the Architect Michael Maltzan

Tuesday, December 4, 2012, 1:30 p.m., Council Chamber

CITY OF ST. PETERSBURG

Board and Commission Vacancies



City Beautiful

3 Regular Members
(Terms expire 12/31/13, 12/31/14 & 12/31/15)

Civil Service Board

1 Regular & 2 Alternate Members
(Terms expire 6/30/13, 6/30/14 & 6/30/15)

Code Enforcement Board

2 Regular Members (Engineer & Non-Category)
(Terms expire 12/31/13 & 12/31/15)

Commission on Aging

2 Regular Members
(Terms expire 12/31/13)

Community Preservation Commission

1 Regular Member
(Term expires 9/30/14)

International Relations Committee

1 Regular Member
(Term expires 12/31/14)

Planning & Visioning Commission

1 Regular Member
(Term expires 9/30/13)

Social Services Allocations Committee

4 Regular Members
(Terms expire 9/30/15)

PROCEDURES TO BE FOLLOWED FOR QUASI-JUDICIAL PROCEEDINGS:

1. **Anyone wishing to speak must fill out a yellow card and present the card to the Clerk. All speakers must be sworn prior to presenting testimony. No cards may be submitted after the close of the Public Hearing. Each party and speaker is limited to the time limits set forth herein and may not give their time to another speaker or party.**
2. At any time during the proceeding, City Council members may ask questions of any speaker or party. The time consumed by Council questions and answers to such questions shall not count against the time frames allowed herein. Burden of proof: in all appeals, the Appellant bears the burden of proof; in variance application cases, the Applicant bears the burden of proof; in rezoning and Comprehensive Plan land use cases, the Owner bears the burden of proof except in cases initiated by the City Administration, in which event the City Administration bears the burden of proof. Waiver of Objection: at any time during this proceeding Council Members may leave the Council Chamber for short periods of time. At such times they continue to hear testimony because the audio portion of the hearing is transmitted throughout City Hall by speakers. If any party has an objection to a Council Member leaving the Chamber during the hearing, such objection must be made at the start of the hearing. If an objection is not made as required herein it shall be deemed to have been waived.
3. Initial Presentation. Each party shall be allowed ten (10) minutes for their initial presentation.
 - a. Presentation by City Administration.
 - b. Presentation by Applicant and/or Appellant. If Appellant and Applicant are different entities then each is allowed the allotted time for each part of these procedures. The Appellant shall speak before the Applicant. In connection with land use and zoning ordinances where the City is the applicant, the land owner(s) shall be given the time normally reserved for the Applicant/Appellant, unless the land owner is the Appellant.
 - c. Presentation by Opponent. If anyone wishes to utilize the initial presentation time provided for an Opponent, said individual shall register with the City Clerk at least one week prior to the scheduled public hearing.
4. Public Hearing. A Public Hearing will be conducted during which anyone may speak for 3 minutes. Speakers should limit their testimony to information relevant to the ordinance or application and criteria for review.
5. Cross Examination. Each party shall be allowed five (5) minutes for cross examination. All questions shall be addressed to the Chair and then (at the discretion of the Chair) asked either by the Chair or by the party conducting the cross examination of the speaker or of the appropriate representative of the party being cross examined. One (1) representative of each party shall conduct the cross examination. If anyone wishes to utilize the time provided for cross examination and rebuttal as an Opponent, and no one has previously registered with the Clerk, said individual shall notify the City Clerk prior to the conclusion of the Public Hearing. If no one gives such notice, there shall be no cross examination or rebuttal by Opponent(s). If more than one person wishes to utilize the time provided for Opponent(s), the City Council shall by motion determine who shall represent Opponent(s).
 - a. Cross examination by Opponents.
 - b. Cross examination by City Administration.
 - c. Cross examination by Appellant followed by Applicant, if different.
6. Rebuttal/Closing. Each party shall have five (5) minutes to provide a closing argument or rebuttal.
 - a. Rebuttal by Opponents.
 - b. Rebuttal by City Administration.
 - c. Rebuttal by Appellant followed by the Applicant, if different.

Attached documents for item Ordinance amending the St. Petersburg City Code by deleting Subsections of 8-4 which are now contained in the Florida Building Code; amending the definition of 'manmade body of water'; renumbering and amending the remaining portions of Section 8-4 relat

M E M O R A N D U M

TO: City Council Chair and City Councilmembers

FROM: Mark A. Winn, Chief Assistant City Attorney

DATE: November 6, 2012

RE: Proposed Ordinance Amending Chapter 8

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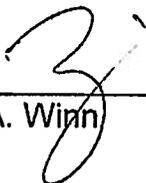
Attached please find a proposed ordinance which amends sections of Chapter 8 of the City Code ('Code'). When the Florida Building Code was adopted several years ago it superseded and preempted various provisions of the Code. Over the years we've addressed many of those Code sections but have recently found another.

Section 8-4 has certain regulations related to swimming pools, spas, hot tubs and other manmade bodies of water. It includes certain fencing requirements which are now regulated in the Florida Building Code and which we are preempted from regulating. This ordinance removes the preempted language and modifies the remaining language which regulates the maintenance of these bodies of water to ensure that they remain safe.

Additionally, the proposed ordinance includes a new definition in the portion of the Code dealing with demolitions. Its purpose is to specifically identify who may be an "interested party" for the purposes of filing an appeal when the Building Official issues a demolition order.

Recommendation: Conduct first reading and schedule public hearing for December 6, 2012.

If you have any questions, please feel free to contact me.



Mark A. Winn

Attachment

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE BY DELETING SUBSECTIONS OF 8-4 WHICH ARE NOW CONTAINED IN THE FLORIDA BUILDING CODE; AMENDING THE DEFINITION OF 'MANMADE BODY OF WATER'; RENUMBERING AND AMENDING THE REMAINING PORTIONS OF SECTION 8-4 RELATING TO MANMADE BODIES OF WATER; PROVIDING A DEFINITION FOR INTERESTED PARTIES IN DEMOLITION MATTERS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Subsections 8-4 (a) through (c) of the St. Petersburg City Code are hereby deleted in their entirety.

SECTION 2. Subsections 8-4(d) (1) and (2) of the St. Petersburg City Code are hereby renumbered to be Subsections 8-169(e) (1) and (2) and amended to read as follows:

- (e) (1) Manmade bodies of water ~~Swimming pools, spas, hot tubs, fish ponds and other manmade bodies of fresh water, excluding ponds created pursuant to City, State, federal or regional regulations or by the City for stormwater detention and treatment purposes,~~ located completely within the boundaries of one lot shall be kept in a safe and sound condition and good repair at all times. Safe and sound condition and good repair shall be determined based on the water quality and clarity, water level and maintenance of all parts being safe and in a condition so that they may be used for the purpose intended and in compliance with the requirements of the Florida Building Code related to child barriers. ~~Manmade bodies of water~~ Swimming pools, spas, hot tubs, fish ponds or other manmade bodies of fresh water as described herein shall not be allowed to deteriorate to an unsafe or unsound condition or disrepair. For the purposes of this section, unsafe as to water quality, level and clarity shall mean that they do not meet the requirements of F.A.C. ch. 64E-9.004. In addition, in the case of swimming pools, spas or hot tubs, water quality and clarity may be declared unsafe when the clarity of the pool water is such that the main drain grate is not completely visible to a person standing on the pool deck or immediately next to the spa or hot tub, or the recirculation system or disinfection feeding equipment is missing or not functioning. A manmade body of water may be declared unsafe if it does not comply with the requirements of the Florida Building Code related to child barriers.

- (2) When a manmade body of water ~~swimming pool, spa, hot tub, fish pond or other manmade body of fresh water~~ completely within the boundaries of one lot is found to be unsafe, the City may take action to make the manmade body of water safe. Such action may include removal, covering and/or filling the manmade body of water ~~swimming pool, spa, hot tub, pond, or other manmade body of fresh water~~ or such other methods as the City deems appropriate. When such manmade body of water is found to be unsafe, it shall be considered an unsafe structure as provided in article III, division 4 of this chapter. The City shall follow the procedures set forth therein to make the manmade body of water safe and shall have a lien on the real property as provided therein which shall be superior to all other liens except taxes.

SECTION 3. Section 8-63 of the St. Petersburg City Code is hereby amended by amending the definition of 'manmade body of water' to read as follows:

Manmade body(ies) of water means, but shall not be limited to, a swimming pool, fish pond, spa, ~~or hot tub~~, or other manmade body of fresh water, but excludes ponds created pursuant to the City, State, federal or regional regulations or by the City for stormwater retention and treatment purposes and natural bodies of fresh or salt water.

SECTION 4. Section 8-271 of the St. Petersburg City Code is hereby amended by adding a new subsection (g) to read as follows:

(g) As used in this section and in section 8-272, "interested party" means a person who possesses a present legal right of present or future enjoyment of the property by virtue of a deed, title, mortgage, fully executed contract for purchase, lien on or estate in the property, judgment of court, being a named beneficiary in a will or trust of a deceased owner (or the legal spouse of the property owner).

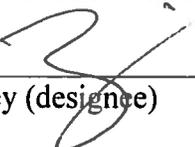
SECTION 5. As used in this ordinance, language appearing in struck-through type is language in the City Code to be deleted, and underlined language is language to be added to the City Code in the section, subsection or other location which is indicated.

SECTION 6. The provisions of this ordinance shall be deemed to be severable. If any portion of this ordinance is deemed unconstitutional it shall not affect the constitutionality of any other portion of this ordinance.

SECTION 7. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the Ordinance, in which case the Ordinance shall become

effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:



City Attorney (designee)

Attached documents for item Resolution recommending that Project B2083044243 (“Project”), a confidential project pursuant to Section 288.075, Florida Statutes, be approved as a Qualified Target Industry Business pursuant to Section 288.106, Florida Statutes; finding that the commitm

ST. PETERSBURG CITY COUNCIL

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair, and Members of City Council

SUBJECT: A resolution recommending that Project B2083044243 (“Project”), a confidential project pursuant to Section 288.075, Florida Statutes, be approved as a Qualified Target Industry Business pursuant to Section 288.106, Florida Statutes; finding that the commitments of local financial support necessary for the Project exist; committing \$43,000 as the City’s share of the local financial support for the Project, beginning in State FY2014, under the Tax Refund Program for Qualified Target Industry Businesses to be paid to the Florida Economic Development Trust Fund, subject to annual appropriation and conditioned on the Project meeting statutory requirements; authorizing the Mayor, or his designee, to execute all documents necessary to effectuate this resolution; and providing an effective date.

EXPLANATION: The Qualified Target Industry (“QTI”) Tax Refund Program (“Program”) is an incentive program administered through the State of Florida that allows Florida communities to encourage quality job growth in targeted high value-added businesses. The Program provides tax refunds per new job created by new or expanding businesses in targeted industries or a corporate headquarters. The amount of the tax refund per job is cumulative as follows: \$3,000 per new job created above 115% of the average Pinellas County wage; an additional \$1,000 per new job above 150% of the average wage or \$2,000 per new job above 200% of the average wage; \$2,000 per new job in a high impact sector; \$3,000 per new job in an Enterprise Zone; and a bonus of \$2,500 per job if located in a state designated Brownfield for a maximum potential of \$12,500 per job created. The business must submit an application to the State of Florida and demonstrate that the tax refund is necessary for it to locate or expand in the community. The governing board of the municipality in which the applicant will be located must provide a resolution recommending approval of the project as a QTI Project and stating that the commitments of local financial support necessary for the target industry business exist.

Project B2083044243 (“Project”) has filed a QTI Program application with the State of Florida, Pinellas County, and the City of St. Petersburg, and has requested confidentiality under Florida Statute 288.075. The Project is an expansion of a corporate headquarters and will create 86 full time positions by December 31st 2013, with an annual average salary of at least \$46,428 per year, in addition to an estimated benefit package of \$14,000 per job. When all jobs are created, this will represent an approximate annual payroll of \$3,992,808.

The tax refund requested by the Project is based on a Program award of \$3,000 per job created at 115% of the average Pinellas County wage of \$46,428, and an additional \$2,000 per job in a high-impact sector for the 86 new jobs totaling \$5,000 per job or a \$430,000 total award. The QTI Program requires a local match of 20% of the total award, or \$ 86,000. The City would be responsible for providing 50% of the local match or a maximum of \$43,000. Pinellas County is willing to accept financial responsibility for the other 50% of the required local match (\$43,000) and is expected to pass its Resolution of support on November 20, 2012. The QTI tax refund amount is *reimbursed* to the business by the State of Florida, only after the company has documented the required job creation and state tax payments made. If the Project does not

generate sufficient tax revenue or falls short of its employment creation requirements, the refund will be reduced and the City's share will also be reduced on a pro rata basis.

In addition to direct revenue benefits of the Project, indirect benefits would also be realized, including projected capital investment of \$287,000, absorption of existing vacant office space which should bolster taxable values in the market, and additional spending in services and retail trade. Pinellas County's Economic Impact Analysis shows that the direct and indirect earnings impact of the creation of the 86 new jobs of the type and wage level proposed in St. Petersburg is \$6,598,686 annually.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution recommending that Project B2083044243 ("Project"), a confidential project pursuant to Section 288.075, Florida Statutes., be approved as a Qualified Target Industry Business pursuant to Section 288.106, Florida Statutes; finding that the commitments of local financial support necessary for the Project exist; committing \$43,000 as the City's share of the local financial support for the Project, beginning in State FY2014, under the Tax Refund Program for Qualified Target Industry Businesses to be paid to the Florida Economic Development Trust Fund, subject to annual appropriation and conditioned on the Project meeting statutory requirements; authorizing the Mayor, or his designee, to execute all documents necessary to effectuate this resolution; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funding for this item will be required beginning in State FY 2014. Funding will be provided subject to annual appropriation and conditioned on the Project meeting statutory requirements.

ATTACHMENTS: Resolution

APPROVALS:

Administrative: R. Mansett 11-2-12 AG

Legal: RSS

Budget: J. [Signature]

Legal: 00165202.doc v.1

RESOLUTION NO. 2012 - _____

A RESOLUTION RECOMMENDING THAT PROJECT B2083044243 ("PROJECT"), A CONFIDENTIAL PROJECT PURSUANT TO SECTION 288.075, FLORIDA STATUTES, BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES; FINDING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR THE PROJECT EXIST; COMMITTING \$43,000 AS THE CITY'S SHARE OF THE LOCAL FINANCIAL SUPPORT FOR THE PROJECT, BEGINNING IN STATE FY 2014, UNDER THE TAX REFUND PROGRAM FOR QUALIFIED TARGET INDUSTRY BUSINESSES TO BE PAID TO THE FLORIDA ECONOMIC DEVELOPMENT TRUST FUND, SUBJECT TO ANNUAL APPROPRIATION AND CONDITIONED ON THE PROJECT MEETING STATUTORY REQUIREMENTS; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Project B2083044243 ("Project"), a confidential project pursuant to Section 288.075, Florida Statutes; and a Qualified Target Industry business as defined in Section 288.106, Florida Statutes; and

WHEREAS, the Project will benefit the City of St. Petersburg by creating 86 new jobs that pay an average wage of \$46,428, which is at least 115% of the average annual wage for Pinellas County, and cause an estimated capital investment of \$287,000; and

WHEREAS, the Project has applied to the State of Florida's Qualified Target Industry Tax Refund Program ("Program") for a tax refund of \$430,000 to complete this plan; and

WHEREAS, under the Program the local community must provide 20% of the funding for the tax refund; and

WHEREAS, Pinellas County is willing to accept financial responsibility for 50% of the local funds required.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that this Council hereby recommends that the Project, a confidential project

pursuant to Section 288.075, be approved as a Qualified Target Industry Business pursuant to Section 288.106 of the Florida Statutes; and

BE IT FURTHER RESOLVED, that this City Council finds that the commitments of local financial support necessary for the Project exist and commits \$43,000 as the City share of the Local Financial Support for the Project beginning in State FY 2014, under the Tax Refund Program for Qualified Target Industry Businesses, to be paid to the Florida Economic Development Trust Fund, subject to annual appropriations, and conditioned on the Project meeting all statutory requirements; and

BE IT FURTHER RESOLVED, that the obligations of the City as to any funding required pursuant to this Resolution, shall be limited to an obligation in any given year to budget, appropriate and pay from legally available funds, after monies for essential City services have been budgeted and appropriated, and

BE IT FURTHER RESOLVED, that notwithstanding the foregoing, the City shall not be prohibited from pledging any legally available non-ad valorem revenues for any obligations heretofore or hereafter incurred, which pledge shall be prior and superior to any obligation of the City pursuant to this Resolution; and

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to execute all documents necessary to effectuate this resolution.

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal:



Administration:



Budget:



Legal: 00165203.doc v.1

Attached documents for item Tampa Bay Regional Planning Council. (Vice-Chair Newton) (Oral) -
DELETED

Attached documents for item Tourist Development Council. (Chair Curran) (Oral)

Attached documents for item Tampa Bay Estuary Program. (Councilmember Kornell) (Oral)

Attached documents for item Manhattan Casino Revised Lease.

ST. PETERSBURG CITY COUNCIL

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair and Members of City Council

SUBJECT Historic Manhattan Casino – Modified Lease and Development Agreement

OBJECTIVE

To amend Resolution No. 2012-341 to authorize the Mayor, or his Designee, to execute a modified Lease and Development Agreement for the Historic Manhattan Casino ("Premises") with Urban Development Solutions, Inc., a Florida not for profit corporation ("UDS") that changes certain pre-conditions and certain performance requirements of UDS from the agreement authorized by Resolution No. 2012-341 regarding the development and operation of the Premises.

PRESENT SITUATION

This item is being presented to Council at this late date as UDS is trying to close on its New Markets Tax Credit financing by the end of this month; and, based upon documents just received from UDS, certain modifications need to be made to the City's Lease and Development Agreement with UDS before it can become effective prior to UDS closing on its financing.

BACKGROUND

A Lease and Development Agreement with Urban Development Solutions, Inc., a Florida non-profit corporation, for the Historic Manhattan Casino ("Original Lease") was authorized by Resolution No. 2012-341 and executed by UDS but was not executed by the Mayor because certain pre-conditions in the Original Lease have not yet been met. The Original Lease was drafted based upon the Proposal submitted by UDS to the City on August 8, 2011 ("UDS Proposal") in response to the Request for Proposals issued on May 9, 2011. The UDS Proposal indicated "The restaurant will be operated through a partnership with Sylvia Woods, Inc., a world-famous soul food conglomerate headquartered on the historic Lenox Avenue in Harlem, New York"¹. Additionally, the UDS Proposal indicated that "Through the partnership, Sylvia's will provide expertise in all aspects of restaurant management, including cooking, marketing, operations planning, management and staff training, process development, restaurant layout, customer flow planning and financial and operating system procurement and oversight"².

¹ UDS Proposal page 10

² Ibid

Accordingly, the Original Lease was written and approved by City Council with the belief that Sylvia's would be committed for the fifty (50) year term of the Lease providing in Paragraph 12.3 "...Sylvia's has reviewed this Lease and concurs with the Intended Use, and that Sylvia's will be actively engaged in the operation and management of the restaurant". Further, UDS was required in Paragraph 12.4 "to deliver to the City, prior to the Effective Date, evidence acceptable to the City that sets forth UDS's guarantee to the City that UDS has sufficient funds available or sufficient credit available to complete its obligations under this Lease..." UDS's delay in providing these pre-conditions precluded the Mayor from executing the Original Lease and has necessitated the modification of key terms and conditions of the Original Lease.

Notwithstanding the foregoing, Sylvia's has not agreed to a partnership with UDS, but rather to a license agreement that limited Sylvia's involvement to that of a licensor, and limiting the license term to an initial term of eight (8) years with two (2) five (5) year options to renew if earned royalties paid to Sylvia's has averaged \$50,000 during the prior term.

Subsequently, in conversations with UDS and Sylvia's, it was determined that Sylvia's involvement under its license agreement is as follows: "...prior to the opening of the restaurant, Sylvia's will provide to UDS's chef and general manager at no charge to UDS with up to two consecutive weeks of initial training in the preparation of Sylvia's recipes, techniques and methods of preparing food products and services. The initial training will be conducted at Sylvia's flagship Sylvia's restaurant located in Harlem, NY. UDS shall be solely responsible for all of its travel and living expenses. Prior to the Restaurant opening, Sylvia's will also provide up to two weeks of consecutive training in Florida with designated staff of UDS provided UDS shall give Sylvia's no less than thirty days written notice of the date such training is requested and pay for Sylvia's travel and hotel expenses."³

Paragraph 9 of the Original Lease is deleted and replaced with:

9. INTENDED USE. UDS shall have the exclusive use of the Premises, subject to the terms and conditions of this Lease, for the purposes of: (1) constructing and maintaining a restaurant space on the first floor of the Building that shall be occupied by a Sylvia's, Queen of Soul Food, Restaurant of Harlem, New York ("First Floor Use"), and (2) constructing, operating, and maintaining a banquet and community use area on the second floor ("Second Floor Use") (collectively "Intended Use") and for no other purposes or uses. Any change to the Intended Use shall not be made by UDS without the prior written consent of the City Council of the City of St. Petersburg ("City Council"), which consent may be given or withheld at the City Council's sole discretion. The provisions of this paragraph 9 shall be considered a material covenant, promise, and obligation of this Lease.

Paragraph 12.3 of the Original Lease is deleted and replaced with:

12.3 Sylvia's. UDS shall deliver to the City the executed License Agreement, demonstrating that UDS has an enforceable agreement with Sylvia's.

³ Proposed License Agreement between UDS and Sylvia's paragraph 12, in part.

Paragraph 12.4 of the Original Lease is deleted and replaced with:

12.4 Financial Capacity. UDS shall deliver to the City, prior to January 31, 2013, evidence acceptable to the City that sets forth UDS's guarantee to the City that UDS has sufficient funds available or sufficient credit available to complete its obligations under this Lease. UDS shall certify to the City in writing that sufficient funds are available and committed for the construction of improvements and acquisition and installation of improvements and fixtures required for the development of the Premises in accordance with this Lease, to proceed to completion in a diligent manner. City acknowledges that financing is subject to and conditioned upon UDS utilizing the New Markets Tax Credit Program ("NMTC ") and that any liquidity reserves may cover several projects.

RECOMMENDATION

Administration recommends that City Council adopt the attached resolution amending City Council Resolution No. 2012-341 to authorize the Mayor, or his Designee, to execute a modified Lease and Development Agreement for the Historic Manhattan Casino ("Premises") with Urban Development Solutions, Inc., a Florida not for profit corporation ("UDS"), for the lease and development of the Premises for the purposes of constructing, operating, and maintaining a restaurant under a license agreement with Sylvia's, Queen of Soul Food, Restaurant of Harlem, New York on the first floor of the building with a banquet and community use area on the second floor of the building, or an alternative use acceptable to the City Council in its sole discretion; and to execute all documents necessary to effectuate same; and providing an effective date.

ATTACHMENT

Resolution

Legal: 00165955.doc V. 2

Resolution No. 2012 - _____

A RESOLUTION AMENDING CITY COUNCIL RESOLUTION NO. 2012-341 TO AUTHORIZE THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A MODIFIED LEASE AND DEVELOPMENT AGREEMENT FOR THE HISTORIC MANHATTAN CASINO ("PREMISES") WITH URBAN DEVELOPMENT SOLUTIONS, INC., A FLORIDA NOT FOR PROFIT CORPORATION ("UDS"), FOR THE LEASE AND DEVELOPMENT OF THE PREMISES FOR THE PURPOSES OF CONSTRUCTING, OPERATING, AND MAINTAINING A RESTAURANT UNDER A LICENSE AGREEMENT WITH SYLVIA'S, QUEEN OF SOUL FOOD, RESTAURANT OF HARLEM, NEW YORK ON THE FIRST FLOOR OF THE BUILDING WITH A BANQUET AND COMMUNITY USE AREA ON THE SECOND FLOOR OF THE BUILDING, OR AN ALTERNATIVE USE ACCEPTABLE TO THE CITY COUNCIL IN ITS SOLE DISCRETION; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a Lease and Development Agreement with Urban Development Solutions, Inc., a Florida non-profit corporation, for the Historic Manhattan Casino ("Original Lease") was authorized by Resolution No. 2012-341 and executed by UDS but was not executed by the Mayor because certain pre-conditions in the Original Lease were not met; and

WHEREAS, the Original Lease was drafted based upon the Proposal submitted by UDS to the City on August 8, 2011 ("UDS Proposal") in response to the Request for Proposals issued on May 9, 2011; and

WHEREAS, the UDS Proposal indicated the restaurant will be operated through a partnership with Sylvia Woods, Inc.; and

WHEREAS, through the partnership, Sylvia's will provide expertise in all aspects of restaurant management, including cooking, marketing, operations planning, management and staff training, process development, restaurant layout, customer flow planning and financial and operating system procurement and oversight; and

WHEREAS, accordingly, the Original Lease was drafted with the belief that Sylvia's would be committed for the fifty (50) year term of the Lease; and

WHEREAS, UDS's failure to provide these pre-conditions precluded the Mayor from executing the Original Lease and has necessitated the modification of key terms and conditions of the Original Lease; and

WHEREAS, it was learned that Sylvia's has not agreed to a partnership with UDS, but rather to a license agreement that limited Sylvia's involvement to that of a licensor, and limiting the license term to an initial term of eight (8) years with two (2) five (5) year options to renew if earned royalties paid to Sylvia's has averaged \$50,000 during the prior term; and

WHEREAS, in conversations with UDS and Sylvia's, it was also determined that Sylvia's involvement would be limited to approximately two consecutive weeks of initial training conducted at Sylvia's flagship Sylvia's restaurant located in Harlem, NY, with UDS being solely responsible for all of its travel and living expenses; and

WHEREAS, Sylvia's would also provide up to two consecutive weeks of training in Florida with designated staff of UDS provided UDS met certain conditions; and

WHEREAS, this failure caused the revision of key terms and conditions of the Original Lease, to wit:

Paragraph 9 of the Original Lease is deleted and replaced with:

9. INTENDED USE. UDS shall have the exclusive use of the Premises, subject to the terms and conditions of this Lease, for the purposes of: (1) constructing and maintaining a restaurant space on the first floor of the Building that shall be occupied by a Sylvia's, Queen of Soul Food, Restaurant of Harlem, New York ("First Floor Use"), and (2) constructing, operating, and maintaining a banquet and community use area on the second floor ("Second Floor Use") (collectively "Intended Use") and for no other purposes or uses. Any change to the Intended Use shall not be made by UDS without the prior written consent of the City Council of the City of St. Petersburg ("City Council"), which consent may be given or withheld at the City Council's sole discretion. The provisions of this paragraph 9 shall be considered a material covenant, promise, and obligation of this Lease.

Paragraph 12.3 of the Original Lease is deleted and replaced with:

12.3 Sylvia's. UDS shall deliver to the City the executed License Agreement, demonstrating that UDS has an enforceable agreement with Sylvia's.

Paragraph 12.4 of the Original Lease is deleted and replaced with:

12.4 Financial Capacity. UDS shall deliver to the City, prior to January 31, 2013, evidence acceptable to the City that sets forth UDS's guarantee to the City that UDS has sufficient funds available or sufficient credit available to complete its obligations under this Lease. UDS shall certify to the City in writing that sufficient funds are available and committed for the construction of

REVISED

improvements and acquisition and installation of improvements and fixtures required for the development of the Premises in accordance with this Lease, to proceed to completion in a diligent manner. City acknowledges that financing is subject to and conditioned upon UDS utilizing the New Markets Tax Credit Program ("NMTC ") and that any liquidity reserves may cover several projects.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that City Council Resolution No. 2012-341 is amended to authorize the Mayor, or his Designee to execute a modified Lease and Development Agreement for the Historic Manhattan Casino ("Premises") with Urban Development Solutions, Inc., a Florida not for profit corporation ("UDS"), for the lease and development of the Premises for the purposes of constructing, operating, and maintaining a restaurant under a license agreement with Sylvia's, Queen of Soul Food, Restaurant of Harlem, New York on the first floor of the building with a banquet and community use area on the second floor of the building, or an alternative use acceptable to the City Council in its sole discretion; and to execute all documents necessary to effectuate same.

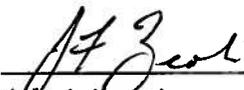
This Resolution becomes effective immediately upon its adoption.

LEGAL:



City Attorney (Designee)
Legal: 00165955.doc V. 2

APPROVED BY:



Administration 

Attached documents for item Referring to the Public Services & Infrastructure Committee a discussion relative to 4G Infrastructure. (Vice-Chair Newton)

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: November 2, 2012

COUNCIL DATE: November 19, 2012

RE: *Referral to the Public Services & Infrastructure Committee*

ACTION DESIRED:

Respectfully request to refer to the Public Services & Infrastructure committee a discussion relative to 4G Infrastructure.

Attachments

Wengay Newton, Vice Chair
District 7

Wengay Newton - Fwd: Signed agreement and cisco

From: "Wengay M. Newton Sr." <newt@newt7.com>
To: "Councilman District 7 Wengay M. Newton Sr" <wengay.newton@stpete.org>
Date: 11/1/2012 5:44 PM
Subject: Fwd: Signed agreement and cisco
Attachments: image001.png; CMA- Woodstock Agreement0001.pdf

"Newt"

Truly Blessed,
It's a pleasure to serve.

Wengay "Newt" Newton Sr

727-893-7117

Begin forwarded message:

From: "Paul Reynolds" <paulr@cma-ind.com>
Date: October 30, 2012, 2:49:04 PM EDT
To: <newt@newt7.com>
Subject: Signed agreement and cisco

Newt,

It was a pleasure to speak with you today. I have attached a signed agreement for Woodstock, Georgia. Also I provided a link to Cisco small cell development. I hope you have a great rest of the week and I look forward to hearing from you in the near future.

http://www.lightreading.com/document.asp?doc_id=222608



SOLE SOURCE REPRESENTATION AGREEMENT

This agreement entered into as of ___October 22___, 2012, by and between City of Woodstock, GA a Municipality organized and existing under the laws of the State of Georgia (hereinafter referred to as City, and Communication Management Associates, Inc., (hereinafter referred to as CMA).

WHEREAS, The City is a Municipality which owns certain properties and Rights of Way that can be utilized for wireless communication infrastructure; and

WHEREAS, The City and CMA desire to enter into a relationship, whereby CMA will promote the lease of these Municipal properties by Wireless Communications companies and others in the geographical areas hereinafter described, upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, for good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, it is mutually agreed upon as follows:

1. TERRITORY

CMA will market, lease and manage wireless sites and infrastructure including DAS (Distributed Antennas Systems), Micro Cell and Wi-Fi networks on properties as described by the municipality. (See attached).

See Attachment "A"

2. DUTIES OF CMA

CMA will use its best efforts to market, lease and manage the construction and maintenance of wireless sites and infrastructure including DAS/Micro Cells and Wi-Fi networks.

See Attachment "B"

3. FINANCIAL CONSIDERATION

Subject to the terms and conditions of this and contracts to be signed be negotiated and executed subsequently, The City will receive 60% of all lease/license payments for the properties leased/licensed via the sole source management agreement.

4. ARBITRATION

This agreement is governed by the laws of the State of Georgia.

5. TERMINATION

This agreement is valid for three (5) years from date of execution and will automatically renew unless stated otherwise in writing 30 days before termination date. It can be terminated by either party if the other party is in Material breach of the agreement.

6. TIME OF COMPLETION

The services to be rendered under this agreement shall be commenced on or about October 28, 2012.

7. RIGHT OF FIRST REFUSAL

At the conclusion of this agreement, and in the event that the City is offered similar products or services from a third party, the City shall give Right of First Refusal to Contractor on the same terms and conditions at least 90 days prior to the terms hereof.

8. NONCOMPETE COVENANT

For a period of three (3) years after the effective date of this agreement, the City will not directly or indirectly engage in any business that competes with the Contractor. This covenant shall apply to the entire geographical area that includes the City. Prior to the expiration of or termination of this agreement, no action by the City, including entering into any agreement to engage in any similar 4G program with any competitor to the Contractor or any Carrier, shall interfere with the Contractor's Access Right or ability to realize revenues with respect to any existing agreements between the Contractor and the Carriers. ~~and the City shall indemnify the Contractor against any loss of expected revenues over the term of this agreement arising from the loss of the Access Right or the termination of this agreement~~

OK

9. INDEMNITY AND SAVE HARMLESS AGREEMENT

The Contractor agrees to indemnify and save its employees and representatives. ~~The City agrees to indemnify and save the City, its officers, agents and employees from any liability arising from the negligence, active or passive, of the City its officers, agents and/or employees related to this agreement.~~

OK

10. ENTIRE AGREEMENT

This Agreement embodies the entire agreement between the parties hereto, and there are no verbal or collateral agreements between them. All preliminary negotiations, representation and discussions are deemed merged herein. This Sales Representative Agreement may be altered or modified only in writing and signed by all parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement in October, 2012 on the date and year above first written.

City of Woodstock, GA

CMA, Inc.

By: [Signature]

By: [Signature]

Title: Mayor

Title: President

[Signature]
WITNESS [Signature]

[Signature]
WITNESS

Attachment "A"

To Be Determined by Carriers and City of Woodstock, Georgia.

Attachment "B"

Scope of Work

CMA will perform the following task:

- ✓ Conduct an inventory of assets belonging to the municipalities. This shall include defining their latitude, longitude, and elevations
- ✓ Determine which of the assets can support attachments for micro-towers and/or DAS systems to be used by the carriers for the development of the 4G model.
- ✓ Locate all known fiber routes both underground and aerial. Along with the route define if the fibers are lit and dark and where the termination facility is located. The development of this overlay will establish the best method and location of both the micro-towers and/or DAS.
- ✓ Once assets and facilities are determined CMA shall actively market the municipal assets to wireless carriers, broadband access carriers, and fixed wireless carriers. It will take an aggressive and creative campaign program to persuade carriers to choose municipal assets over that of the private sector.
- ✓ Once the carrier has expressed interest in a given area CMA will provide a detailed engineering plan for the deployment of a 4G deployment.
- ✓ Upon the carriers' review CMA will refine the design for final evaluation.
- ✓ CMA will then engage the appropriate city officials/and engineers to review the design and plans for final approval of deployment.
- ✓ The CMA team will then supervise the installation to ensure that it is done according to specifications and design as approved by the municipal entity.
- ✓ Once all installations are complete CMA will then inspect and certify installations have been done according to standards and code.
- ✓ CMA will then provide the municipality detail records and asset listings of all wireless assets.
- ✓ CMA will establish the appropriate billing and collections for the aforementioned assets sites.
- ✓ CMA will conduct quarterly reviews of all sites and continue to market to other carriers for additional revenue opportunities.
- ✓ CMA will provide the municipality quarterly reports and provide funds to appropriate accounts. CMA will fully comply with external audits on a yearly basis.

Definitions: DAS – stands for Distributed Antenna System.

Micro Towers – Is an antenna system that is much smaller than traditional systems and is not required to be mounted on a tower.

Wengay Newton - Fwd: FW:

From: "Wengay M. Newton Sr." <newt@newt7.com>
To: "Councilman District 7 Wengay M. Newton Sr" <wengay.newton@stpete.org>
Date: 9/25/2012 10:40 AM
Subject: Fwd: FW:
Attachments: image001.png; SKMBT_42112091913050.pdf

From: "Paul Reynolds" <paulr@cma-ind.com>
Date: September 19, 2012, 2:45:50 PM EDT
To: <newt@newt7.com>
Subject: FW:

Newt,

This is a signed contract from the City of Vestal, NY to CMA, Inc for the wireless project I have been discussing with you and St. Pete. Please call me when you have an opportunity.

for the six months last passed. The Contractor shall maintain reasonable records, including evidence that the services were performed, and shall allow access to those records by the Town for inspection and copying.

ARTICLE 2. TIME OF COMPLETION

The services to be rendered under this contract shall be commenced on or about September 2012 and will continue for a period of 3 years.

ARTICLE 3. LICENSE

The Contractor agrees to make applications for any and all licenses or permits necessary for the operations contemplated under this agreement from the Federal Communications Commission or any other governmental body having jurisdiction over radio broadcasting. The Town agrees to cooperate fully in regard to such applications.

ARTICLE 4. REPAIRS

The Contractor assumes the responsibility for the maintenance, service and repairs to its tower, cable, wire, antenna, amplifiers, and all other equipment necessary under this agreement. This section does not apply to any pre-existing sites or towers where Contractor provides no services.

ARTICLE 5. CONTRACTOR'S INSURANCE

The Contractor shall not commence work under this contract until it has obtained all insurance required under this paragraph and such insurance has been approved by the Town.

(a) Compensation Insurance: The Contractor shall take out and maintain during the life of this contract Workers' Compensation Insurance for its employees to be assigned to the work hereunder.

(b) General Liability and Property Damage Insurance: The Contractor shall take out and maintain during the life of this contract such general liability and property damage insurance as shall protect [him/her/it] from claims for damages for personal injury including accidental death, as well as from claims for property damage which may arise from operations under this contract. The amounts of such insurance shall be as follows:

General Liability Insurance in an amount not less than \$1,000,000 for injuries, including wrongful death to any one person and subject to the same limit for each person, in an amount not less than \$1,000,000 on account of any one occurrence.

Property Damage Insurance in an amount, not less than \$500,000 for damage on account of all occurrences.

The Contractor shall furnish the above insurances to the Town and shall also name the Town as an additional named insured in said policies;

(c) Any accident shall be reported to the office of the Supervisor as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town as soon thereafter as possible and not later than three (3) days after the date of such accident.

ARTICLE 6. REPRESENTATIONS OF CONTRACTOR

The Contractor represents and warrants:

(a) That it is financially solvent and that it is experienced in and competent to perform the type of work or to furnish the leasing services which is to be furnished by it; and

(b) That it is familiar with all federal, state, municipal and department laws, ordinances and regulations which may in any way affect the work or those employed therein.

ARTICLE 7. TOWN'S RIGHT TO STOP WORK OR TERMINATE CONTRACT

The Town shall have the right to stop work or terminate the contract if:

(a) The Contractor is adjudged bankrupt or makes an assignment for the benefit of creditors; or

(b) A receiver or liquidator is appointed for the Contractor or for any of its property and is not dismissed within 20 days after such appointment or the proceedings in connection therewith are not stayed on appeal within the said 20 days; or

(c) The Contractor refuses or fails to prosecute the work or any part thereof with due diligence; or

(d) The Contractor fails to make prompt payment to persons supplying labor for the work; or

(e) The Contractor fails or refuses to comply with all applicable laws or ordinances; or

(f) The Contractor is guilty of a substantial violation of any provision of this contract;

(g) In any event, the Town, without prejudice to any other rights or remedy it may have, may by seven (7) days' notice to the Contractor, terminate the employment of the Contractor and its right to proceed as to the work. In such case, the Contractor shall not be entitled to receive any farther payment until the work is complete. If the unpaid balance of the compensation to be paid to the Contractor hereunder exceeds the expense of completing the work, such excess shall be paid to the Contractor. If such expense exceeds such unpaid balance, the Contractor shall be liable to the Town for such excess.

ARTICLE 8. DAMAGES

It is hereby mutually covenanted and agreed that the relation of the Contractor to the work to be performed by it under this contract shall be that of an independent contractor. As an independent contractor, it will be responsible for all damage, loss or injury to persons or property that may arise in or be incurred during the conduct and progress of said work, whether or not the Contractor, its agents, or employees have been negligent. The Contractor shall hold and keep the Town free and discharged of and from any and all responsibility and liability of any sort or kind. The Contractor shall assume all responsibility for risks or casualties of every description, for loss or injury to persons or property arising out of the nature of the work, from the action of the elements, or from any unforeseen or unusual difficulty. The Contractor shall make good any damages that may occur in consequence of the work or any part of it. The Contractor shall assume all blame, loss and responsibility of any nature by reason of neglect or violation of any federal, state, county or local laws, regulations or ordinances.

ARTICLE 9. INDEMNITY AND SAVE HARMLESS AGREEMENT

The Contractor agrees to indemnify and save the Town, its officers, agents and employees harmless from any liability imposed upon the Town, its officers, agents and/or employees arising from the negligence, active or passive, of the Contractor.

ARTICLE 10. NO ASSIGNMENT

In accordance with the provisions of section 109 of the General Municipal Law, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement, or of its right, title or interest in this agreement, or its power to execute this agreement, to any other person or corporation without the previous consent in writing of the Town.

ARTICLE 11. REQUIRED PROVISIONS OF LAW

Each and every provision of law and clause required by law to be inserted in this contract shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party, this contract shall be physically amended forthwith to make such insertion. In particular, the Contractor shall, among other things, fully comply with;

- (a) Labor Law section 220-e and Executive Law sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and providing equal opportunity.
- (b) Affirmative action as required by the Labor Law.
- (c) Prevention of dust hazard required by Labor Law section 22.2-a.
- (d) Preference in employment of certain persons required by Labor Law section 222.
- (e) Eight-hour workday as required by Labor Law section 220(2).

ARTICLE 12. INDEPENDENT CONTRACTOR STATUS

The Contractor, in accordance with [his/her] status as an independent contractor, covenants and agrees that it and its employees will neither hold themselves out as nor claim to be officers or employees of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to, Workers' Compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

ARTICLE 13. Intentionally omitted.

ARTICLE 14. RENEWAL OPTION

The Contractor hereby grants to the Town the right, privilege and option to renew this agreement for an additional period of 3 years upon the same terms and conditions as herein contained upon notice in writing to the Contractor at least 90 days prior to the expiration of the term hereof

ARTICLE 15. ARBITRATION

Should any dispute arise between the Town and the Contractor regarding the manner or sufficiency of the performance of the work, the disputed matter shall be settled by arbitration in accordance with the laws of the State of New York. There shall be three arbitrators, one of whom shall be selected by each of the parties hereto, and the third by the two arbitrators so selected. If the selection of any arbitrator is not made within fifteen (15) days of the time that either party' has notified the other of the name of the arbitrator it has selected, then the arbitrator or arbitrators not selected shall be appointed in the manner provided by the laws of the State of New York. The work shall not be interrupted or delayed pending such decision.

ARTICLE 16. AUTHORITY FOR EXECUTION ON BEHALF OF THE TOWN

The Supervisor has executed this agreement pursuant to a Resolution adopted by the Town Board of the Town of Vestal, at a meeting thereof held on

. John Schaffer, Town Supervisor, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Town. This instrument shall be executed in duplicate.

At least one copy shall be permanently filed, after execution thereof, in the office of the Town Clerk.

ARTICLE 17. NOTICES

Any and all notices and payments required hereunder shall be addressed as follows, or to such other address as may hereafter be designated in writing by either party hereto:

To Town: John Schaffer, Supervisor, 605 Vestal Parkway West, Vestal, New York 13850
To Contractor:

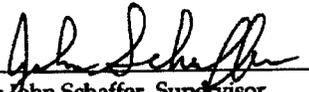
ARTICLE 18. WAIVER

No waiver of any breach of any condition of the agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ARTICLE 19. MODIFICATION

This agreement constitutes the complete understanding of the parties. No modification of any provisions thereof shall be valid unless in writing and signed by both parties.

Town of Vestal


By: John Schaffer, Supervisor

CMA, Inc.

By:

Attached documents for item Requesting Council support a Resolution to support a Traffic Signal at the Eckerd College Entrance. (Councilmember Kornell)

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: November 13, 2012

COUNCIL DATE: November 19, 2012

RE: *Resolution to Support a Traffic Signal at Eckerd College Entrance*

ACTION DESIRED:

Respectfully request Council support a Resolution to support a Traffic Signal at the Eckerd College Entrance.

RATIONAL:

Because of the recent traffic fatality at this location, a traffic signal must be installed as quickly as possible to prevent additional accidents.

Steve Kornell, Council Member
District 5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG SUPPORTING THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF THE PINELLAS BAYWAY AND THE ENTRANCE TO ECKERD COLLEGE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of St. Petersburg ("City") supports the safe movement of vehicles within the City of St. Petersburg; and

WHEREAS, the Pinellas Bayway is a State Road controlled by the Florida Department of Transportation and is a major component of the City's transportation system; and

WHEREAS, Eckerd College is a major educational institution within the City and is located on the Pinellas Bayway; and

WHEREAS, the sole entrance and exit for students, faculty and visitors to Eckerd College is located on the Pinellas Bayway; and

WHEREAS, concerns have existed for some time concerning the ability of traffic to safely enter and exit Eckerd College at the Pinellas Bayway; and

WHEREAS, the City worked with the Eckerd College and the Florida Department of Transportation to request a traffic signal at this location; and

WHEREAS, the Florida Department of Transportation denied that request; and

WHEREAS, based upon the denial of that request by the Florida Department of Transportation, the City of St. Petersburg implemented an improvement at that intersection acceptable to FDOT ; and

WHEREAS, additional accidents, fatalities and injuries continue to occur at that intersection.

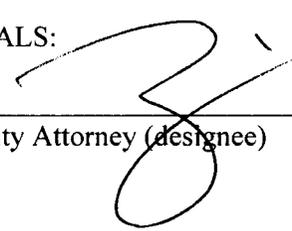
NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of St. Petersburg, Florida, hereby reaffirms its support for the installation of a traffic signal at the Pinellas Bayway and Eckerd College entranceway by the Florida Department of Transportation; and

BE IT FURTHER RESOLVED, that in order to effectuate the signal installation, City Council is providing a copy of this resolution of support to the Secretary of the Florida Department of Transportation, Pinellas Metropolitan Planning Organization, and the Pinellas County Legislative Delegation.

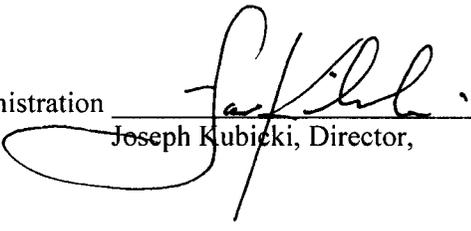
This Resolution shall become effective immediately.

APPROVALS:

Legal:


City Attorney (designee)

Administration


Joseph Kubicki, Director,

Attached documents for item American Traffic Solutions, Inc. Contract

**CITY COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: November 19, 2012

SCHEDULE FOR CITY COUNCIL ON:

November 19, 2012

SUBJECT:

American Traffic Solutions, Inc. Contract

ACTION REQUESTED:

Respectfully requesting City Council rescind the contract between the City and American Traffic Solutions, Inc. (ATS) for the installation, operation and maintenance of an Intersection Public Safety Program (also known as the Red Light Camera Program).

Wengay Newton, Vice Chair
Member of City Council

Attached documents for item Youth Services Committee Follow-up Report. (9/20/12)

ST. PETERSBURG CITY COUNCIL

YOUTH SERVICES COMMITTEE FOLLOW-UP REPORT

Meeting of November 19, 2012

TO: City Council Chair & Members of City Council

FROM: Youth Services Committee Chair Bill Dudley

SUBJECT: A resolution approving a transfer of \$85,000 from the additional General Fund Contingency approved by City Council (\$500,000) at the Final Public Hearing for the FY13 Adopted Budget to City Council (010), City Council (1001) to provide a one-time match of funds for the renovation of a building which houses the quality pre-school model at St. Petersburg College Allstate Center; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing for an effective date.

EXPLANATION: The Juvenile Welfare Board (JWB) proposed a project to implement a model pre-school and training center focusing on early learning child programs and expressed a need for financial resources to develop programs to assist in this endeavor.

BACKGROUND: On September 20, 2012, the Youth Services Committee (Committee) heard a presentation by the Juvenile Welfare Board (JWB) which focused on early learning child programs and the need for financial resources to develop programs to assist early learning centers. JWB provided an overview of the Lew Williams Project which would implement a model pre-school and training center at the St. Petersburg College Allstate Center. The intent of the project is to provide a high quality pre-school program in St. Petersburg and offer training opportunities to improve the current level of available pre-school programs. The Committee unanimously recommended a one-time match of City funds to JWB in the amount of \$85,000.00 for renovation of the building at the St. Petersburg College Allstate Center. The funds were unanimously recommended to come out of forfeiture funds as the first option or alternatively, City reserve funds as the second option.

The Committee's report of its September 20, 2012 meeting was provided to City Council at the October 4, 2012 City Council meeting and was received and filed. No formal action was taken.

COST/FUNDING/ASSESSMENT INFORMATION: Approving a transfer of \$85,000 from the additional General Fund Contingency approved by City Council (\$500,000) at the Final Public Hearing for the FY13 Adopted Budget to provide a one-time match of funds for the renovation of a building which houses the quality pre-school model at St. Petersburg College Allstate Center to the City Council (010), City Council (1001) Department for FY 2013.

APPROVAL:

Budget: Don Fallis 11-7-12

ATTACHMENT: Resolution

00165549.doc

A RESOLUTION APPROVING A TRANSFER IN THE AMOUNT OF \$85,000 FROM THE ADDITIONAL GENERAL FUND CONTINGENCY APPROVED BY CITY COUNCIL (\$500,000) AT THE FINAL PUBLIC HEARING FOR THE ADOPTED FY13 ADOPTED BUDGET TO THE CITY COUNCIL (010), CITY COUNCIL (1001) DEPARTMENT TO PROVIDE A ONE-TIME MATCH OF FUNDS FOR THE RENOVATION OF A BUILDING WHICH HOUSES THE QUALITY PRE-SCHOOL MODEL AT ST. PETERSBURG COLLEGE ALLSTATE CENTER; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 20, 2012, the Youth Services Committee (Committee) heard a presentation by the Juvenile Welfare Board (JWB) which focused on early learning child programs and the need for financial resources to develop programs to assist early learning centers; and

WHEREAS, JWB provided an overview of the Lew Williams Project to implement a model pre-school and training center at the St. Petersburg College Allstate Center with the intent to provide a high quality pre-school program in St. Petersburg and offer training opportunities to improve the current level of available pre-school programs; and

WHEREAS, the Committee unanimously recommended a one time match of City funds to JWB in the amount of \$85,000 for renovation of the building at the St. Petersburg College Allstate Center; and

WHEREAS, the Committee unanimously recommended that the matching funds come out of police forfeiture funds as the first option, if such funds are eligible, or City reserve funds as the second option.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg that a one time match of funds from City reserves in the amount of \$85,000 for the renovation of the building located at the St. Petersburg College Allstate Center is hereby approved.

BE IT FURTHER RESOLVED that there is hereby approved a transfer of \$85,000 from the additional General Fund Contingency approved by City Council (\$500,000) at the final public hearing for the FY13 adopted budget to City Council for FY 2013:

General Fund (0001)
City Council

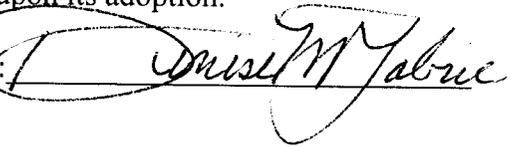
\$85,000

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content:


Assistant City Attorney
00165548.doc

Budget: 

MEMORANDUM

TO: The Honorable Leslie Curran and City Council Members

FROM: John C. Wolfe, City Attorney

DATE: November 19, 2012

RE: The potential of SPPD forfeiture funds being used for a Juvenile Welfare Board pre-K educator training facility at St. Petersburg College's Allstate Building.

The attached memo from Assistant City Attorney, Michael Dema, is an in depth analysis of the use of forfeiture funds. Mr. Dema's opinion concentrates on the portion of the law that states in part that the funds may be used for "...other law enforcement purposes." This was the main focus of City Council's last discussion on this subject.

MEMORANDUM

To: John Wolfe, City Attorney

From: Michael Dema, Assistant City Attorney

Re: The potential of SPPD forfeiture funds being used for a Juvenile Welfare Board pre-K educator training facility at St. Petersburg College's Allstate Building.

Date: November 16, 2012

ISSUE

Under the Florida Contraband Forfeiture Act, is the funding of a pre-K educator training facility operated by Pinellas County's Juvenile Welfare Board a permissible expenditure of the St. Petersburg Police Department's forfeiture funds?

BRIEF ANSWER

Unlikely. The Florida Contraband Forfeiture Act expressly limits the use of forfeiture funds to law enforcement purposes, over and above the normal operational costs of a police or sheriff's department. While the evolution of what constitutes a permissible expenditure under the Act has given rise to increasingly creative uses of these funds, the need for an overt law enforcement "hook" has not changed. Because the proposed training program has a primarily educational purpose, and the Juvenile Welfare Board is not a law enforcement agency, it is recommended that forfeiture funds are not used to fund this project.

DISCUSSION

The Florida Contraband Forfeiture Act (FCFA) governs the permissible uses of funds seized by state and local law enforcement agencies once they have been placed into special law enforcement trust funds. Fla. Stat. §§ 932.701-932.706 (2012). "These funds may be expended upon request . . . by the chief of police to the governing body of the municipality," or, conversely, by "[a]n agency or organization, other than the seizing agency, that wishes to receive such funds" and which applies to the chief of police for an appropriation. Fla. Stat. § 932.7055(5)(b)-(c) (2012). "[D]eference should be given to the sheriff's request," however. Fla. Atty. Gen. Op. 96-62, 1996 Fla. AG LEXIS 62. Regardless of the genesis of the request, expenditures must comport with the FCFA's express limitations on their use, which include "school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes." Fla. Stat. § 932.7055(a) (2012). "The proceeds and interest may not be used to meet normal operating expenses of the law enforcement agency." *Id.* The Juvenile Welfare Board's (JWB) proposal to use \$85,000 of the

St. Petersburg Police Department's (SPPD) forfeiture funds to establish a pre-K educational training facility does not, on its face, meet the law enforcement purpose requirement of the FCFA. Historical application of the FCFA, though, does suggest that there is some (limited) malleability of the law in the context of fund allocation.

The FCFA does give some discretionary latitude to designate forfeiture funds for "other law enforcement purposes as the . . . governing body of the municipality deems appropriate." Fla. Stat. § 932.7055(5)(c)(1) (2012). Additionally, several Attorney General Opinions on the subject have discerned a legislative intent of the FCFA to allow forfeiture funds to be used "for other extraordinary programs and purposes, beyond what is usual, normal, regular or established." See Fla. Atty. Gen. Op. 05-47, 2005 Fla. AG LEXIS 52; Fla. Atty. Gen. Op. 97-46, 1997 Fla. AG LEXIS 80; Fla. Atty. Gen. Op. 93-18, 1993 Fla. AG LEXIS 18; Fla. Atty. Gen. Op. 86-48, 1986 Fla. AG LEXIS 60. These opinions demonstrate that funds shall not be used simply for "day-to-day operations" of a law enforcement office. Fla. Atty. Gen. Op. 97-46, 1997 Fla. AG LEXIS 80 (indicating that a municipality may not update the police department's communication system using forfeiture funds as it is a normal operating expense of the department). Under similar grounds, use of forfeiture funds is inappropriate for the construction of a building to be used by the sheriff for evidence storage, Fla. Atty. Gen. Op. 86-48, 1986 Fla. AG LEXIS 60, and for the construction of a horse stable for a municipality's mounted police patrol unit, Fla. Atty. Gen. Op. 97-31, 1997 Fla. AG LEXIS 11. However, some programs have received such funds for more creative proposals, including the development of a police athletic league that provides recreational programs for disadvantaged youths, Fla. Atty. Gen. Op. 91-84, 1991 Fla. AG LEXIS 84, the startup of a weekly teen dance chaperoned by off-duty police officers, Fla. Atty. Gen. Op. 92-76, 1992 Fla. AG LEXIS 72, and tuition reimbursement for sheriff's office employees who took college level courses to develop additional expertise in their fields, Fla. Atty. Gen. Op. 98-32, 1998 Fla. AG LEXIS 32. These programs, while qualifying as "extraordinary," also share a primary purpose of law enforcement and crime prevention. The JWB request of forfeiture funds is clearly for an educational and training purpose, with only a secondary purpose, or perhaps tangential effect, being crime prevention. Though it is reasonable to envision a potential future crime prevention benefit coming from having a populace vested in their own education at an early age, such an allocation of forfeiture funds to fund the startup of a pre-K educational training facility would be an unprecedented (albeit non-traditional and creative) use of such funds.

While the Attorney General's office has in the past stated that "[c]ontraband forfeiture funds may not be used . . . [on] a position [which] is not located within the city's police department," this attitude towards third-parties may be evolving. Fla. Atty. Gen. Op. 91-84, 1991 Fla. AG LEXIS 84. A 2001 opinion allowed for the donation of law enforcement trust funds to a 501(c)(3) corporation tasked with treating drug addicts recently released from jail in an effort to reduce recidivism. Fla. Atty. Gen. Op. 01-78, 2001 Fla. AG LEXIS 113. It should be noted, however, that this program was clearly within the FCFA's express use limitation of "drug abuse education, or drug prevention programs." *Id.* A hallmark of some of the more creative uses of forfeiture funds, such as the police athletic league and the weekly teen dances, is that they are ultimately police-run programs. The JWB is a non-law enforcement third-party

promoting a program that lacks a crime prevention purpose. Without a more overt law enforcement "hook," funding the JWB's proposal with forfeiture moneys would seem to violate the spirit of the FCFA.

CONCLUSION

The funding of a pre-K educational training facility using forfeiture moneys is not a normal, day-to-day operating expense for the SPPD. It could also be reasonably foreseeable, as noted by the City Council at the September 20th meeting of the Youth Services Commission, that one logical outgrowth of such an investment is crime prevention through fostering a more educated populace. But crime prevention is a secondary, or even tangential, effect of this program, whose primary purpose is clearly educational. Further, the program would be administered by the JWB, a non-law enforcement agency. Such a confluence of purpose and administration lacking a law enforcement "hook" is seemingly without precedent in the state. To allocate forfeiture funds as proposed would stretch the bounds of the FCFA beyond its intent.

Attached documents for item Budget, Finance & Taxation Committee. (11/8/12 & 11/13/12)

**St. Petersburg City Council
BUDGET, FINANCE & TAXATION COMMITTEE**

Committee Report for November 8, 2012

Members: Chair James R. “Jim” Kennedy, Jr.; Vice-Chair Steve Kornell;
Wengay M. “Newt” Newton Sr.; Karl Nurse and Leslie Curran
(alternate).

Support Staff: Jennifer Millet, Collection Officer, Billing & Collections
Thomas Hoffman, Controller, Finance Department

**Call to Order and Roll Call
Approval of Agenda
Approval of Minutes**

1. New/Deferred Business

a. Priority Hiring

Louis Moore, Director, Procurement & Supply Management discussed briefly the key points outlined in the proposed Local Hiring ordinance based on directions to staff by the Budget, Finance and Taxation Committee on August 9, 2012. He also provided a cost estimates and a work statement for a construction labor market analysis (LMA).

Mr. Moore stated the proposed ordinance would cover construction projects in excess of \$2 million. He further stated that contractors or subcontractors would be required to assign 50 percent of the work hours to residents who have listed their full-time address within Pinellas County and have lived here for at least six months prior to the start of a construction project. Mr. Moore also noted that 20 percent of apprentice work hours on the project must be with disadvantaged workers.

Mr. Moore indicated that if Council is to pass this Ordinance, contractors must submit a list identifying local residents, a list of subcontractors and the scope of work that will be allocated to local residents with their bid or must provide a good faith effort if unable to provide. He also pointed out that the estimated budget for conducting a LMA is \$150,000.

Mr. Moore stated that round table sessions were conducted with contractors and subcontractors to assist in identifying the pros and cons of the proposed Local Hiring ordinance as a measure to provide feedback to the committee.

After a brief discussion, a motion was made by CM Nurse and passed to forward to full Council.

2. New Business Item Referrals

None

3. Continued Business/Deferred Business

a. Quarterly Lease Report (Grimes)

4. Reports
None

5. Next Meeting Agenda Tentative Issues

November 13, 2012

- a. Budget Clean up (Denise Labrie)
- b. 4th Quarter Financial Report (Denise Labrie / Anne Fritz)

December 13, 2012

- a. External Auditor Key Staffing Change (Scott)
- b. Shade Structures in Parks (Clarence Scott)
- c. 4th Quarter Grants Update (Wayne Finley)

December 20, 2012

- a. Management Evaluation-Follow up discussion to 10.11.12 meeting
- b. Health Insurance Rates for next year (Gary Cornwell)

6. Adjournment - meeting adjourned at 9:25 a.m.

DRAFT
ORDINANCE NO. ____

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE BY AMENDING CHAPTER 2, ARTICLE V BY ADDING DIVISION 5 TO CREATE A LOCAL HIRING PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the objective of a local hiring program is to reduce the number of unemployed workers in St. Petersburg by requiring contractors to hire residents; and

WHEREAS, the St. Petersburg City Council has made findings as indicated below regarding the importance of a local hiring program to the City of St. Petersburg.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The St. Petersburg City Code is hereby amended by adding Division 5 to Chapter 2, Article V to read as follows:

Division 5. LOCAL HIRING PROGRAM

Section 2-299. – Findings and Intent.

(a) Findings.

(1) The 2012 St. Petersburg unemployment rate of 10.1 percent is higher than the state and national averages.

(2) Unemployment is linked to increased crime **[must perform study or obtain supporting information]** and lowering the unemployment rate will be a benefit to the safety of City residents.

(3) The number of non-resident workers on City construction projects outweighs the number of resident workers by a ratio of **[insert ratio here based on data collected]**.

(4) Due to the lack of local jobs, much of the work force residing in St. Petersburg is forced to commute long distances to find work **[must verify]**, causing increased traffic to highways, increased pollution, increased use of gas and other fuels and other serious environmental impacts.

(5) The establishment of a local hiring preference program is necessary to increase employment of residents and decrease the amount of negative environmental effects in the City which will benefit the City as a whole.

(b) Intent.

It is the intent and policy of the City to create career paths for residents and to increase the number of employed residents to attempt to counteract the economic and social ills associated with the high unemployment levels that exist within the City and to attempt to address health and safety concerns associated with the high level of resident commuters. In furtherance of this policy, the City has established a local hiring program to encourage the hiring and retention of residents for work performed under City construction contracts.

Section 2-300. – Definitions.

(a) The definitions set forth in section 2-237 (procurement code) shall apply to this division with the exception of the definition of “construction” which is defined in subsection (b) of this section.

(b) The following definitions shall apply only to this division:

- (1) *Apprentice* means any person who is a resident of the county of Pinellas, Hillsborough, Pasco or Manatee who is enrolled in and participating in an apprenticeship program as defined and approved by the State of Florida Department of Education to train in the applicable craft or trade.
- (2) *Construction or construction project* means a project of \$2,000,000 or more which involves the process of building, altering, repairing, improving, landscaping, or demolishing any public structure, building or roadway, or other public improvements of any kind to any public real property.
- (3) *Disadvantaged worker* means a resident who (i) resides in a census tract within Pinellas County with a rate of unemployment in excess of 150% of the Pinellas County unemployment rate; (ii) at the time of commencing work on a construction project has a household income of less than 80% of the area median income (AMI); or (iii) faces or has overcome at least one of the following barriers to employment: being homeless, being a custodial single parent, receiving public assistance, lacking a high school diploma or having a criminal record.
- (4) *Hours of Work Performed* means actual hours worked by Florida residents to perform a construction project.
- (5) *Prime contractor* means the contractor which serves as the party of the first part to the contract, acting directly or through agents or employees, to perform a construction project for the City.
- (6) *Resident* means a person who lists his or her full-time residence within Pinellas County and has the requisite skill set to work on a particular construction project. The person must have been a resident for at least six months prior to the start of a construction project ~~and must maintain his or her residence during the term of the contract.~~

- (7) *Subcontractor* means a person or entity that has a direct contract with the prime contractor to perform a portion of the construction project.

Section 2-301. Local Hiring Program.

(a) *Participation percentage.* At least 50% percent of all hours of work performed on construction projects must be performed by residents. This participation percentage should be included in bid specifications and bid advertisements for City construction projects.

(b) *Apprentices.* All contracts for construction projects shall contain provisions requiring each contractor or subcontractor to make good faith efforts to employ apprentices for at least 20 percent of all work hours performed ~~who are residents~~. This requirement shall apply for each craft or trade in which the contractor employs workers to perform any work under the contract. ~~Twenty percent of apprentices shall be disadvantaged workers.~~ Contractors shall comply with the requirements of all local, state and federal laws in employing apprentices.

(c) Disadvantaged Workers. All contracts for construction projects shall contain provisions requiring each contractor or subcontractor to make good faith efforts to employ disadvantaged workers for at least 20 percent of all work hours performed. Disadvantaged workers who are also apprentices may be counted in both categories.

(ed) *Bidding.* All contractors bidding on a construction project shall be required to hire and require subcontractors to hire the required percentage of residents. Prime contractors bidding on construction contracts must submit the following with their bid: a list of the resources which will be used to identify residents, a list of subcontractors proposed to be used for the project, and a description of the work to be performed by residents.

(de) *Changes after contract execution.* The prime contractor and subcontractors must make reasonable efforts to replace any resident who can no longer work on the construction project with another resident.

(ef) *Documentation of good faith efforts.* A prime contractor submitting bids to provide construction services shall be responsible for achieving and maintaining the required participation percentages for the duration of an awarded contract. If the contractor is not able to achieve or maintain the required percentage goal, or unable to find resident apprentices, the contractor must demonstrate and document that good faith efforts were made to achieve or maintain the goal or find apprentices. Documentation that contractors made good faith efforts shall be submitted on forms provided by the POD. The POD shall review the documentation and determine whether good faith efforts were demonstrated. The POD shall have the right to reject bids for noncompliance with this section.

(fg) *Rejection of bids.* Where it is determined that none of the bids meet the local hiring preference criteria in this division or in administrative policies and procedures promulgated hereunder, the POD shall have the discretion to rebid the contract or alternatively to select the bid which substantially complies with this division and is in the best interest of the City. If the latter option is selected, the POD should set forth in writing the reasons for selection. Nothing in

this section precludes the POD from exercising his or her authority to accept or reject bids in accordance with other sections of the Code or bid documents.

(gh) *Award of contracts.* All construction contracts shall be awarded to the lowest responsive and responsible bidder. In awarding any construction or purchase contract pursuant to this division, the POD may reject any bid determined not to be the lowest responsive and/or responsible bid.

(hi) *Compliance.* Contracts and bid documents shall provide that the failure of any contractor or subcontractor to comply with any of the requirements of this division shall be deemed a material breach of the contract or subcontract. The prime contractor is responsible for assuring that all compliance documentation is submitted to the City on forms provided by the POD.

(ij) *Authority of the POD.* The POD shall monitor contracts and contractors for compliance with the local hiring preference criteria throughout the contract term. The POD shall also prepare administrative policies and procedures which will include monitoring and reporting forms and recommendations for actions to be taken should noncompliance occur which may include removal from the registered bidders list as provided in the procurement code. The POD shall maintain information concerning the local hiring program.

Sec. 2-302 – Compliance with federal regulations.

The provisions of this division shall be construed according to and in conformity with acts of Congress and the Legislature of the State concerning the bidding and awarding of contracts. Where a procurement involves the expenditure of State or federal assistance or contract funds, the POD shall comply with such State or federal law and authorized regulations which are mandatorily applicable, including those which dictate that the provisions of this division may not be required on a particular project.

Section 2. That the unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

Section 3. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form:

Administration:

City Attorney (designee)

**St. Petersburg City Council
BUDGET, FINANCE & TAXATION COMMITTEE**

REVISED

Committee Report for November 13, 2012

Members: Chair James R. "Jim" Kennedy, Jr.; Vice-Chair Steve Kornell;
Wengay M. "Newt" Newton Sr.; Karl Nurse and Leslie Curran
(alternate).

Support Staff: Jennifer Millet, Collection Officer, Billing & Collections
Thomas Hoffman, Controller, Finance Department

**Call to Order and Roll Call
Approval of Agenda
Approval of Minutes**

1. New/Deferred Business

a. Budget Clean Up

Denise Labrie, Interim Budget and Management Director provided a brief overview of the FY12 Budgetary Analysis and Fund Balance Report.

Mrs. Labrie presented FY12 preliminary year-end budget performance, a comparison of ending fund balances to established targets, budget cleanup items, in addition to, budget highlights for the quarter ending September 2012. The FY12 budget cleanup report was segregated and presented in 3 parts:

- PART 1 –** FY12 appropriation adjustments which covered FY12 operations budgets and CIP projects where additional appropriations were necessary to authorize expenditures in excess of budgeted amounts. She explained that State law requires the correction of budgetary overages for the prior year, 60 days after the close of the fiscal year and that the deadline to comply would be November 30.
- PART 2 –** Commitments and assignments of balances for FY12 year end. Mrs. Labrie mentioned that the categories for the General Fund commitments were established at the second public hearing on 9/27/12.
- PART 3 –** FY13 changes to the General Operating Fund, Enterprise Funds, Special Revenue Funds, Internal Service Funds, CIP fund budgets and transfers for Art in Public Places.

The report presented recommendations for budget adjustments in various funds that are necessary in the FY12 and FY13 budgets. Mrs. Labrie covered each part and subsequent categories of the report in detail and explained that the FY12 gap is clearly a revenue issue and not an expense issue. Mrs. Labrie also provided a brief overview of the Quarterly Fund Status Report of Selected Funds and other related supporting documents.

b. 4th Quarter Financial Report

Ms. Fritz briefly discussed the highlights covered in the Summary of Quarterly Financial Reports for the period ending September 30, 2012.

Ms. Fritz stated that the Investments saw significant market gains. She indicated that an adjustment was made to the Lehman current market value but will not be reflecting the judgment receivables on the fund financials which will appear on the Entity Fund financials in the CAFR.

Ms Fritz also stated that the Book Value Rate of Return of 1.34% was better than the 6/30/12 quarter based on purchases of corporate bonds and there was a Market Value gain of \$3.5 million at September 30, 2012 compared to a gain of \$1.3 million at September 30, 2011. She also stated that in terms of value of our investment we see pretty significant increases in the Market Value. She added that Weeki Wachi reported a gain of a little over \$1 million at 9/30/12. Ms. Fritz indicated that FY12 was a good year for investments and that quarterly activity on investments included 17 purchases for a total of \$89.6 million, 4 calls and 11 maturities.

Ms. Fritz pointed that a redesigned portfolio from callables to bullets contributed to the positive overall effect of the portfolio.

Ms Fritz briefly provided an overview of the General Government Debt Service and Enterprise Debt Service in regard to future funding.

Ms Fritz indicated that there was a favorable market environment at 9/30/12, far different from 9/2011, in regards to Pension funding. She also stated that the most quarter was a nice quarter investment earnings were above estimates and that there was an increase in funding for each pension plan.

Ms. Fritz pointed out that the Weeki Wachee portfolio had a good quarter, experiencing market value gains in Equities and Fixed Income. Interest and Dividends income earnings were \$244,467 and Realized and Unrealized investment gains were \$2,150,992 for the year ending September 30, 2012.

2. New Business Item Referrals

None

3. Continued Business/Deferred Business

a. Quarterly Lease Report (Grimes)

4. Reports

None

5. Next Meeting Agenda Tentative Issues

December 13, 2012

- a. External Auditor Key Staffing Change (Scott)**
- b. Shade Structures in Parks (Clarence Scott)**
- c. 4th Quarter Grants Update (Wayne Finley)**

December 20, 2012

- a. Management Evaluation-Follow up discussion to 10.11.12 meeting**
- b. Health Insurance Rates for next year (Gary Cornwell)**

6. Adjournment - meeting adjourned at 4:21p.m.



If you wish to speak on a PUBLIC HEARING item or an APPEAL HEARING item listed on your agenda, please fill out this card and place in the box on the center table.

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CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: DANND McKEALIP, M.D.

ADDRESS: 431 Southwood Blvd N.

REPRESENTING: _____

AGENDA ITEM NO.: Local Hiring Ordinance

FOR: _____ AGAINST: X

NOV 19 2012 **3 MINUTE TIME LIMIT**

573



If you wish to speak on a PUBLIC HEARING item or an APPEAL HEARING item listed on your agenda, please fill out this card and place in the box on the center table.

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3

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: Kofi Hunt

ADDRESS: 9100 MLK ST N

REPRESENTING: Auska Pinnellas

AGENDA ITEM NO.: Local Hiring Ordinance

FOR: _____ AGAINST: ✓

NOV 19 2012 **3 MINUTE TIME LIMIT**

573



If you wish to speak on a PUBLIC HEARING item or an APPEAL HEARING item listed on your agenda, please fill out this card and place in the box on the center table.

6

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: Marcel Sykes

ADDRESS: 2301 Sykes Ave

REPRESENTING: NAACP

AGENDA ITEM NO.: 6-2

FOR: ✓ AGAINST: _____

3 MINUTE TIME LIMIT



If you wish to speak on a PUBLIC HEARING item or an APPEAL HEARING item listed on your agenda, please fill out this card and place in the box on the center table.

4

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: Mike Fox

ADDRESS: 719 Sand St. N

REPRESENTING: _____

AGENDA ITEM NO.: Hiring Ordinance

FOR: ✓ AGAINST: _____

NOV 19 2012 **3 MINUTE TIME LIMIT**

Attached documents for item Public Services & Infrastructure Committee. (11/8/12)

City of St. Petersburg
Public Services & Infrastructure Committee
Meeting of November 8, 2012 – 9:15 a.m.
City Hall, Room 100

Members: Chair Bill Dudley; Vice-Chair Leslie Curran
Council Members: Jeff Danner and Charlie Gerdes
Alternate: Steve Kornell

Support Staff: Evelyn Rosetti, primary staff support; David Dickerson, backup staff support

Others Present: Mayor Bill Foster, Council Members James Kennedy, Karl Nurse, Wengay Newton; Tish Elston, City Administrator; Mark Winn, Chief Assistant City Attorney; Chief Harmon, Michael McDonald, St. Petersburg Police Department (SPPD); Major Sharon Carron, SPPD; Sgt Morgan, SPPD; Rick Ferner, SPPD; Muslim Gadiwalla, ICS; Dave McLean, ICS, Joe Braun, ICS; Robert Norton, TASC0; Deputy City Clerk Amelia Preston

A. Call to Order and Roll Call – 9:32 a.m.

B. Approval of Agenda (3 - 0)

C. Approval of Minutes

1. Minutes of October 25, 2012 (3 - 0)

D. New & Continued Business

1. Review of two drafts of the Bar Permitting Ordinance. The first draft provides for a permitting plan so that each bar in the City must obtain a permit to serve after midnight and which could be suspended or revoked. The second draft adds a provision to the first draft requiring downtown large venues provide exterior security on Fridays, Saturdays and certain special event nights.

Discussion by Chief Harmon and Mark Winn

Opening Discussion and Presentation

Chair Dudley opened the discussion and introduced Mark Winn, who began the discussion by allowing Chief Harmon to make a brief PowerPoint presentation about the Demand for Police Services related to downtown activities. The discussion points included statistics for:

- Patrol calls for service
- Arrest
- Directed Patrol
- Overtime

A brief video was shown of the downtown area following First Friday activities.

Committee and Staff Discussion

There was discussion by Council members to address noise complaints and to look at the Sidewalk Café ordinance in addition to the Bar Permitting ordinance. The Sidewalk Café ordinance will be brought forward to this committee in the near future.

Three motions were made as follows:

- Recommendation that the Permit-only ordinance be moved forward to the full Council (1st draft) – that motion failed with 3 nays and 1 yea.
- Recommendation that the 2nd ordinance be moved forward to the full Council – that motion failed with a tied vote
- Recommendation that the Permit-only ordinance be moved forward to the full Council with the opportunity to modify the language to address concerns voiced by Council Members – that motion passed with 3 yeas and 1 nay.

2. Armored Surveillance Vehicle and Cameras for Public Safety.

Discussion by Chief Harmon; Mike McDonald, Muslim Gadiwalla and Robert Norton

Opening Discussion and Presentation

Chief Harmon opened the discussion by introducing Robert Norton of TASC0, who showed a brief video of the development of the graphics for the Armored Surveillance Vehicle. Chief Harmon indicated that the design of the vehicle was intended to be overt and the first use of the vehicle will be focused on commercial corridors. The vehicle was outside of City Hall for viewing by Council members.

The topic of cameras for public safety was also presented by Chief Harmon and Mike McDonald as to locations, intended use of the cameras and costs to install and maintain cameras. The cameras will be used at public parks, public property, commercial corridors and existing infrastructure. Mr. McDonald discussed a map illustrating the locations for the new cameras once installed. Chief Harmon discussed using seized and forfeited money for costs associated with installation of the cameras.

Committee and Staff Discussion

There was discussion about how the vehicle could be requested via email directed to Chief Harmon and his staff. Use of the vehicle may be based on calls for service and certain types of crime. Deployment of the vehicle is not intended for videoing inside residential or commercial locations. Normal archiving of video is 30 days and possibly longer in certain circumstances.

There was discussion about how the cameras would be monitored. The presence of cameras would serve to deter certain types of crimes. The cameras are intended primarily for parks and downtown and commercial areas and would not be used for residential purposes. Future camera installations will be based on crime data from the Police Department. Chair Dudley asked that a copy of the map with camera locations be provided.

3. Police Headquarters Status. In lieu of a presentation to the PSI Committee, this item was deferred to the full Council on November 19, 2012, when approval of the selected architect will be proposed.

E. Next Meeting – December 13, 2012 (Mobile Food Trucks)

F. Adjournment. Meeting Adjourned at 11:55 am.

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING THE CITY CODE TO CREATE NEW SECTIONS REGULATING THE CLOSING HOURS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS; REQUIRING EXTENDED HOURS PERMITS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS SERVING ALCOHOL AFTER MIDNIGHT; PROVIDING FOR SUSPENSION AND REVOCATION OF PERMITS; PROVIDING FOR APPEALS; ESTABLISHING FEES; ESTABLISHING AND AMENDING DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The St. Petersburg City Code is hereby amended by adding a new Section 3-8 to read as follows:

Section 3-8. Permits for extended hours for alcoholic beverage establishments.

(a) Purpose and Findings. The increase in the number of bars, nightclubs, restaurants, and other establishments licensed to sell alcoholic beverages in the City has caused an increase in the number of people in the downtown area and other locations in the City at any given time. The downtown area is a small area with a large number of these establishments in close proximity. At night, this large concentration of establishments and greater number of persons has at times created certain negative impacts and a need for an increase in security and law enforcement personnel. The increased patronage of persons at such establishments at other locations in the City has also, at times, created certain negative impacts and a need for an increase in security and law enforcement personnel. It is reasonable and appropriate for these establishments to provide for the security needs of their patrons to help mitigate the impacts created by their operations. The ability to sell, offer for sale, deliver or permit to be consumed upon the premises any alcoholic beverage beyond midnight on any day of the week is hereby declared to be, and is, a privilege subject to modification, suspension or termination by the City. No person or establishment may reasonably rely on a continuation of that privilege. As a condition of the continuation of this privilege, these establishments should take all necessary steps to minimize or eliminate the negative impacts that their establishment may cause. The implementation of the permit process in this section is a necessary first step to achieve this goal.

(b) Prohibition. No owner, manager or employee (hereinafter collectively the 'permittee') of an establishment dealing in alcoholic beverages for consumption on the premises within the City (hereinafter 'establishment') may sell, offer to sell, deliver, serve or permit the consumption of

any alcoholic beverages after midnight unless the establishment has an extended hours permit (hereinafter 'permit') from the City and is in compliance with all conditions of the permit. 'Dealing in alcoholic beverages' shall mean, but not be limited to, the sale, offering to sell, delivering, serving or permitting the consumption of alcoholic beverages. For the purposes of this section, an establishment shall include but is not limited to, bottle clubs, clubs, restaurants, bars, caterers of catered events and any other establishment for which the on premise consumption of alcohol is permitted but shall not include a restaurant which serves its full dinner menu (not a limited menu such as a 'bar' menu, 'late night' menu, etc.) during the time alcohol is sold for consumption on the premises. The provisions of this section shall not impair or impact an establishment's ability to remain open prior to midnight.

(c) Application required. Any establishment that desires to remain open for business after midnight on any night shall make an application for a permit.

(d) Application. The application for a permit shall be on the form provided by the POD accompanied by the application fee set forth in Chapter 12. The applicant shall complete the application by providing all the information requested, including but not limited to the name and address where notices related to this section are to be served. The POD may request any information reasonably necessary to issue the permit.

(1) The POD shall review the application and, if the application is complete, a permit shall be issued which allows the establishment to sell, serve and dispense alcoholic beverages after midnight until the permitted closing hour (currently 3:00 a.m.). If an applicant is not an individual (eg. corporation, partnership, etc.), the POD may deny a permit if any principal (eg. officer, director, partner, business manager, etc.) of the applicant was directly associated with a permittee that had a permit revoked and that revocation is still in effect.

(2) If the permitted closing hour changes, the permit shall allow the establishment to sell, serve and dispense alcoholic beverages until the new permitted closing hour. The permit shall be conspicuously posted near the alcoholic beverage license for the establishment. The extended hours permit may be shown on the business tax certificate.

(3) Permittees shall amend the application that is on file with the POD within thirty (30) days if any of the information set forth on the application form changes. In the event that there has been a change in ownership or a change in location of the establishment, the permittee shall immediately notify the POD and a new application shall be processed after payment of the required fee.

(4) Each permit shall expire at midnight on September 30. The permit may be renewed annually after payment of a renewal fee as set forth in Chapter 12, unless the permit has been suspended or revoked by the POD or the state beverage license has been revoked. If an establishment fails to renew the permit, it shall not remain open after midnight. Any renewal application received by the POD after September 30 shall be subject to the payment of a late fee of \$200 for each month, or any portion thereof, after September 30 (e.g. an applicant applying on

October 1 shall owe a \$200 late fee, an applicant applying on November 1 shall owe a \$400 late fee).

(5) If an establishment has a sidewalk café area, a condition of every permit shall be that the establishment shall have an approved, current, valid sidewalk café permit, prior to approval of the permit or renewal. If the establishment does not have a valid sidewalk café permit and is in a DC zoning district, the establishment shall post a sign on the exterior of the establishment facing the street right of way, which sign shall be at least one foot by two feet, containing substantially the following information in letters not less than two inches in height: It is unlawful to consume alcoholic beverages on the sidewalk in front of this establishment.

(e) Acceptance of, and operation pursuant to, a permit shall be deemed to be the approval, permission and authorization by the owner of the establishment for any law enforcement officer to enter the establishment, when such establishment is open, and conduct a search to determine whether any provisions of law are being violated. 'Open', for the purpose of this section, shall mean any time members of the public are inside the establishment, whether or not they have paid a fee to enter or whether or not their presence is pursuant to a private event. It is unlawful for any permittee to refuse to permit a lawful inspection of the establishment at any time it is open.

(f) Although not required, police officers may, at their discretion, issue written warnings that shall not be considered a notice of violation, to put an establishment on notice that a particular problem or problems must be addressed and could result in a notice of violation, or suspension or revocation of the permit, if not corrected.

(g) Penalty. The penalty for operating an establishment after midnight without a valid permit, in violation of any provision of this section, or of failing to comply with any condition of a permit, shall be a \$500 fine and the City may initiate any other actions to insure compliance with this section.

(h) Suspension and Revocation.

(1) Suspension. The Chief of Police shall suspend a permit for a period of time not exceeding thirty (30) days if the Chief determines that a permittee has committed any one or more of the following acts:

- a. Convicted of violating any provision of the City Code relating to the establishment (conviction shall not include pretrial pleas);
- b. Engaged in, or allowed, the use of alcoholic beverages at the establishment after closing hours by any person;
- c. Refused to allow an inspection of the establishment as authorized by this Section;
- d. Knowingly permitted the use of controlled substances at the establishment, or should have known of the use of a controlled substance and took no steps to prevent it;
- e. Knowingly permitted gambling by any person at the establishment;
- f. Permitted the possession or consumption by a minor of an alcoholic beverage at the establishment, or the sale to a minor of an alcoholic beverage at the establishment, or allowed a minor to enter and remain at the establishment;

- g. Convicted of violating any condition of a permit;
- h. Provided inadequate security on more than two occasions in a year. The Chief shall notify the establishment in writing, by hand delivery to the establishment and first class mail to the permittee, within ten calendar days of each occasion when there has been inadequate security and how the security was inadequate. Inadequate security means, for the purposes of this section, that the establishment did not provide at least one security officer per each 200 occupants or any portion thereof (bartenders, barbacks and other employees with duties unrelated to security shall not be counted as a 'security officer'), did not wand patrons on entry, or did not have full video surveillance of all public areas at the establishment, and a violent crime occurred at the establishment or in the right of way abutting the establishment that could have been avoided with the implementation of one or more security measures.

(2) Suspensions will continue for the full thirty days and no permit shall be issued during the suspension.

- (3) Revocation. The Chief shall revoke a permit if:
- a. The permit is suspended twice within any 12-month period;
 - b. The permittee has given false or misleading information in the material submitted during the application process;
 - c. The permittee has knowingly allowed the sale of controlled substances or any derivative thereof at the establishment;
 - d. A permittee allowed a member of the public to enter the establishment during a period of time when the permit was suspended.

(4) A revocation is effective for one year. The permittee shall not be issued a permit for the establishment, or any other establishment, for one year from the date the revocation became final. If, subsequent to revocation, the Chief determines that the basis for the revocation action has been corrected or abated, or the permittee has taken action to ensure that the basis for the revocation will not occur again, which action(s) the Chief reasonably believes will ensure that the basis for the revocation will not occur again, the permittee may be granted a new permit if at least 90 days have elapsed since the date the revocation became final.

(5) Notice of a suspension or revocation shall be made in writing, by hand delivery to the establishment and first class mail to the permittee. The notice shall identify the length of the suspension or revocation and the date of the first day the suspension or revocation is effective.

(6) The fact that a conviction is being appealed shall have no effect on the suspension or revocation of the permit.

(i) Appeals. If the Chief denies the issuance or renewal of a permit or suspends or revokes a permit, the Chief shall send the permittee, by hand delivery to the establishment and first class mail, written notice of the action and the right to an appeal. The permittee may appeal the decision of the Chief to the City Council by following the procedures set forth in Chapter 16 for appeals. The filing of an appeal stays the action of the Chief in suspending or revoking a permit

or denying a renewal until the City Council makes a final decision. If during the pendency of a stay, the permittee commits any other violation of this section which would warrant suspension or revocation, the Chief may suspend or revoke the permit as provided herein, subject to any appeal. If upheld on appeal, or if not appealed, suspensions would be applied consecutively and a revocation would be applied instead of suspension, if applicable.

(1) The City Clerk shall set the date for the hearing as soon as is reasonably possible, however, not more than 30 days from the date the written appeal is received.

(2) The City Council shall hold a public hearing to hear and consider evidence offered by any interested person to determine whether the Chief properly denied issuance or renewal of a permit, or properly suspended or revoked the permit in accordance with the provisions of this section.

(3) The City Council shall determine whether the Chief properly suspended, revoked or denied the permit and shall grant or deny the appeal by majority vote. Failure to reach a majority vote will result in denial of the appeal. Decisions of the City Council shall be final decisions.

(4) If City Council denies the appeal of a revocation, the permittee may not apply for another permit at the establishment until at least 12 months have elapsed since the date of the City Council's action unless there is a substantial change of circumstances. The Chief shall determine if there has been a substantial change of circumstances, however, at least 90 days must have elapsed since the date the appeal was denied before the Chief may approve a permit based on a substantial change of circumstances. If the Chief determines that there has not been a substantial change of circumstances, that decision may be appealed to City Council by following the appeal procedures in Chapter 16.

SECTION 2. The definitions of 'Law Enforcement Officer' and 'Permit' in Section 23-42 of the St. Petersburg City Code are hereby amended to read as follows:

Law Enforcement Officer means a Certified Law Enforcement Officer of any rank who is an employee of the City of St. Petersburg Police Department or a Certified Law Enforcement Officer from another law enforcement agency who has been specifically authorized by the Chief to perform permit services.

Permit means a permit issued pursuant to this division or an extended hours permit or other permit authorized or required in Chapter 3.

SECTION 3. Section 12-6(1) of the St. Petersburg City Code is hereby amended to read as follows:

(1) *Alcoholic beverage applications.*

New locations (base fee):

see zoning permits

Transfer application (name only) 35.00

<u>Use of the City alcoholic beverage license by for-profit organizations or groups</u>	<u>1,000.00</u>
<u>Extended Hours Permit</u>	
New Application	100.00
Renewal	50.00

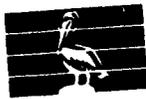
SECTION 4. Words in struck-through type shall be deleted. Underlined words constitute new language that shall be added. Provisions not specifically amended shall continue in full force and effect.

SECTION 5. The provisions of this Ordinance shall be deemed severable. The unconstitutionality or invalidity of any word, sentence or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 6. In the event that this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (designee)



If you wish to speak on a PUBLIC HEARING item or an APPEAL HEARING item listed on your agenda, please fill out this card and place in the box on the center table. G3
①

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: TEE GRIZZARD
 ADDRESS: 1677 Connecticut Ave NE
 REPRESENTING: _____
 AGENDA ITEM NO.: After hours permitting
 FOR: _____ AGAINST: Permitting w/ Exterior Security
 NOV 19 2012

3 MINUTE TIME LIMIT

573



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②

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: MATT DONAHUE Donahue
 ADDRESS: 405 Central Ave Suite 220
 REPRESENTING: Push Ultra Lounge
 AGENDA ITEM NO.: _____
 FOR: _____ AGAINST: _____
 NOV 19 2012

3 MINUTE TIME LIMIT

573



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③

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: Doug HENSEL
 ADDRESS: 1832 Bayou Grande Blvd NE
 REPRESENTING: Suite Six Lounge
 AGENDA ITEM NO.: G3 after hours permit
 FOR: _____ AGAINST: X

3 MINUTE TIME LIMIT

573



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G3

(4)

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: JON LABUDDO
 ADDRESS: 4 BRIGHTWATERS CIR
 REPRESENTING: JANNUS / JONNY RENO'S
 AGENDA ITEM NO. : G-3
 FOR: COMPROMISE AGAINST: _____

NOV 19 2012

3 MINUTE TIME LIMIT

573



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G3

(5)

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: MARK FERGUSON
 ADDRESS: 7937 Ave S.
 REPRESENTING: FERG'S SPORTS BAR
 AGENDA ITEM NO. : G3
 FOR: COMPROMISE AGAINST: _____

NOV 19 2012

3 MINUTE TIME LIMIT

573



If you wish to speak on a PUBLIC HEARING item or an APPEAL HEARING item listed on your agenda, please fill out this card and place in the box on the center table.

G3

(6)

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: Robert Rowen
 ADDRESS: 175 2nd St S
 REPRESENTING: Residents
 AGENDA ITEM NO. : Bar Issue
 FOR: _____ AGAINST: _____

3 MINUTE TIME LIMIT

573

Attached documents for item Confirming the preliminary assessment for Lot Clearing Number 1510.

ST. PETERSBURG CITY COUNCIL

MEETING OF: November 19, 2012

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for
Lot Clearing Number LCA 1510

EXPLANATION: The Sanitation Department has cleared the following number of properties under Chapter 16, Article XIII, of the St. Petersburg City Code. The interest rate is 12% per annum on the unpaid balance.

LCA:	<u>1510</u>
NUMBER OF STRUCTURES:	<u>221</u>
ASSESSABLE AMOUNT:	<u>\$44,593.54</u>

According to the City Code, these assessments constitute a lien on each property. It is recommended that the assessments be confirmed.

COST/FUNDING/ASSESSMENT INFORMATION:

The total assessable amount of \$44,593.54 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

FOLLOW-UP: _____

AGENDA NO. _____

10/25/12
16:12:10

CITY OF ST. PETERSBURG, FLORIDA
OWNERS NAME AND ADDRESS LISTING
LCA - LOT CLEARING

PAGE: 1
SASONA1P

ECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
1510	ARCERI, ANTONINO	4350 IRIS ST N	184.38
	ARCHIE, HORACE	1905 24TH ST S	184.38
	BAKER, KRISTA	5914 13TH AVE N	204.43
	BANK OF AMERICA	4337 17TH AVE S	184.38
	BARRETT, THOMAS	625 11TH AVE S	204.43
	BARRETT, THOMAS	1111 HIGHLAND ST S	184.38
	BARRETT, THOMAS	1119 HIGHLAND ST S	184.38
	BARTON, KELLY	1740 19TH ST S	184.38
	BERRADI, ADIL	6718 LIVINGSTON AVE N	184.38
	BERRY, KIMBERLY	4800 12TH AVE S	184.38
	BOLDEN, JULIOUS LEE EST	719 19TH ST S	264.56
	BORDONES, ORLANDO	1515 14TH ST S	184.38
	BRADY, BARBARA J INC	626 61ST AVE S	204.43
	BROWN, BEULAH EST	699 PARIS AVE S	224.47
	BROWN, KIM-NELSON	3735 27TH AVE S	184.38
	BURROW, MARCUS	2309 36TH ST S	184.38
	CASTANHEIRO, AUDRIE	2217 26TH ST S	204.43
	CELTIC ASSOCIATES INC	1537 42ND ST S	184.38
	CHRISTIANSEN, LINDA	3487 QUEENSBORO AVE S	184.38
	CHRYSLER, ROBERT C	4662 10TH AVE S	184.38
	CIRCLE K STORES INC	5756 CENTRAL AVE	304.65
	COAST TO COAST DEVELOPMENT SER	333 13TH ST N	184.38
	CONARD, ANN	8030 38TH AVE N	184.38
	COOPER LANE 602 LLC	3610 16TH AVE S	184.38
	CORNELIUS, MARY L	2305 13TH ST S	204.43
	COSTELLO, LISA C	4619 10TH AVE S	184.38

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CITY OF ST. PETERSBURG, FLORIDA
OWNERS NAME AND ADDRESS LISTING
LCA - LOT CLEARING

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OBJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	COTTMAN, PURITY	670 26TH AVE S	184.38
	CULVER, CHARLES N EST	3627 IRIS ST N	184.38
	CUMMINGS, SHENIKA	2417 12TH ST S	184.38
	CUSTOM AFFORDABILITY INC	1135 11TH AVE S	184.38
	DALLAND PROPERTIES LP	4519 14TH AVE S	204.43
	DAYTON, CLARA M EST	1918 NORFOLK ST N	184.38
	DE LUCA, LINSEY M	6830 GEORGE M LYNCH DR	184.38
	DEAN, DAVID ALAN	860 14TH AVE S	184.38
	DEMPS, KAREN A	725 21ST AVE S	184.38
	DENNIE, MORGAN G	450 NORTHMOOR AVE N	234.49
	DEUTSCHE BANK NATL TRUST CO T	2439 4TH AVE S	184.38
	DIXON, MICHAEL	1915 14TH ST S	224.47
	DONOHUE, KEVIN	4101 38TH WAY S	264.56
	DOWNING, DEBORAH	5210 8TH AVE N	184.38
	EDWARDS, MARGARET	2101 UNION ST S	224.47
	EVANS, RAYMOND M III	791 SUWANNEE CT NE	264.56
	FEDERAL HOME LOAN MTG CORP	668 23RD AVE S	184.38
	FIRST FIDELITY HOLDINGS LLC	1739 19TH AVE S	184.38
	FISERV ISS & CO	400 24TH ST S	184.38
	FLOWERS, ANTIONA A	2219 19TH ST S	184.38
	FOX TARA M	6743 32ND AVE N	184.38
	FULLER-GAINEY, ANTONISHIA L	4700 11TH AVE S	184.38
	GARBART, ERIC W	1810 46TH AVE N	204.43
	GARNER, DARELL	3510 13TH AVE S	184.38
	GENERAL HOME DEVELOPMENT CORP	4834 10TH AVE S	184.38
	GINN, HAROLD	4725 23RD AVE S	184.38

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CITY OF ST. PETERSBURG, FLORIDA
OWNERS NAME AND ADDRESS LISTING
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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	GINN, HAROLD S	3610 14TH AVE S	184.38
	GORE, LISA L	7575 19TH AVE N	184.38
	GRAY, LASHANDRA NICOLE	2826 4TH AVE S	224.47
	GRAYSON, DONNA	835 WEST HARBOR DR S	304.65
	GREEN, EDDIE	3519 3RD AVE S	225.00
	GREEN, EDDIE	3519 3RD AVE S	184.38
	H S B C BANK USA NATL ASSN TRE	2525 IMLAY CT S	184.38
	HABITAT FOR HUMANITY OF PINELL	2285 25TH AVE S	184.38
	HAMILTON, JOSHUA	2405 10TH ST S	184.38
	HARRELL, JACQUELINE EST	5200 1ST AVE S	184.38
	HARRIS, JOHN III	4609 FAIRFIELD AVE S	184.38
	HARRIS, ROSS INVESTMENTS LLC	4062 3RD AVE S	224.47
	HART, MARCUS	2550 6TH ST S	244.52
	HERON, CHRISTOPHER	627 14TH AVE S	264.56
	HEYWOOD, CODY STAR	527 25TH AVE S	184.38
	HILL, ERIC J	1710 20TH ST S	184.38
	HILL, MICHAEL L	253 21ST AVE S	184.38
	HINES, BOOKER T REVOCABLE TRUS	349 7TH ST S	224.47
	HIRCOCK, JAMES	329 25TH ST S	184.38
	HIRCOCK, JAMES	3136 17TH AVE S	184.38
	HOFFMAN, KEVIN J	4301 5TH AVE N	204.43
	HOWARD, KIMBERLY L	2859 51ST AVE S	284.61
	HUNGERFORD, PAUL	525 26TH AVE S	184.38
	HUYNH, LINDA	1211 12TH AVE S	225.00
	HUYNH, TOMMY	1832 35TH ST S	204.43
	JAEGER, WILLIAM	2150 46TH AVE N	184.38

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CITY OF ST. PETERSBURG, FLORIDA
OWNERS NAME AND ADDRESS LISTING
LCA - LOT CLEARING

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	JANKE, AARON	4690 15TH AVE S	184.38
	JENKINS, SHIRLEY D	1048 26TH AVE S	184.38
	JIBSON, SUE C	6770 15TH AVE N	184.38
	JOHNSON, HORACE L	754 27TH AVE S	204.43
	JOHNSON, NORRIS STEVEN	3805 14TH AVE S	184.38
	JOHNSTON, KATHRYN A	4040 18TH ST N	184.38
	KIMBALL, JEFFREY	6501 15TH ST N	184.38
	KIPRADA HOMES LLC	2627 5TH AVE S	184.38
	KNECHTEL, KURT DANIEL	2825 5TH AVE S	264.56
	KUYKENDALL, LEON E	3547 IRIS ST N	184.38
	KYLES, WALTER J	636 23RD AVE S	184.38
	LA PLANTE, KAREN C	866 53RD AVE N	225.00
	LAWRENCE, HENRY	3526 16TH AVE S	184.38
	LEE, RICHARD	5107 3RD AVE S	204.43
	LEGANT, ALEXANDER W	3271 6TH AVE S	204.43
	LEITENBERGER, JOHN A	865 21ST AVE N	184.38
	LENDHOLDERS TRUST LLC	1861 12TH ST S	184.38
	LEPRETRE, JEAN-CLAUDE	1761 17TH ST S	204.43
	LEWIS, PATRICIA	1931 43RD ST S	184.38
	LINDELL, CARL JR	3650 34TH ST N	505.10
	LOPEZ, TIENE	2827 29TH AVE N	224.47
	LOREVIL LAND TRUST AGM NO 19	2321 25TH AVE S	184.38
	LOREVIL LAND TRUST AGM NO 8	4100 18TH AVE S	184.38
	LOVETT, ADRIAN M	5110 3RD AVE S	184.38
	LUBIK, SCOTT M	1843 QUINCY ST S	184.38
	LUCERO, JARED LOUIE	5800 LEELEND ST S	400.00

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CITY OF ST. PETERSBURG, FLORIDA
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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	LUCK, JAMES R TRUST	2700 18TH AVE S	264.56
	M N L PROPERTIES LLC	1770 31ST ST S	224.47
	M TAMPA CORP	1925 37TH ST S	204.43
	MALFITANO, SALLY P	3410 18TH TERR S	184.38
	MAREK, DAVID	1731 35TH ST S	184.38
	MARI, WAIL	631 12TH AVE S	184.38
	MARKEY, JAMES E EST	726 75TH AVE N	184.38
	MARS 1 LLC	2409 4TH AVE S	184.38
	MATTHEWS, MICHAEL E	719 10TH ST N	184.38
	MC CLELLAND, BERNADETTE Z EST	6907 14TH ST N	204.43
	MC CORMACK, KEVIN S	601 12TH AVE S	204.43
	MC KEON, SEAN	2440 MELROSE AVE S	184.38
	MC KINLAY, DAVID	4545 22ND ST N	214.45
	MEFFLEY, MICHAEL SHANE	2859 60TH AVE S	184.38
	MICHAEL, MAXINE A	7964 2ND AVE S	204.43
	MICHAELSEN, DESIREE	801 29TH AVE N	184.38
	MILLER, VERNELL M	621 12TH AVE S	204.43
	MITCHELL, ANDREW HOLDINGS LLC	959 NEWTON AVE S	184.38
	MOLLER, ADOLF H EST	883 41ST AVE NE	184.38
	MORAY, ZACHARY TAYLOR	1211 8TH ST CT S	204.43
	MOSELEY, BARBARA A EST	4656 19TH AVE S	184.38
	MURRAY, RICHARD	1500 20TH AVE S	184.38
	NATIONAL TR BK FLA	1100 TYRONE BLVD N	364.79
	NEELEY, DOROTHY A	3811 14TH AVE S	184.38
	NERI, EDWARD R	4331 FAIRFIELD AVE S	204.43
	NEW MILLENNIAL LC	2517 5TH ST S	204.43

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CITY OF ST. PETERSBURG, FLORIDA
OWNERS NAME AND ADDRESS LISTING
LCA - LOT CLEARING

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PARCEL	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	NEW VILLA HOMES INC	759 14TH AVE S	184.38
	NEW VILLA HOMES INC	818 15TH AVE S	184.38
	NEW VILLA HOMES INC	820 15TH AVE S	184.38
	NEW VILLA HOMES INC	835 15TH AVE S	184.38
	NEWKIRK, LOUISE EST	1827 13TH AVE S	204.43
	NEWTON, SHEILA R	1819 48TH ST S	184.38
	PALISADE LIVING TRUST	2014 2ND AVE N	184.38
	PAPPAS, DONA-ROSE	2205 QUINCY ST S	284.61
	PENNYMAC CORP	2101 75TH ST N	184.38
	PEREZ, JOSE L EST	1311 36TH AVE N	204.43
	PERRY, MARY J FAMILY LAND TRUS	751 NEWTON AVE S	184.38
	PERSEUS HOLDINGS LLC	1134 38TH AVE N	184.38
	PETESCH, THOMAS	745 42ND AVE S	184.38
	PHOENIX PROPERTY HOLDINGS INC	1407 7TH AVE N	184.38
	PIERAERT, EMMA	4011 24TH AVE N	184.38
	POWELL, JOHN G II	6224 28TH AVE N	184.38
	PRECISION QUALITY BUILDERS	750 14TH AVE S	184.38
	PRICE, EVIN L	2227 21ST ST S	204.43
	QUARTERMAN, TERESA E	1718 29TH ST S	184.38
	RANNEY, MARIE S EST	1819 11TH ST S	184.38
	RATH, MICHAEL B	790 HILLSIDE DR S	184.38
	ROBERTS, BRENDA	3724 MANATEE DR SE	184.38
	ROSEBUD, JAMES D	649 12TH AVE S	224.47
	RUEHLE, CLARENCE JOHN	3820 8TH ST S	184.38
	SANCHEZ, DIANELYS	5218 22ND AVE N	204.43
	SANCHEZ, MARINA	3254 6TH AVE S	184.38

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CITY OF ST. PETERSBURG, FLORIDA
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OBJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	SANDERSON, DAVID	3738 1ST AVE N	184.38
	SCHOPF, ERIC	4500 18TH AVE S	224.47
	SCHRAMM, DAVID ARDEN	723 12TH AVE S	184.38
	SCHRAMM, DAVID ARDEN	725 12TH AVE S	184.38
	SCHRAMM, DAVID ARDEN	810 11TH AVE S	184.38
	SCHULZE-VON ZUTEL, BRENDA	630 14TH AVE S	264.56
	SHARMA, SEWNARINE	1036 NEWTON AVE S	244.52
	SHIFFLER, KIM L	4226 5TH AVE N	214.45
	SMITH, QUINCY	4550 19TH AVE S	184.38
	SMITH, RAYMOND	711 16TH AVE S	184.38
	SMITH, RAYMOND	2035 18TH AVE S	224.47
	SMITTYS INVESTMENTS INC TRE	2348 2ND AVE S	184.38
	SOREM, MELVIN D	2819 12TH AVE S	184.38
	ST PETE RENTAL PROPERTIES LLC	4349 17TH AVE S	224.47
	STABINS, CRISSY	2425 10TH ST S	184.38
	SUNCOAST PROPERTY PARTNERS LLC	1921 13TH ST S	184.38
	SUNNY BAY PROPERTIES LC	2300 13TH ST S	184.38
	T I F-C F L III LLC	4709 15TH AVE S	184.38
	TARPON IV LLC	731 36TH AVE S	204.43
	TARPON IV LLC	1111 16TH AVE S	184.38
	TARPON IV LLC	1121 FARGO ST S	284.61
	TARPON IV LLC	1413 7TH ST S	184.38
	TARPON IV LLC	2820 4TH AVE S	184.38
	THALER, JEFFREY G	2425 4TH AVE S	184.38
	THORPE, PAUL MICHAEL	2517 11TH ST S	184.38
	TITAN DEVELOPMENT GROUP LLC	3321 5TH AVE S	184.38

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CITY OF ST. PETERSBURG, FLORIDA
OWNERS NAME AND ADDRESS LISTING
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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	TOLBERT, WILLIAM F	2506 19TH ST S	264.56
	TOWLE, TRACY	3534 17TH AVE S	184.38
	TRUST NO 3887	3887 12TH AVE S	184.38
	TURNBULL, JANE K TRUST	1774 56TH ST N	184.38
	TURNER, KEVIN J	1755 26TH ST S	284.61
	TURNER, OLICIA	1440 27TH ST S	224.47
	VALDES, KATHERINE	1831 10TH ST S	204.43
	VALDES, ORLANDO JR	3818 14TH AVE S	184.38
	VENTIMEGLIA, MICHAEL M	7100 37TH AVE N	224.47
	VERONA V LLC	1314 20TH AVE S	184.38
	WALKER, DIANE L EST	5345 4TH ST S	184.38
	WALSH, HUBERT J	883 13TH AVE S	224.47
	WARD, JAMES	511 26TH AVE S	184.38
	WARD, JAMES	1735 17TH ST S	184.38
	WARD, SCOTT M	676 25TH AVE S	204.43
	WARNER, JEFFREY	1705 40TH ST S	184.38
	WARNER, JEFFREY W EST	2401 4TH AVE S	184.38
	WARREN, JULIE T	415 25TH ST S	244.52
	WEBB, ALLISON P	881 18TH AVE S	184.38
	WELCH, CLARENCE	650 29TH AVE S	184.38
	WHITE, GREGORY MICHAEL	5020 3RD AVE N	184.38
	WHITFIELD INVESTMENT CO	1222 11TH AVE S	204.43
	WILSON, CHRISTINE	1425 40TH ST S	184.38
	WILSON, THOMAS JR	766 21ST AVE S	244.52
	WILSON, THOMAS S EST	844 26TH AVE N	184.38
	WITCHERD, WILLIE FRED	1801 ALMERIA WAY S	234.49

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CITY OF ST. PETERSBURG, FLORIDA
OWNERS NAME AND ADDRESS LISTING
LCA - LOT CLEARING

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	WITCZAK, STANLEY R	3841 KINGFISH DR SE	224.47
	WRIGHT, ERIC	331 MOFFETT CT N	184.38
	XZILR8ING ENTERPRISES LLC	600 49TH ST S	224.47
	1002 14TH AVE LAND TRUST	1002 14TH AVE S	184.38
	1820 7TH AVE S LAND TRUST	1820 7TH AVE S	184.38
	2045 43RD ST TRUST	2045 43RD ST S	184.38
	2238 20 STREET SOUTH FAMILY TR	2238 20TH ST S	204.43
	2651 2ND AVE TRUST	2651 2ND AVE S	184.38
	30 DAYS REAL ESTATE CORP TRE	1926 21ST ST S	204.43
	4642 19TH AVE S LAND TRUST	4642 19TH AVE S	184.38
	617 GROVE ST LAND TRUST	617 GROVE ST N	184.38
	7TH CAVALRY CORP	1915 10TH ST S	204.43
	710 16TH AVE SOUTH LAND TRUST	710 16TH AVE S	184.38

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CITY OF ST. PETERSBURG, FLORIDA
OWNERS NAME AND ADDRESS LISTING
LCA - LOT CLEARING

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
		PROJECT TOTAL	44,593.54
	*** END OF REPORT ***	GRAND TOTAL	44,593.54

LOT CLEARING NUMBER 1510
COST / FUNDING / ASSESSMENT INFORMATION

CATEGORY ASSESSED

AMOUNT TO BE ASSESSED

LOT CLEARING COST

\$ 30,488.54

ADMINISTRATIVE FEE

\$ 14,105.00

TOTAL:

\$ 44,593.54

A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1510; PROVIDING FOR AN INTEREST RATE ON UNPAID ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, preliminary assessment rolls for Lot Clearing No. 1510, have been submitted by the Mayor to the City Council pursuant to St. Petersburg Code Section 16.40.060.4.4; and

WHEREAS, notice of the public hearing was duly published in accordance with St. Petersburg City Code Section 16.40.060.4.4; and

WHEREAS, City Council did meet at the time and place specified in the notice and heard any and all complaints that any person affected by said proposed assessments wished to offer; and

WHEREAS, City Council has corrected any and all mistakes or errors appearing on said preliminary assessment rolls.

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the preliminary assessment rolls for Lot Clearing No. 1510 are approved; and

BE IT FURTHER RESOLVED that the principal amount of all assessment liens levied and assessed herein shall bear interest at the rate of 12% per annum from the date this resolution.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Confirming the preliminary assessment for Building Securing Number 1170.

ST. PETERSBURG CITY COUNCIL

MEETING OF: November 19, 2012

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for
Building Securing Number **SEC 1170**

EXPLANATION: Codes Compliance Assistance has secured the attached structures which were found to be unfit or unsafe under Chapter 8, Article VII, of the St. Petersburg City Code. The interest rate is 12% per annum on the unpaid balance.

SEC:	<u>1170</u>
NUMBER OF STRUCTURES	<u>42</u>
ASSESSABLE AMOUNT:	<u>\$7,636.15</u>

According to the City Code, these assessments constitute a lien on each property. It is recommended that the assessments be confirmed.

COST/FUNDING/ASSESSMENT INFORMATION:

The total assessable amount of **\$7,636.15** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

FOLLOW-UP: _____

AGENDA NO. _____

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CITY OF ST. PETERSBURG, FLORIDA
OWNERS NAME AND ADDRESS LISTING
SEC - SECURING/SANITATION

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
1170	ASPEN SCHACKLETON III LLC	2470 47TH ST S	124.53
	BARRETT, THOMAS	1119 HIGHLAND ST S	79.53
	BRITT, RONALD P	5325 2ND AVE S	163.56
	BUHRMASTER, TODD	701 51ST ST N	300.00
	CONNON, KEVIN J	1921 48TH ST S	123.17
	DRAIN, EDDIE	2911 26TH AVE S	125.78
	FASSNACHT, MICHAEL	773 4TH AVE N	101.20
	FLOURNOY, KEENA	2530 16TH AVE S	94.53
	FOX FUND	836 14TH AVE S	111.83
	GINN, HAROLD S	3840 7TH AVE N	277.73
	GRAY, GARY L	3543 4TH AVE S	82.37
	GROSSMAN, JENNIFER NICOLE	3851 15TH AVE S	143.56
	HENRY, JENNIFER T	631 36TH ST S	94.53
	JENKINS, BARBARA	2700 PINELLAS POINT DR S	103.17
	LEGANT, ALEXANDER W	3271 6TH AVE S	103.70
	LIVINGSTON, CEDRIC B	4040 1ST AVE N	1,041.93
	LOPEZ, TIENE	2827 29TH AVE N	357.41
	LOREVIL LAND TRUST AGM NO 12	1142 MELROSE AVE S	302.60
	LOVETT, ADRIAN M	5110 3RD AVE S	182.33
	LOVETT, CHAVELA	2827 3RD AVE S	112.06
	M L M I TRUST	2023 2ND AVE N	143.50
	MARSHALL, ROSA	1743 19TH AVE S	110.46
	MAXWELL, ROBERT	2721 4TH AVE S	205.93
	MITCHELL, ANGELO	7428 38TH AVE N	152.08
	MUDADA, KIAMBU	1601 12TH ST S	392.20
	MULLINIX, WILLIAM BRIAN	5535 BAY ST NE	295.93

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CITY OF ST. PETERSBURG, FLORIDA
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OBJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	M2 INTERNATIONAL INC	4443 16TH AVE S	113.50
	PARISH, LLOYD	805 PARIS AVE S	175.63
	RAMIREZ, BENJAMIN	601 GROVE ST N	133.50
	ROBINSON, MARILE	2417 GROVE ST S	149.53
	ROLFE, LAKEYCIA S	1742 7TH ST S	272.30
	SANOOK PROPERTIES LLC	1451 12TH ST S	213.63
	SMITH, JOSEPH	1348 30TH ST S	122.33
	SUNSHINE R E O IX LLC	827 21ST ST S	154.53
	VALDES, KATHERINE	1831 10TH ST S	172.75
	WALKER, DAVID B	2620 3RD AVE S	96.20
	WARNER, JEFFREY W EST	415 24TH ST S	128.33
	WELLS FARGO BANK TRE	4181 52ND AVE S	90.03
	WHITNEY NATL BANK	1013 DR. ML KING JR ST S	195.00
	WILLIAMS, HOMER D EST	1212 MELROSE AVE S	88.28
	1761 SOUTH 19TH STREET LLC	1761 19TH ST S	79.60
	19TH AVE S LAND TRUST	924 19TH AVE S	125.39

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CITY OF ST. PETERSBURG, FLORIDA
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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
		PROJECT TOTAL	7,636.15
	*** END OF REPORT ***	GRAND TOTAL	7,636.15

BUILDING SECURING NUMBER SEC 1170

COST/FUNDING/ASSESSMENT INFORMATION

<u>CATEGORY</u>	<u>AMOUNT TO BE ASSESSED</u>
SECURING COST	\$ 3,295.00
MATERIAL COST	\$ 1,540.36
LEGAL AD	\$ 910.79
ADMIN. FEE	<u>\$ 1,890.00</u>
TOTAL:	\$ 7,636.15

A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1170 ("SEC 1170") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg has proceeded under the provision of Chapter 8, of the St. Petersburg City Code to secure certain properties; and

WHEREAS, the structures so secured are listed on Securing Building No. 1170 ("SEC 1170"); and

WHEREAS, Section 8-270 of the St. Petersburg City Code provides that the City Council shall assess the entire cost of such securing against the property on which the costs were incurred and that assessments shall become a lien upon the property superior to all others, except taxes; and

WHEREAS, the City Council has held a public hearing on November 19, 2012, to hear all persons who wished to be heard concerning this matter.

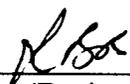
NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of securing listed on Securing Building No. 1170 ("SEC 1170") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute and record notice(s) of the lien(s) provided for herein in the public records of the County.

BE IT FURTHER RESOLVED that the Special Assessment Certificates to be issued hereunder shall bear interest at the rate of 12% per annum on the unpaid balance from the date of the adoption of this resolution.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Confirming the preliminary assessment for Building Demolition Number 398.

ST. PETERSBURG CITY COUNCIL

MEETING OF: November 19, 2012

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Demolition Number **DMO 398**

EXPLANATION: The privately owned structures on the attached list were condemned by the City in response to unfit or unsafe conditions as authorized under Chapter 8, Article VII of the St. Petersburg City Code. The City's Codes Compliance Assistance Department incurred costs of condemnation/securing/appeal/abatement/demolition and under the provisions of City Code Section 8-270, these costs are to be assessed to the property. The interest rate is 12% per annum on the unpaid balance.

DMO:	<u>398</u>
NUMBER OF STRUCTURES:	<u>2</u>
ASSESSABLE AMOUNT:	<u>\$9,984.16</u>

According to the City Code, these assessments constitute a lien on each property. It is recommended that the assessments be confirmed.

COST/FUNDING/ASSESSMENT INFORMATION:

The total assessable amount of **\$9,984.16** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

FOLLOW-UP: _____ **AGENDA NO.** _____

BUILDING DEMOLITION NUMBER DMO 398

OWNERS NAME AND ADDRESS LISTING

<u>RELATED PARTY NAME</u>	<u>PROPERTY ADDRESS</u>	<u>ASSESSMENT AMOUNT</u>
302 21ST AVENUE SOUTH LAND	302 21ST AVE. S.	\$ 1,475.34
NEWTON, FRANK E EST	2534 8TH AVE. S.	\$ 8,508.82
TOTAL		\$ 9,984.16

BUILDING DEMOLITION NUMBER DMO 398
COST/FUNDING/ASSESSMENT INFORMATION

<u>CATEGORY</u>	<u>AMOUNT TO BE ASSESSED</u>
Demolition Cost	\$ 3,990.66
Asbestos Cost	\$ 4,162.50
Legal Ad	\$ 411.90
Engineer's Chg	\$ 700.00
Administrative Fee	\$ <u>719.10</u>
TOTAL:	\$ 9,984.16

A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 398 ("DMO 398") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg has proceeded under the provision of Chapter 8, of the St. Petersburg City Code to demolish certain properties; and

WHEREAS, the structures so demolished are listed on Building Demolition No. 398 ("DMO 398"); and

WHEREAS, Section 8-270 of the St. Petersburg City Code provides that the City Council shall assess the entire cost of such demolition against the property on which the costs were incurred and that assessments shall become a lien upon the property superior to all others, except taxes; and

WHEREAS, the City Council has held a public hearing on November 19, 2012, to hear all persons who wished to be heard concerning this matter.

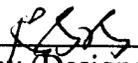
NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of the demolition listed on Building Demolition No. 398 ("DMO 398") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

BE IT FURTHER RESOLVED that the Special Assessment Certificates to be issued hereunder shall bear interest at the rate of 12% per annum on the unpaid balance from the date of the adoption of this resolution.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute and record notice(s) of the lien(s) provided for herein in the public records of the County.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Approving a Substantial Amendment to the City’s FY 2010-2011 Annual Action Plan (“Amendment”) to expand the Areas of Greatest Need of the Neighborhood Stabilization Program–3 (“NSP-3”) in which NSP–3 investment may be targeted to include the Melrose Mercy

ST. PETERSBURG CITY COUNCIL
(Non Consent Agenda Items Only)

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair and Members of City Council

SUBJECT: A resolution approving a Substantial Amendment to the City's FY 2010-2011 Annual Action Plan ("Amendment") to expand the Areas of Greatest Need of the Neighborhood Stabilization Program-3 ("NSP-3") in which NSP-3 investment may be targeted to include the Melrose Mercy Neighborhood; to Decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (50% of Area Median Income ("AMI") and Below) by \$463,642 and Reallocate those funds to Activity "E", Redevelop Demolished or Vacant Properties as Housing (50% AMI and Below); to Decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (51%-120% of AMI) by \$340,000 and reallocate those funds to Activity "D", Demolition of Vacant or Foreclosed Properties, to make available a total of \$370,000 for Activity "D"; authorizing the Mayor or his designee to submit the Amendment to the U.S. Department of Housing and Urban Development and to execute all documents necessary to implement the Amendment; and providing an effective date.

EXPLANATION: The City received notification on September 8, 2012 that it would receive Neighborhood Stabilization Program - 3 ("NSP-3") funding of \$3,709,133 under the Dodd-Frank Wall Street Reform and Consumer Protection Act signed into law by the President on July 21, 2010, and funded at \$1 billion nationally.

The purpose of the NSP-3 is to continue to assist states and local governments in addressing the effects of abandoned and foreclosed upon properties in their local communities. The uses of the NSP-3 funds are:

- Activity "A" – Establishment of financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties;
- Activity "B" – Purchase and rehabilitation of abandoned and foreclosed homes and residential properties in order to sell the units to income eligible households;
- Activity "B" – Purchase and rehabilitation single-family or multi-family units for development and rental by non-profit developers to assist households whose incomes are at or below 50% of area median income;
- Activity "C" – Establishment of land banks for homes that have been foreclosed;
- Activity "D" – Demolition of blighted structures;
- Activity "E" – Redevelopment of demolished or vacant properties as housing; and
- Planning and administrative costs to implement the program.

Not less than 25% of the funds appropriated or otherwise allocated for the purchase and rehabilitation of properties, shall be used to house individuals or families whose incomes do not exceed 50% of Area Median Income ("AMI"). The City has issued a Request for Proposal ("RFP") and selected a non-profit developer, Homes for Independence, Inc., to assist with the implementation of this strategy. The remainder of the strategies will be managed and implemented by the City.

Since implementation of the strategy, the City has been able to acquire 3 foreclosed properties, two vacant parcels and one structure which will be renovated. However, both the City and Homes for Independence would like to take advantage of opportunities that would be afforded through the acquisition of demolished or vacant properties that do not meet the definition of foreclosed. In addition, the City would also like to increase the funds available for demolition of deteriorated vacant structures.

The Administration would like to expand the Areas of Greatest Need to include the Melrose Mercy Neighborhood. This is an area in which NSP-3 investment could be targeted in order to acquire additional foreclosed upon or vacant properties that can enhance the City's goals of arresting the decline of the community, while investing in the community to secure the future of its residents, and enabling the City to meet its commitment of expending funds in a timely manner.

The NSP grant requires that the City purchase foreclosed residential properties under the program at discount rates of at least 1% of appraised value. HUD has also established that all households assisted with NSP-3 funding must be at or below 120% of area median income ('AMI').

Included in this Amendment, Administration would like to shift funding currently budgeted in the program as follows:

- Decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (50% of Area Median Income ("AMI") and below) by \$463,642 and reallocate those funds to Activity "E", Redevelop Demolished or Vacant Properties as Housing (50% AMI and below).
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Administration has provided a 15-day Notice and comment period for the general public to comment about the program in the Tampa Bay Times (October 31 to November 15, 2012) and placed a Notice on the City's website to comply with the Citizen Participation Requirement and that of the Neighborhood Stabilization Program. A public hearing should be held on November 19, 2012, and upon approval by City Council, a copy of the Amendment will be provided to the U.S. Department of Housing and Urban Development for its approval.

The City has up to and including March 9, 2013 to expend half the funding with the remaining funds to be expended on or before March 9, 2014.

Administration believes that by approving the Amendment, the City will be positioned to take advantage of opportunities to acquire additional properties that are demolished, vacant and abandoned.

RECOMMENDATION: Administration recommends adoption of the attached resolution approving a Substantial Amendment to the City's FY 2010-2011 Annual Action Plan ("Amendment") to expand the Areas of Greatest Need of the Neighborhood Stabilization Program-3 ("NSP-3") in which NSP-3 investment may be targeted to include the Melrose Mercy Neighborhood; to Decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (50% of Area Median Income ("AMI") and below) by \$463,642 and Reallocate those funds to Activity "E", Redevelop Demolished or Vacant Properties as Housing (50% AMI and below); to Decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (51%-120% of AMI) by \$340,000 and reallocate those funds to Activity "D", Demolition of Vacant or Foreclosed Properties, to make available a total of \$370,000 for Activity "D"; authorizing the Mayor or his designee to submit the Amendment to the U.S. Department of Housing and Urban Development and to execute all documents necessary to implement the Amendment; and providing an effective date.

ATTACHMENTS: Map of the Melrose Mercy Neighborhood
Resolution

Approvals:

Legal:  Administration: 

Legal: 00164875.doc v. 4

Resolution No. _____

A RESOLUTION APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY'S FY 2010-2011 ANNUAL ACTION PLAN ("AMENDMENT") TO EXPAND THE AREAS OF GREATEST NEED OF THE NEIGHBORHOOD STABILIZATION PROGRAM - 3 ("NSP-3") IN WHICH NSP - 3 INVESTMENT MAY BE TARGETED TO INCLUDE THE MELROSE MERCY NEIGHBORHOOD; TO DECREASE ACTIVITY "B", ACQUISITION, REHABILITATION, AND SALE OR RENTAL OF FORECLOSED PROPERTIES (50% OF AREA MEDIAN INCOME ("AMI") AND BELOW) BY \$463,642 AND REALLOCATE THOSE FUNDS TO ACTIVITY "E", REDEVELOP DEMOLISHED OR VACANT PROPERTIES AS HOUSING (50% AMI AND BELOW); TO DECREASE ACTIVITY "B", ACQUISITION, REHABILITATION, AND SALE OR RENTAL OF FORECLOSED PROPERTIES (51%-120% OF AMI) BY \$340,000 AND REALLOCATE THOSE FUNDS TO ACTIVITY "D", DEMOLITION OF VACANT OR FORECLOSED PROPERTIES, TO MAKE AVAILABLE A TOTAL OF \$370,000 FOR ACTIVITY D; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SUBMIT THE AMENDMENT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND TO EXECUTE ALL DOCUMENTS NECESSARY TO IMPLEMENT THE AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City received notification on September 8, 2012 that it would receive Neighborhood Stabilization Program-3 ("NSP-3") funding of \$3,709,133 under the Dodd-Frank Wall Street Reform and Consumer Protection Act signed into law by the President on July 21, 2010, and funded at \$1 billion nationally; and

WHEREAS, the purpose of the NSP-3 is to continue to assist states and local governments in addressing the effects of abandoned and foreclosed upon properties in their local communities; and

WHEREAS, the uses of the NSP-3 funds are:

- Activity "A" – Establishment of financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties;
- Activity "B" – Purchase and rehabilitation of abandoned and foreclosed homes and residential properties in order to sell the units to income eligible households;
- Activity "B" – Purchase and rehabilitation single-family or multi-family units for development and rental by non-profit developers to assist households whose incomes are at or below 50% of area median income;
- Activity "C" – Establishment of land banks for homes that have been foreclosed;
- Activity "D" – Demolition of blighted structures;

- Activity “E” – Redevelopment of demolished or vacant properties as housing; and
- Planning and administrative costs to implement the program.

and;

WHEREAS, not less than 25% of the funds appropriated or otherwise allocated for the purchase and rehabilitation of properties, shall be used to house individuals or families whose incomes do not exceed 50% of Area Median Income (“AMI”); and

WHEREAS, since the implementation of NSP-3, the City has been able to acquire three (3) foreclosed properties, two vacant parcels and one structure which will be renovated; and

WHEREAS, the City would like to also take advantage of opportunities that would be afforded through the acquisition of demolished or vacant properties that do not meet the definition of foreclosed; and

WHEREAS, the Administration would like to expand the Areas of Greatest Need to include the Melrose Mercy Neighborhood, an area in which NSP-3 investment could be targeted in order to acquire additional foreclosed upon or vacant properties that can enhance the City’s goals of arresting the decline of the community, and enabling the City to meet its commitment of expending funds in a timely manner; and

WHEREAS, the NSP-3 grant requires that the City purchase foreclosed residential properties under the program at a discount of 1% below appraised value; and

WHEREAS, HUD has also established that all households assisted with NSP-3 funding must be at or below 120% of AMI, and that 50% of the funding allocated must be expended on or before March 9, 2013, with the remainder required to be expended on or before March 9, 2014; and

WHEREAS, the Administration would like to shift funding currently budgeted in the NSP-3 program as follows:

- Decrease Activity “B”, Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (50% of Area Median Income (“AMI”) and Below) by \$463,642 and reallocate those funds to Activity “E”, Redevelop Demolished or Vacant Properties as Housing (50% AMI and Below).
- Decrease Activity “B”, Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (51%-120% of AMI) by \$340,000 and reallocate those funds to Activity “D”, Demolition Of Vacant Or Foreclosed Properties, to make available a total of \$370,000 for Activity “D”.

and;

WHEREAS, the Administration has provided a 15-day Notice and Comment period for the general public to comment about the Amendment in the Tampa Bay Times (October 31, 2012

to November 15, 2012) and on the City's website to comply with the Citizen Participation Requirement Plan; and

WHEREAS, a public hearing has been held on this date to comply with the Citizen Participation Plan Requirement; and

WHEREAS, the Administration believes that by approving the Amendment, the City will be positioned to take advantage of opportunities to acquire additional properties that are demolished, vacant or abandoned.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that a Substantial Amendment to the City's FY2010-2011 Annual Action Plan ("Amendment") to expand the Areas of Greatest Need of the Neighborhood Stabilization Program - 3 ("NSP-3") in which NSP-3 investment may be targeted to include the Melrose Mercy Neighborhood; to decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (50% of Area Median Income ("AMI") and below) by \$463,642 and reallocate those funds to Activity "E", Redevelop Demolished or Vacant Properties as Housing (50% of AMI and below); to decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (51%-120% of AMI) by \$340,000 and reallocate those funds to Activity "D", Demolition of Vacant or Foreclosed Properties, to make available a total of \$370,000 for Activity "D" is approved; and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to submit the Amendment to the U.S. Department of Housing and Urban Development and to execute all documents necessary to implement the Amendment.

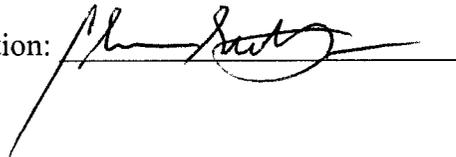
This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: _____



Administration: _____



Legal: 00164874.doc V. 4



Neighborhood Stabilization Program Grants

The Neighborhood Stabilization Program (NSP) provides grants to address the problems associated with homes that have been foreclosed upon and are creating economic problems for their communities.

Enter an Address, city or state Go

Select a State Select a County Go

Map Options : Clear | Reset

Click Mode: Zoom | Info

NSP3 Legend (%): — Tract Outline

LOG OUT

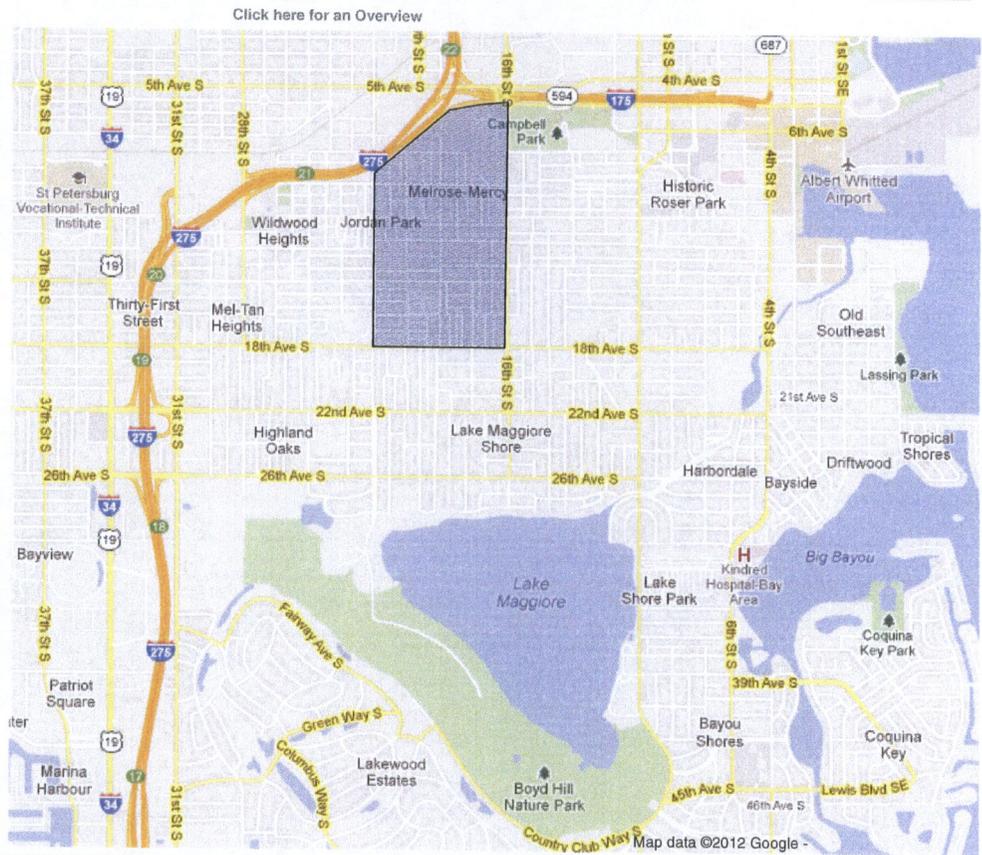
NSP3 Options

14 Current Zoom Level

Show Tracts Outline (Zoom 11+)

[METHODOLOGY](#) [INSTRUCTIONS](#)

The NSP3 mapping tool now provides a summary NSP3 score for all projects drawn. Click on "View Projects", which will list all of the projects (target areas) that have data calculated. It shows the NSP3 score for each target area along with the total estimated housing units in that area. At the bottom of the list is a sum of all housing units in all target areas and the NSP3 score for all target areas drawn. Grantees are advised to know their state minimum and if the summary score is less than the state minimum the grantee should delete, add, or revise target areas. Note that if you delete or add, the tool only recalculates after you close the "View Projects" box and reopen it. HUD also advises grantees to think carefully about the size of their target areas in total. If those target areas have a very large number of total housing units relative to the dollars available, HUD will likely ask that the grantee reduce the number and/or size of their target areas.



Neighborhood ID: 9042266

NSP3 Planning Data

Grantee ID: 1227240E

Grantee State: FL

Grantee Name: ST PETERSBURG

Grantee Address: One, 4th Street North St. Petersburg Florida 33701

Grantee Email: joshua.johnson@stpete.org

Neighborhood Name: Melrose Mercy Neighborhood

Date:2012-10-10 00:00:00

NSP3 Score

The neighborhoods identified by the NSP3 grantee as being the areas of greatest need must have an individual or average combined index score for the grantee's identified target geography that is not less than the lesser of 17 or the twentieth percentile most needy score in an individual state. For example, if a state's twentieth percentile most needy census tract is 18, the requirement will be a minimum need of 17. If, however, a state's twentieth percentile most needy census tract is 15, the requirement will be a minimum need of 15. If more than one neighborhood is identified in the Action Plan, HUD will average the Neighborhood Scores, weighting the scores by the estimated number of housing units in each identified neighborhood.

Neighborhood NSP3 Score: 20

State Minimum Threshold NSP3 Score: 17

Total Housing Units in Neighborhood: 1114

Area Benefit Eligibility

Percent Persons Less than 120% AMI: 90.17

Percent Persons Less than 80% AMI: 81.99

Neighborhood Attributes (Estimates)

Vacancy Estimate

USPS data on addresses not receiving mail in the last 90 days or "NoStat" can be a useful measure of whether or not a target area has a serious vacancy problem. For urban neighborhoods, HUD has found that neighborhoods with a very high number vacant addresses relative to the total addresses in an area to be a very good indicator of a current or potentially serious blight problem.

The USPS "NoStat" indicator can mean different things. In rural areas, it is an indicator of vacancy. However, it can also be an address that has been issued but not ever used, it can indicate units under development, and it can be a very distressed property (most of the still flood damaged properties in New Orleans are NoStat). When using this variable, users need to understand the target area identified.

In addition, the housing unit counts HUD gets from the US Census indicated above are usually close to the residential address counts from the USPS below. However, if the Census and USPS counts are substantially different for your identified target area, users are advised to use the information below with caution. For example if there are many NoStats in an area for units never built, the USPS residential address count may be larger than the Census number; if the area is a rural area largely served by PO boxes it may have fewer addresses than housing units.

USPS Residential Addresses in Neighborhood: 1078

Residential Addresses Vacant 90 or more days (USPS, March 2010): 174

Residential Addresses NoStat (USPS, March 2010): 80

Foreclosure Estimates

HUD has developed a model for predicting where foreclosures are likely. That model estimates serious delinquency rates using data on the leading causes of foreclosures - subprime loans (HMDA Census Tract data on high cost and highly leveraged loans), increasing unemployment (BLS data on unemployment rate change), and fall in home values (FHFA data on house price change). The predicted serious delinquency rate is then used to apportion the state total counts of foreclosure starts (from the Mortgage Bankers Association) and REOs (from RealtyTrac) to individual block groups.

Total Housing Units to receive a mortgage between 2004 and 2007: 393

Percent of Housing Units with a high cost mortgage between 2004 and 2007: 59.62

Percent of Housing Units 90 or more days delinquent or in foreclosure: 23.26

Number of Foreclosure Starts in past year: 57

Number of Housing Units Real Estate Owned July 2009 to June 2010: 17

HUD is encouraging grantees to have small enough target areas for NSP 3 such that their dollars will have a visible impact on the neighborhood. Nationwide there have been over 1.9 million foreclosure completions in the past two years. NSP 1, 2, and 3 combined are estimated to only be able to address 100,000 to 120,000 foreclosures. To stabilize a neighborhood requires focused investment.

Estimated number of properties needed to make an impact in identified target area (20% of REO in past year): 11

Supporting Data

Metropolitan Area (or non-metropolitan area balance) percent fall in home value since peak value (Federal Housing Finance Agency Home Price Index through June 2010): -32.5

Place (if place over 20,000) or county unemployment rate June 2005: 3.6

Place (if place over 20,000) or county unemployment rate June 2010: 11.2

Bureau of Labor Statistics Local Area Unemployment Statistics

Market Analysis:

HUD is providing the data above as a tool for both neighborhood targeting and to help inform the strategy development. Some things to consider:

1. Persistent Unemployment. Is this an area with persistently high unemployment? Serious consideration should be given to a rental strategy rather than a homeownership strategy.
2. Home Value Change and Vacancy. Is this an area where foreclosures are largely due to a combination of falling home values, a recent spike in unemployment, and a relatively low vacancy rate? A down payment assistance program may be an effective strategy.
3. Persistently High Vacancy. Are there a high number of substandard vacant addresses in the target area of a community with persistently high unemployment? A demolition/land bank strategy with selected acquisition rehab for rental or lease-purchase might be considered.
4. Historically low vacancy that is now rising. A targeted strategy of acquisition for homeownership and rental to retain or regain neighborhood stability might be considered.
5. Historically high cost rental market. Does this market historically have very high rents with low vacancies? A strategy of acquiring properties and developing them as long-term affordable rental might be considered.

Latitude and Longitude of corner points

-82.654696 27.765735 -82.654867 27.752063 -82.663021 27.752063 -82.662935 27.761710 -82.658300
27.765279 -82.656498 27.765583

Blocks Comprising Target Neighborhood

121030210001033, 121030210001032, 121030210001031, 121030210001030, 121030210001042,
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121030212004016, 121030212004015, 121030212004014, 121030212004013, 121030212004012,
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REVISED

**ST. PETERSBURG CITY COUNCIL
(Non Consent Agenda Items Only)**

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair and Members of City Council

SUBJECT: A resolution approving a Substantial Amendment to the City's FY 2010-2011 Annual Action Plan ("Amendment") to expand the Areas of Greatest Need of the Neighborhood Stabilization Program-3 ("NSP-3") in which NSP-3 investment may be targeted to include the Melrose Mercy Neighborhood; to Decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (50% of Area Median Income ("AMI") and Below) by \$463,642 and Reallocate those funds to Activity "E", Redevelop Demolished or Vacant Properties as Housing (50% AMI and Below); to Decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (51%-120% of AMI) by \$340,000 and reallocate those funds to Activity "D", Demolition of Vacant or Foreclosed Properties, to make available a total of \$370,000 for Activity "D"; authorizing the Mayor or his designee to submit the Amendment to the U.S. Department of Housing and Urban Development and to execute all documents necessary to implement the Amendment; and providing an effective date.

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Administration has provided a 15-day Notice and comment period for the general public to comment about the program in the Tampa Bay Times (October 31 to November 15, 2012) and placed a Notice on the City's website to comply with the Citizen Participation Requirement and that of the Neighborhood Stabilization Program. A public hearing should be held on November 19, 2012, and upon approval by City Council, a copy of the Amendment will be provided to the U.S. Department of Housing and Urban Development for its approval.

The City has up to and including March 9, 2013 to expend half the funding with the remaining funds to be expended on or before March 9, 2014.

Administration believes that by approving the Amendment, the City will be positioned to take advantage of opportunities to acquire additional properties that are demolished, vacant and abandoned.

Resolution No. _____

A RESOLUTION APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY'S FY 2010-2011 ANNUAL ACTION PLAN ("AMENDMENT") TO EXPAND THE AREAS OF GREATEST NEED OF THE NEIGHBORHOOD STABILIZATION PROGRAM – 3 ("NSP-3") IN WHICH NSP – 3 INVESTMENT MAY BE TARGETED TO INCLUDE THE MELROSE MERCY NEIGHBORHOOD; TO DECREASE ACTIVITY "B", ACQUISITION, REHABILITATION, AND SALE OR RENTAL OF FORECLOSED PROPERTIES (50% OF AREA MEDIAN INCOME ("AMI") AND BELOW) BY \$463,642 AND REALLOCATE THOSE FUNDS TO ACTIVITY "E", REDEVELOP DEMOLISHED OR VACANT PROPERTIES AS HOUSING (50% AMI AND BELOW); TO DECREASE ACTIVITY "B", ACQUISITION, REHABILITATION, AND SALE OR RENTAL OF FORECLOSED PROPERTIES (51%-120% OF AMI) BY \$340,000 AND REALLOCATE THOSE FUNDS TO ACTIVITY "D", DEMOLITION OF VACANT OR FORECLOSED PROPERTIES, TO MAKE AVAILABLE A TOTAL OF \$370,000 FOR ACTIVITY D; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SUBMIT THE AMENDMENT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND TO EXECUTE ALL DOCUMENTS NECESSARY TO IMPLEMENT THE AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City received notification during September 2010 that it would receive Neighborhood Stabilization Program-3 ("NSP-3") funding of \$3,709,133 under the Dodd-Frank Wall Street Reform and Consumer Protection Act signed into law by the President on July 21, 2010, and funded at \$1 billion nationally; and

WHEREAS, the purpose of the NSP-3 is to continue to assist states and local governments in addressing the effects of abandoned and foreclosed upon properties in their local communities; and

WHEREAS, the uses of the NSP-3 funds are:

- Activity "A" – Establishment of financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties;
- Activity "B" – Purchase and rehabilitation of abandoned and foreclosed homes and residential properties in order to sell the units to income eligible households;
- Activity "B" – Purchase and rehabilitation single-family or multi-family units for development and rental by non-profit developers to assist households whose incomes are at or below 50% of area median income;
- Activity "C" – Establishment of land banks for homes that have been foreclosed;
- Activity "D" – Demolition of blighted structures;

- Activity “E” – Redevelopment of demolished or vacant properties as housing; and
- Planning and administrative costs to implement the program.

and;

WHEREAS, not less than 25% of the funds appropriated or otherwise allocated for the purchase and rehabilitation of properties, shall be used to house individuals or families whose incomes do not exceed 50% of Area Median Income (“AMI”); and

WHEREAS, since the implementation of NSP-3, the City has been able to acquire three (3) foreclosed properties, two vacant parcels and one structure which will be renovated; and

WHEREAS, the City would like to also take advantage of opportunities that would be afforded through the acquisition of demolished or vacant properties that do not meet the definition of foreclosed; and

WHEREAS, the Administration would like to expand the Areas of Greatest Need to include the Melrose Mercy Neighborhood, an area in which NSP-3 investment could be targeted in order to acquire additional foreclosed upon or vacant properties that can enhance the City’s goals of arresting the decline of the community, and enabling the City to meet its commitment of expending funds in a timely manner; and

WHEREAS, the NSP-3 grant requires that the City purchase foreclosed residential properties under the program at a discount of 1% below appraised value; and

WHEREAS, HUD has also established that all households assisted with NSP-3 funding must be at or below 120% of AMI, and that 50% of the funding allocated must be expended on or before March 9, 2013, with the remainder required to be expended on or before March 9, 2014; and

WHEREAS, the Administration would like to shift funding currently budgeted in the NSP-3 program as follows:

- Decrease Activity “B”, Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (50% of Area Median Income (“AMI”) and Below) by \$463,642 and reallocate those funds to Activity “E”, Redevelop Demolished or Vacant Properties as Housing (50% AMI and Below).
- Decrease Activity “B”, Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (51%-120% of AMI) by \$340,000 and reallocate those funds to Activity “D”, Demolition Of Vacant Or Foreclosed Properties, to make available a total of \$370,000 for Activity “D”.

and;

WHEREAS, the Administration has provided a 15-day Notice and Comment period for the general public to comment about the Amendment in the Tampa Bay Times (October 31, 2012

to November 15, 2012) and on the City's website to comply with the Citizen Participation Requirement Plan; and

WHEREAS, a public hearing has been held on this date to comply with the Citizen Participation Plan Requirement; and

WHEREAS, the Administration believes that by approving the Amendment, the City will be positioned to take advantage of opportunities to acquire additional properties that are demolished, vacant or abandoned.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that a Substantial Amendment to the City's FY2010-2011 Annual Action Plan ("Amendment") to expand the Areas of Greatest Need of the Neighborhood Stabilization Program - 3 ("NSP-3") in which NSP-3 investment may be targeted to include the Melrose Mercy Neighborhood; to decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (50% of Area Median Income ("AMI") and below) by \$463,642 and reallocate those funds to Activity "E", Redevelop Demolished or Vacant Properties as Housing (50% of AMI and below); to decrease Activity "B", Acquisition, Rehabilitation, and Sale or Rental of Foreclosed Properties (51%-120% of AMI) by \$340,000 and reallocate those funds to Activity "D", Demolition of Vacant or Foreclosed Properties, to make available a total of \$370,000 for Activity "D" is approved; and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to submit the Amendment to the U.S. Department of Housing and Urban Development and to execute all documents necessary to implement the Amendment.

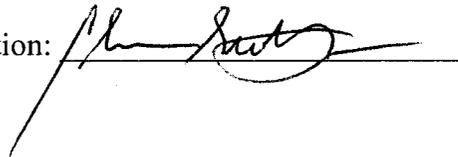
This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: _____



Administration: _____



Legal: 00164874.doc V. 4



Neighborhood Stabilization Program Grants

The Neighborhood Stabilization Program (NSP) provides grants to address the problems associated with homes that have been foreclosed upon and are creating economic problems for their communities.

Enter an Address, city or state Go

Select a State Select a County Go

Map Options : Clear | Reset

Click Mode: Zoom | Info

NSP3 Legend (%): Tract Outline

LOG OUT

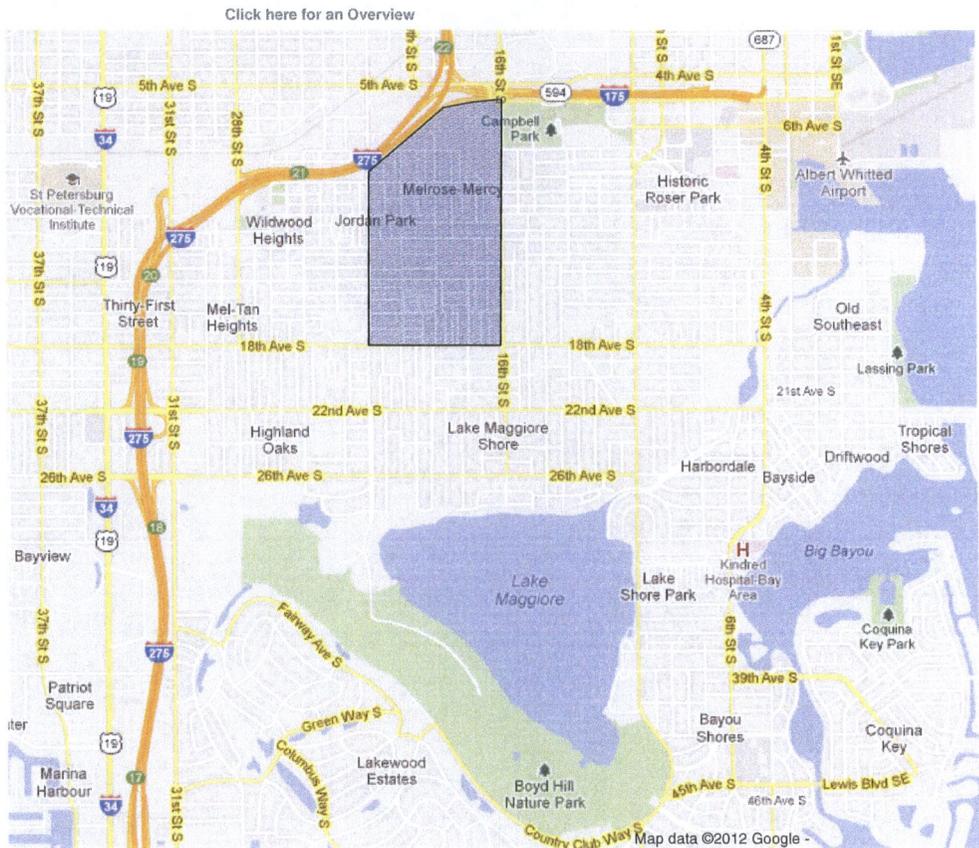
NSP3 Options

14 Current Zoom Level

Show Tracts Outline (Zoom 11+)

[METHODOLOGY](#) [INSTRUCTIONS](#)

The NSP3 mapping tool now provides a summary NSP3 score for all projects drawn. Click on "View Projects", which will list all of the projects (target areas) that have data calculated. It shows the NSP3 score for each target area along with the total estimated housing units in that area. At the bottom of the list is a sum of all housing units in all target areas and the NSP3 score for all target areas drawn. Grantees are advised to know their state minimum and if the summary score is less than the state minimum the grantee should delete, add, or revise target areas. Note that if you delete or add, the tool only recalculates after you close the "View Projects" box and reopen it. HUD also advises grantees to think carefully about the size of their target areas in total. If those target areas have a very large number of total housing units relative to the dollars available, HUD will likely ask that the grantee reduce the number and/or size of their target areas.



Neighborhood ID: 9042266

NSP3 Planning Data

Grantee ID: 1227240E

Grantee State: FL

Grantee Name: ST PETERSBURG

Grantee Address: One, 4th Street North St. Petersburg Florida 33701

Grantee Email: joshua.johnson@stpete.org

Neighborhood Name: Melrose Mercy Neighborhood

Date:2012-10-10 00:00:00

NSP3 Score

The neighborhoods identified by the NSP3 grantee as being the areas of greatest need must have an individual or average combined index score for the grantee's identified target geography that is not less than the lesser of 17 or the twentieth percentile most needy score in an individual state. For example, if a state's twentieth percentile most needy census tract is 18, the requirement will be a minimum need of 17. If, however, a state's twentieth percentile most needy census tract is 15, the requirement will be a minimum need of 15. If more than one neighborhood is identified in the Action Plan, HUD will average the Neighborhood Scores, weighting the scores by the estimated number of housing units in each identified neighborhood.

Neighborhood NSP3 Score: 20

State Minimum Threshold NSP3 Score: 17

Total Housing Units in Neighborhood: 1114

Area Benefit Eligibility

Percent Persons Less than 120% AMI: 90.17

Percent Persons Less than 80% AMI: 81.99

Neighborhood Attributes (Estimates)

Vacancy Estimate

USPS data on addresses not receiving mail in the last 90 days or "NoStat" can be a useful measure of whether or not a target area has a serious vacancy problem. For urban neighborhoods, HUD has found that neighborhoods with a very high number vacant addresses relative to the total addresses in an area to be a very good indicator of a current for potentially serious blight problem.

The USPS "NoStat" indicator can mean different things. In rural areas, it is an indicator of vacancy. However, it can also be an address that has been issued but not ever used, it can indicate units under development, and it can be a very distressed property (most of the still flood damaged properties in New Orleans are NoStat). When using this variable, users need to understand the target area identified.

In addition, the housing unit counts HUD gets from the US Census indicated above are usually close to the residential address counts from the USPS below. However, if the Census and USPS counts are substantially different for your identified target area, users are advised to use the information below with caution. For example if there are many NoStats in an area for units never built, the USPS residential address count may be larger than the Census number; if the area is a rural area largely served by PO boxes it may have fewer addresses than housing units.

USPS Residential Addresses in Neighborhood: 1078

Residential Addresses Vacant 90 or more days (USPS, March 2010): 174

Residential Addresses NoStat (USPS, March 2010): 80

Foreclosure Estimates

HUD has developed a model for predicting where foreclosures are likely. That model estimates serious delinquency rates using data on the leading causes of foreclosures - subprime loans (HMDA Census Tract data on high cost and highly leveraged loans), increasing unemployment (BLS data on unemployment rate change), and fall in home values (FHFA data on house price change). The predicted serious delinquency rate is then used to apportion the state total counts of foreclosure starts (from the Mortgage Bankers Association) and REOs (from RealtyTrac) to individual block groups.

Total Housing Units to receive a mortgage between 2004 and 2007: 393

Percent of Housing Units with a high cost mortgage between 2004 and 2007: 59.62

Percent of Housing Units 90 or more days delinquent or in foreclosure: 23.26

Number of Foreclosure Starts in past year: 57

Number of Housing Units Real Estate Owned July 2009 to June 2010: 17

HUD is encouraging grantees to have small enough target areas for NSP 3 such that their dollars will have a visible impact on the neighborhood. Nationwide there have been over 1.9 million foreclosure completions in the past two years. NSP 1, 2, and 3 combined are estimated to only be able to address 100,000 to 120,000 foreclosures. To stabilize a neighborhood requires focused investment.

Estimated number of properties needed to make an impact in identified target area (20% of REO in past year): 11

Supporting Data

Metropolitan Area (or non-metropolitan area balance) percent fall in home value since peak value (Federal Housing Finance Agency Home Price Index through June 2010): -32.5

Place (if place over 20,000) or county unemployment rate June 2005: 3.6

Place (if place over 20,000) or county unemployment rate June 2010: 11.2

Bureau of Labor Statistics Local Area Unemployment Statistics

Market Analysis:

HUD is providing the data above as a tool for both neighborhood targeting and to help inform the strategy development. Some things to consider:

1. Persistent Unemployment. Is this an area with persistently high unemployment? Serious consideration should be given to a rental strategy rather than a homeownership strategy.
2. Home Value Change and Vacancy. Is this an area where foreclosures are largely due to a combination of falling home values, a recent spike in unemployment, and a relatively low vacancy rate? A down payment assistance program may be an effective strategy.
3. Persistently High Vacancy. Are there a high number of substandard vacant addresses in the target area of a community with persistently high unemployment? A demolition/land bank strategy with selected acquisition rehab for rental or lease-purchase might be considered.
4. Historically low vacancy that is now rising. A targeted strategy of acquisition for homeownership and rental to retain or regain neighborhood stability might be considered.
5. Historically high cost rental market. Does this market historically have very high rents with low vacancies? A strategy of acquiring properties and developing them as long-term affordable rental might be considered.

Latitude and Longitude of corner points

-82.654696 27.765735 -82.654867 27.752063 -82.663021 27.752063 -82.662935 27.761710 -82.658300
27.765279 -82.656498 27.765583

Blocks Comprising Target Neighborhood

121030210001033, 121030210001032, 121030210001031, 121030210001030, 121030210001042,
121030210001041, 121030210001040, 121030210001039, 121030210001038, 121030210001037,
121030210001036, 121030210001035, 121030210001034, 121030210001059, 121030210001058,
121030210001057, 121030210001056, 121030210001055, 121030210001054, 121030210001053,
121030210001052, 121030210001051, 121030210001066, 121030210001065, 121030210001064,
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121030210001049, 121030210001048, 121030210001047, 121030210001046, 121030210001044,
121030210001043, 121030210001014, 121030210001013, 121030212003013, 121030212003027,
121030212003026, 121030212003025, 121030212003024, 121030212003023, 121030212003022,
121030212003021, 121030212003020, 121030212003019, 121030212003018, 121030212003017,
121030212003016, 121030212003015, 121030212004000, 121030212004001, 121030212004003,
121030212004006, 121030212004005, 121030212004004, 121030212004002, 121030212004007,
121030212004016, 121030212004015, 121030212004014, 121030212004013, 121030212004012,
121030212004011, 121030212004010, 121030212004009, 121030212004008,



If you wish to speak on a PUBLIC HEARING item or an APPEAL HEARING item listed on your agenda, please fill out this card and place in the box on the center table.

I4
①

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: Charlotte H. Cooper
ADDRESS: 4096 40th St. S
REPRESENTING: Ø
AGENDA ITEM NO. : I4
FOR: I4 AGAINST: _____

3 MINUTE TIME LIMIT

Attached documents for item Ordinance 56-H approving final year-end adjustments to the City of St. Petersburg Operating and Capital Improvement Budgets for the Fiscal Year ending September 30, 2012; approving the final amended Budget for the Fiscal Year ending September 30, 2012 by

ST. PETERSBURG CITY COUNCIL

Meeting of November 19, 2012

TO: City Council Chair and City Council Members

SUBJECT: An Ordinance Enacting Year-End Appropriation Adjustments – FY12 Operating Budgets & Capital Improvement Program Budgets & Adjustments to the FY13 Budget

EXPLANATION / COST FUNDING ASSESSMENT INFORMATION:

This agenda item transitions budgets from the year just closed to the new budget year. For FY12, it adjusts budgets that exceeded annual appropriations and commits and assigns funds in the General Operating Fund for specific purposes. It also provides adjustments (supplemental appropriations) to the FY13 budget. Council is asked to approve an ordinance to enact these changes, as required by the Charter.

The agenda item is divided into three major parts. Each part may involve several types of transactions including appropriation transfers or supplemental appropriations. This item is subdivided into the sections of the Ordinance giving a detailed description of the provisions within the Ordinance and reasons for each budget modification.

Back-up for the Ordinance is covered in Parts I, II, and III

Part I describes transactions which will clean up and finalize the **FY12 budget** (Ordinance Sections 1-5). The final accounting transactions for FY12 are being posted, requiring some adjustments to the **FY12** appropriations for both operations and capital projects. Additional appropriations are necessary to authorize expenditures in excess of budgeted amounts, even if related revenues are available to cover these expenses. State law requires that any budgetary adjustments to the prior year budget be made within 60 days of the close of the fiscal year.

Part II recommends commitments and assignments of funds remaining in the General Operating Fund at the close of **FY12** for a variety of purposes in **FY13** and the future, as has been the practice for the past several years. Commitments and assignments are not legal commitments to expend funds set-aside in the various categories and require appropriation by City Council in order to do so. These appear in Section 6 of the Ordinance.

Part III provides for supplemental appropriations to the **FY13** Budget, including re-appropriation of unexpended **FY12** monies and transfers, Ordinance Sections 7-9.

ATTACHMENTS: Ordinance for Council Action

APPROVALS:

Administrative: _____

Budget: _____

**PRELIMINARY YEAR-END APPROPRIATION ADJUSTMENTS
FY12 OPERATING BUDGETS &
CAPITAL IMPROVEMENT PROGRAM BUDGETS**

This report presents recommendations for budget adjustments in various funds. Expenditure and revenue estimates are based on financial data through November 1, 2012 and may require further adjustment. Budget adjustments are only required for entities that exceed previous appropriations for the entity as a whole. While some appropriations are made at the departmental level, such as the Fire Department, others are made at the administration level. For example, an appropriation would be required for the Leisure & Community Services Administration only if the expenditures exceeded the total appropriations for all departments within the administration. The Budget Ordinance is the guiding document for these requirements.

Supplemental appropriations are supported either by unanticipated revenue or by resources from the balances of the fund specified. Supplemental appropriations increase the total amounts authorized in their funds.

PART I: FY12 APPROPRIATION ADJUSTMENTS

Ordinance Section 1

GENERAL OPERATING FUND – Appropriation Transfers

From: Budget Department-Contingency	(\$316,000)	Appropriation transfers are needed to move the funds budgeted in the General Fund contingency for the Police step increases. Funding for the Police step increases was budgeted in the FY12 contingency, and now needs to be moved.
To: Police Department	316,000	

GENERAL OPERATING FUND – Supplemental Appropriations

Police	845,000	Overages include Social Security (\$201K) related to Overtime; (\$426K) for Vehicle and Accident Repairs; and Fuel (\$218K) due to increase in fuel prices. All line item overages are not detailed here as they are offset by lines which were under budget.
Coliseum Subsidy	37,000	A supplemental appropriation is needed because of higher than budgeted benefits and event costs based on requirements of actual events conducted during FY12.
Pier Subsidy	(12,000)	A reduced subsidy is needed due to lower costs for contract employees.
Sunken Gardens	(97,000)	A reduced subsidy is needed due to increased revenue from events.
Port Subsidy	90,000	An increase in the subsidy is needed due to lower revenue from dock and wharf charges.
Tropicana Field Subsidy	221,000	An increase in the Tropicana Field subsidy is needed due to reduced revenues for events.
Golf Course Loan	21,000	A transfer to the Golf Course is needed because the reduced revenues received this year negatively impacted the fund balance. The Golf Course Fund is an enterprise fund and the Golf Course will repay the General Fund from future earnings.

Jamestown Subsidy	188,000	A supplemental appropriation is needed due to higher than budgeted facility repairs and maintenance, lower revenue, and an accounts receivable write off. This subsidy corrects the negative fund balance at the end of FY12 in the Jamestown Fund.
Legal	625,600	A supplemental appropriation is needed for Legal and Fiscal expenses (\$155,796) for expert witnesses, and \$128,000 for consultant fees for the Fire Readiness Fee; costs for medical records subpoenaed for court, etc.; Salaries and Benefits (\$341,804) for support to other departments will be accounted for differently in the 2013 budget to avoid overages.
Budget	1,900,000	A supplemental appropriation is needed because citywide salary savings of \$2.3 million was budgeted in this department. The actual salary savings for the General Fund departments that were under budget was approximately \$1.6 million, which is reflected in the individual departments.

SPECIAL DISCUSSION OF GENERAL FUND RESULTS AND IMPACT OF RNC

Currently, the General Fund is \$1.476 million over the expense budget and \$2.706 million under the budgeted revenue. The difference between revenue and expenses in the FY 2012 Amended Budget is \$7.040 million, which is the use of fund balance. \$1.571 million was planned use of fund balance in the original 2012 budget and an additional \$1.288 in appropriations from fund balance were made during the year.

The major categories of revenues that have not achieved the budgeted level for 2012 are:

Utility Tax: (\$1,384,419)
Franchise Tax: (\$943,527)

At the end of the third quarter of FY12, a report was made to the BFT indicating a projected year-end use of Fund Balance of \$5.2 million, for the following reasons:

- Planned use of \$1.5 million from the General Fund Balance when the FY12 budget was adopted;
- \$2.3 million salary savings built into the Budget Department's budget, which was not expected to be achieved due to low turnover and the need to fill vacancies essential to continued service delivery;
- Higher than expected fuel and vehicle maintenance costs of \$446,000;
- Budgeting issues in Legal and City Council totaling \$359,000.
- An estimate of \$580,000 of unreimbursed RNC expenses, as no agreements with Tampa had been signed at the time the report was prepared.

While salary savings of \$2.3 million was budgeted in the Budget Department and that amount was not totally achieved, under-expenditure of budgeted salaries in the various departments of the General Fund was approximately \$1.6 million, resulting in achievement of almost 70% of the savings target. Also in the salary category, budgeted charges to projects and/or departments outside of the General Fund did not meet budget and overtime exceeded the budget by \$624k.

Higher fuel costs and vehicle maintenance are reflected throughout the operating budgets, but the greatest impact on the General Fund was in the Police Department, where a high percentage of the

General Fund's vehicles are required. Overall, General Fund fuel costs were \$240,666 higher than budgeted.

As noted above, Legal expenses were up, and the remaining large contributor to the expense overages was the overtime and related benefits cost for the Police Department, predominantly attributable to the additional hours for late night policing downtown.

We have completed our requests for reimbursement to the City of Tampa for the RNC under the agreements signed on August 10, 2012. Those requests were submitted to Council under a separate memorandum. The \$1,281,492 is included in the anticipated revenues for FY 2012.

ENTERPRISE & SPECIAL REVENUE OPERATING FUNDS – Supplemental Appropriations

These appropriations cover expenditures which exceeded budget. In some cases, revenue also exceeded the budget. The net impact of these revenue and expenditure variances will be covered from the fund balance in each individual fund.

Local Option Tax Revenue	34	A supplemental appropriation is needed to reflect final transfers from this fund to the General Fund.
Utility Tax Revenue	924	A supplemental appropriation is needed to reflect final transfers from this fund to the General Fund.
Excise Tax Revenue	280,403	A supplemental appropriation is needed to reflect final transfers from this fund to the General Fund.
Community Redevelopment District	614,057	Currently, two funds are used for the Downtown Redevelopment District. A supplemental appropriation is needed to close the Community Redevelopment District Fund and transfer all remaining dollars to the Downtown Redevelopment Fund so that the two funds can be consolidated.
School Crossing Guard	92,992	This fund records the revenue collected from the parking ticket surcharge. A supplemental appropriation is needed to transfer the additional revenue to the General Operating Fund to reimburse part of the cost of the crossing guard program.
American Recovery & Reinvestment Fund	44,200	A supplemental appropriation is needed to expend grant revenue received.
Mahaffey Theater	472,000	A supplemental appropriation is needed because of higher costs from events and advertising. The increased expenses for events were offset by increased revenue.
Coliseum	31,000	A supplemental appropriation is needed because of higher than budgeted benefits and event costs based on requirements of actual events conducted during FY12.
Pier	18,200	Facility repairs were higher than budgeted due to Tropical Storm Debby.
Sunken Gardens	16,000	A supplemental appropriation is needed because of maintenance costs from Tropical Storm Debby and the additional cost of resale merchandise. Revenues exceeded expenses in this fund for the year.
Water Resources	1,372,000	Overages include Commodities – Resale (\$401K) due to Tampa Bay Water purchases; Other Specialized Services (\$258K) due to leasing a new lime stabilization process (Bioset); Chemicals (\$423K) mainly due to odor control and disinfection; and Facilities Repairs & Renovations (\$290K) related to unexpected facility repairs and replacements. All line item overages are not detailed here as they are offset by lines which were under budget.

Water Cost Stabilization	313,000	A supplemental appropriation is needed to transfer additional interest earnings to the Water Resources Operating Fund (4001).
Stormwater	641,500	Stormwater worked on fewer projects than anticipated in FY12, so they were unable to recover costs for salary and benefits and equipment usage.
Sanitation	983,100	Budget overages include Fuel (\$380K), demolition (\$151K), processing and trucking costs (\$163K), and Repair and maintenance costs on vehicles (\$289K). The department is under budget in Overtime by about \$352K. All line item overages are not detailed here as they are offset by lines which were under budget.
Airport	5,000	A supplemental appropriation is needed because of higher than budgeted costs for facility repairs and maintenance.
Marina	258,000	A supplemental appropriation is needed because of higher costs associated with commodities for resale, fuel costs, and credit card fees. Most of the added expense is offset by increased revenue.
Golf Courses	68,000	A supplemental appropriation is needed due to higher costs for resale items. Expenses exceeded revenues due to weather conditions causing lower than expected green fees and driving range fee collection.
Jamestown	134,400	A supplemental appropriation is needed due to higher than expected facility repairs and maintenance. This item just sets the appropriation for their over expenditure. The first item, on page 3, takes care of the Jamestown Fund balance.

Ordinance Section 2

CAPITAL IMPROVEMENT FUNDS – Supplemental Appropriations

General Capital Improvement Fund	(25,000)	Neighborhood Partnership Grants FY12 Project (13237)	This rescission is needed to fund the transfer of funds in FY13 to the General Fund.
General Capital Improvement Fund	(31,000)	Neighborhood Plans Update FY11 Project (12841)	This rescission is needed to fund the transfer of funds in FY13 to the General Fund.
General Capital Improvement Fund	90,000	Jamestown Apartments Renovations Phase I (11237)	A supplemental appropriation is needed to provide matching funds from the unappropriated balance of the General Capital Improvement Fund.
General Capital Improvement Fund	(407,000)	Police CAD, RMS, Mobile Project (C110231)	This rescission is needed to fund part of the Police CAD Mobile Upgrade Project (13714).
Neighborhood & Citywide Infrastructure	(16,000)	Neighborhood Partnership Grants FY12 Project (13237)	The funds from this rescission will be used to fund part of the Neighborhood Enhancements FY13 Project (13777)

Neighborhood & Citywide Infrastructure	37,585	Play Equipment Replacement FY12 Project (13252)	These funds are needed to replace fire damaged play equipment.
Recreation & Culture	65,000	Play Equipment Replacement FY13 Project (13252)	These funds are needed to replace fire damaged play equipment.
Transportation Impact Fees	(100,000)	Traffic Safety Program FY09 Project (12109)	This will fund part of the Traffic Signal Control Software Project.
Water Resources	17,343.10	DIS New Main Extension FY12 Project (13341)	A supplemental appropriation is needed for the New Water Main Extension project to cover additional construction costs. to extend water service to new customers. Demand exceeded the budget and overage may be covered by available funds in 13342 (DIS Main Relocation FY12).
Water Resources	(17,343.10)	DIS Main Relocation FY12 Project (13342)	Rescission to cover overage of funds in above project.
Water Resources	288,826.11	DIS Taps Meters Backflows FY12 Project (13345)	A supplemental appropriation is needed to cover additional construction costs driven by customer requests. Funding is coming from the close out of ASM CMMS FY 2007 Project (11440) and the three following rescissions.
Water Resources	(3,392.89)	REC Ser Taps & Backflow FY12 Project (13347)	Rescission to cover overage of funds in another project (13345).
Water Resources	(50,000)	REC Flushing Appurtenance FY12 Project (13353)	Rescission to cover overage of funds in another project (13345).
Water Resources	(208,865.02)	REC Main Extension FY12 Project (13354)	Rescission to cover overage of funds in another project (13345).
Water Resources	(1,000,000)	REC PCCP Replacement FY12 Project (13355)	A rescission is needed to reduce the budget because the bids received were lower than anticipated.
Water Resources	0	NE Aerator Equipment Replacement FY12 Project (13382)	Expand scope of work related to this project to include Design of Headworks Rehabilitation, Clarifier #3 Drive Replacement, RAS Piping Modifications, and Filter Influent Piping Modifications; no additional budget required at this time.
Airport	21	Airport Apron Construction Project (12477)	A supplemental appropriation is needed to match the grant funds associated with this project.

Ordinance Section 3

INTERNAL SERVICE FUNDS – Increased Authorizations

Fleet Management	671,000	A supplemental appropriation is needed for part of the higher than budgeted R/M Materials - Equipment costs (\$402K) due to the age of the fleet and delayed replacement of vehicles which increases maintenance costs. Fuel is also over budget by \$269K. All line item overages are not detailed here as they are offset by lines which were under budget.
Health Insurance	2,168,300	A supplemental appropriation is needed due to higher claims than expected, primarily in the second quarter of 2012 fiscal year (last quarter of the plan year).
Equipment Replacement	49,800	A supplemental appropriation is needed to transfer the FY11 contribution the Fire Department made for replacement mobile data computers to the Technology & Infrastructure Fund.

Since the books for the City have not been closed at this point, all of the numbers are preliminary. Final numbers will be provided prior to Council action on or before November 19, 2012.

Ordinance Section 4

Ordinance 49-H is hereby amended by incorporating into said Ordinance all appropriations and adjustments to the operating and capital improvement budgets pertaining to the fiscal year ending September 30, 2012 made by previous resolution, and all supplemental appropriations and adjustments contained in this Ordinance, which pertain to the Fiscal Year ending September 30, 2012. Ordinance Number 49-H as amended as provided herein shall constitute the final budget for the Fiscal Year ending September 30, 2012.

PART II: COMMITMENTS AND ASSIGNMENTS OF FUND BALANCES FOR FY12 YEAR END

Ordinance Section 5

Each year City Council has committed a portion of the General Operating Fund balance that exceeds the target balance for specific purposes. Administration recommends the commitment and assignments of the following amounts totaling \$1.274 million within the General Operating Fund balance as of September 30, 2012. Many of these commitments were planned in preparing the FY13 Budget and include amounts requested for re-appropriation during FY12.

OPERATING RE-APPROPRIATIONS \$1,173,924
This commitment provides for funds to be rolled over for purchases that could not be made in the previous year due to timing or other issues.

LAND SALE PROCEEDS \$0
This commitment was created to provide a funding source for acquiring property. Proceeds from the sale of City properties valued at less than \$20,000 are deposited in the General Operating Fund and are to be used for acquiring property according to Resolution 2002-126 adopted by City Council on February 21, 2002.

QUALIFIED TARGET INDUSTRY (QTI) TAX REFUND PROGRAM \$100,000
 This commitment was established to provide the City's share over the next five years for the QTI program, which provides funds to local businesses for the purpose of stimulating economic growth and employment.

TECHNOLOGY \$0
 This category is kept in reserve to address current and future technology needs including but not limited to hardware, software, and other technology related items. This has not been funded since the establishment of the Technology and Infrastructure Fund.

ENERGY CONSERVATION \$0
 This category provides for projects to address future environmental and energy conservation issues. Grant funds are sought for most projects in this area.

PART III: FY12 CHANGES TO GENERAL OPERATING FUND, ENTERPRISE FUNDS, SPECIAL REVENUE FUNDS, INTERNAL SERVICE FUNDS, CIP FUND BUDGETS & TRANSFERS FOR ART IN PUBLIC PLACES

Ordinance Section 6
RE-APPROPRIATION OF FY12 ENCUMBRANCES

Encumbrances are funded with fund balance from each respective fund. All of these amounts were previously appropriated in FY12 and have legal commitments for expenditure that will occur in FY13. These include the unspent portion of existing contracts. Actual encumbrances may be more or less after all the financial transactions are posted.

General Operating Fund

Police	295,787
Fire	20,200
City Development Administration	20,978
Leisure and Community Services Administration	588,640
General Government Administration	48,888
Public Works Administration	<u>199,431</u>
Total General Fund	1,173,924

All Other Funds

Water Resources	987,868
Stormwater Utility Operating	20,200
Sanitation Operating	303,913
Sanitation Equipment Replacement	305,104
Airport Operating	9,105
Marina Operating	43,367
Golf Course Operating	16,751
Jamestown Complex	24,850
Port Operating	1,375
Emergency Medical Services	4,688
Local Housing Assistance	77,797
Parking	132,227
Law Enforcement	19,615
Community Development Block Grant	137,545
Emergency Shelter Grant	31,480
HOME Program	348,489

Neighborhood Stabilization Program	185,606
Community Housing Donation	120,000
Building Permit Special Revenue	11,404
Pier Operating	5,942
Coliseum Operating	8,880
Sunken Gardens	13,428
Police Grant	660
Fleet Management	282,467
Equipment Replacement	423,184
Municipal Office Buildings	5,884
Information & Communication Services	241,558
Technology & Infrastructure	110,463
Supply Management	3,172
Billing & Collections	16,655
Total Other Funds	<u>3,893,677</u>

Ordinance Section 7

FY13 APPROPRIATION ADJUSTMENTS

GENERAL OPERATING FUND – Appropriation Transfers

From: Audit	(249,000)	A transfer is needed from the Audit Services Department to the Finance Department for oversight and expense of the annual external audit contract.
To: Finance	249,000	

SUPPLEMENTAL APPROPRIATIONS

All supplemental appropriations are funded with fund balance from each respective fund. Most of these amounts (grants) were previously appropriated in FY12 and have legal commitments for expenditures that will occur in FY13. In some cases (Equipment Replacement and Technology Funds), the appropriation is needed so that the FY13 budget is adjusted for expenditures that will occur in FY13.

GENERAL OPERATING FUND – FY13 Supplemental Appropriation

Legal	103,409	A supplemental appropriation is needed to cover costs in the case of City v. Wachovia. The funds were appropriated in FY12, but the case has not come to a conclusion.
Community Services	7,500	A supplemental appropriation is needed to roll over the remaining contribution from Sun Trust for the Neighborhood of the Quarter Award.
Parks & Recreation	35,716.70	A supplemental appropriation is needed to roll over unspent grant funds.
Real Estate & Property Management	6,000	A supplemental appropriation is needed to roll over the balance of the FY12 funds to support demolition of structure that was acquired in FY12. Demolition was originally planned immediately after the acquisition; however the Police Department requested use of the property through the end of September 2012. Demolition has been requested but service will not be complete until FY13.
Police	35,602.17	A supplemental appropriation is needed to roll over unspent Pedestrian Safety Grant funds (18,760.02), and unspent funds for the contract with CASA (16,842.15).
Fire	50,874	A supplemental appropriation is needed to roll over funds to purchase protective gear (40,000) and replacement servers that have exceeded their useful life (10,874).
Downtown Enterprises Facilities	80,867	A supplemental appropriation is needed to roll over the ticket revenue from International Baseball (46,267) and the balance of the unspent money for the Al Lang Maintenance Project (34,600).

OTHER FUNDS – FY13 Supplemental Appropriations

Arts & Cultural Programs	50,000	A supplemental appropriation is needed to roll over unspent funds for arts consulting.
Local Housing Assistance	1,219,497	A supplemental appropriation is needed to roll over unspent grant funds.
Law Enforcement	175,324	A supplemental appropriation is needed to roll over unspent forfeiture funds for various police programs.
Downtown Redevelopment District	163,745	A transfer to the General Capital Improvement for funding the Plaza Parkway FY12 Project (\$36,203) and the Mahaffey Theater Mechanical Plant Project (\$127,542)
Community Development Block Grant	545,565	A supplemental appropriation is needed to roll over unspent grant funds.
Emergency Shelter Grant	80,549	A supplemental appropriation is needed to roll over unspent grant funds.
HOME Program	3,245,450	A supplemental appropriation is needed to roll over unspent grant funds.
Neighborhood Stabilization Program	5,070,897	A supplemental appropriation is needed to roll over unspent grant funds.
Community Housing Trust	320,536	A supplemental appropriation is needed to roll over unspent grant funds.
Police Grant Trust	367,754.96	A supplemental appropriation is needed to roll over unspent grant funds for the JAG 2010 (\$137,564.56) and JAG 2011 (\$182,586.02) grants. A supplemental appropriation to the ARRA FY09 JAG Program (\$47,604.38) is needed to spend grant revenue transferred from the county. The use is changing from prisoner transport services to personnel costs.
International Sports Donation	13,114	A supplemental appropriation is needed to roll over unspent donations from the prior year.
Water Resources	186,088.20	A supplemental appropriation is needed to roll over unspent grant funds for the Toilet Rebate Grant (\$33,734.37), Sensible Sprinkling Grant (\$2,641.51) and the Toilet Replacement Bulk Grant (\$94,020.56), as well as, to cover POs that were inadvertently closed (\$55,691.58) and therefore not included in the FY12 encumbrance rollovers in Section 6 of this ordinance.
Technology & Infrastructure	127,392	An increase in the authorization level of this internal service fund is needed to purchase mobile data computers for the Fire Department. Contributions have previously been made by the department for replacement of this equipment.

CAPITAL IMPROVEMENT FUNDS – FY13 Supplemental Appropriations

General Capital Improvement Fund	(672,458)	AW Park/Civic Plaza Project (11020)	A rescission is needed to use unspent money to fund the Mahaffey Theater Mechanical Plant Project.
General Capital Improvement Fund	800,000	Mahaffey Theater Mechanical Plant Project (12889)	Funding for this appropriation comes from a transfer from the Downtown Redevelopment Revenue Fund (\$127,542) and a rescission from the AW Park/Civic Plaza Project (\$672,458).
General Capital Improvement Fund	36,203	Plaza Parkway FY12 Project (13290)	A supplemental appropriation of \$36,203 is needed to cover the costs of the final components of the Bayshore Drive Phase I project. Funding is available from TIF revenues held in fund 1105 (Downtown Redevelopment District Fund).
General Capital Improvement Fund	240,897.98	Transfer to the Equipment Replacement Fund	The Fleet Petro Storage Tank Project (10720) closed out in FY12 with \$240,897.98 remaining. This project was originally funded by transfers from the Equipment Replacement Fund (5002). This will transfer the unspent funds from the project back to the Equipment Replacement Fund.
Neighborhood & Citywide Infrastructure	(75,000)	Wayfaring Signage FY05 (10107)	A rescission is needed to fund the Monuments Structural Rehab/Improvement Project (TBD).
Neighborhood & Citywide Infrastructure	75,000	Monuments Structural Rehab/Improvement Project (TBD)	A supplemental appropriation is needed to fund this project. The funding is coming from a rescission in the Wayfaring Signage Project (10107).
Neighborhood & Citywide Infrastructure	(840,000)	4 th Street Business District Project (C120402)	A rescission of unencumbered funds will be used for the Central Avenue Improvements Project. Funds are available due to FDOT permitting fewer medians.
Neighborhood & Citywide Infrastructure	1,114,500	Central Ave Improvements Project (TBD)	A supplemental appropriation to fund components of the Central Avenue Plan. Funding is from the rescission from the 4 th Street Business District Project and the closeout of the Entry Signage Project.
Neighborhood & Citywide Infrastructure	0	Seawall Renovation & Replacement FY13 Project (13733)	Expand scope of work related to this project to include seawalls citywide.

Transportation Impact Fees	140,703	Downtown Intersection & Pedestrian Facilities FY13 Project (13765)	A supplemental appropriation is needed to consolidate funding into one project; funding comes from the closeout of prior year projects.
City Facilities	(200,000)	MSC Garage Improvements Project (10615)	A rescission is needed because the project will be completed under the original budgeted amount.
Water Resources	754	BABs TBD Project (13305)	This is a supplemental appropriation to match the exact amount of BABs proceeds.
Water Resources	19,538	BABs TBD Project (13305)	This is a supplemental appropriation to spend the interest earned.
Water Resources	246	Super BABs TBD Project (13306)	This is a supplemental appropriation to match the exact amount of Super BABs proceeds.
Water Resources	71,317	Super BABs TBD Project (13306)	This is a supplemental appropriation to spend the interest earned.

Ordinance Section 8

TRANSFERS TO THE ART IN PUBLIC PLACES FUND

Certain capital improvement construction projects within the City are required by ordinance to make transfers to the Art in Public Places Fund. The amount to be transferred is equal to 1% of the project's construction costs up to \$2,500,000 and 0.5% for costs between \$2,500,000 and \$7,500,000 with a maximum transfer of \$50,000. The following transfer, totaling \$18,950 to the Art in Public Places Fund, is based on FY12 transactions:

Recreation & Culture Capital Improvement Fund	\$18,950
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Approval of the attached ordinance is requested.

ORDINANCE NO. 56-H

AN ORDINANCE APPROVING FINAL YEAR-END ADJUSTMENTS TO THE CITY OF ST. PETERSBURG OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012; APPROVING THE FINAL AMENDED BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012 BY INCORPORATING INTO THE AFOREMENTIONED FINAL AMENDED BUDGET ALL ADJUSTMENTS AND APPROPRIATIONS CONTAINED IN THIS ORDINANCE AND ALL ADJUSTMENTS AND APPROPRIATIONS PREVIOUSLY MADE BY RESOLUTION FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012; APPROVING YEAR-END COMMITMENTS, ASSIGNMENTS, AND APPROPRIATIONS FROM THE GENERAL FUND BALANCE AS OF SEPTEMBER 30, 2012 FOR INCLUSION IN THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1: The following appropriation transfers and supplemental appropriations to the City of St. Petersburg operating budget for the Fiscal Year ending September 30, 2012 are approved from the fund balance of each respective operating fund listed below:

General Operating Fund Appropriation Transfers	
From: Budget Department Contingency	(316,000)
To: Police Department	316,000
Supplemental Appropriations	
General Operating Fund	
General Government Administration	\$2,973,600
Police	845,000
Local Option Tax Revenue	34
Utility Tax Revenue	924
Excise Tax Revenue	280,403
Community Redevelopment District	614,057
School Crossing Guard	92,992
American Recovery & Reinvestment Fund	44,200
Mahaffey Theater	472,000
Coliseum	31,000
Pier	18,200
Sunken Gardens	16,000
Water Resources	1,372,000
Water Cost Stabilization	313,000
Stormwater	641,500
Sanitation	983,100
Airport	5,000

Marina	258,000
Golf Courses	68,000
Jamestown	134,400

Section 2: The following appropriation adjustments (numbers in parentheses denote reduced appropriations) to the City of St. Petersburg capital improvement program (CIP) budget for the Fiscal Year ending September 30, 2012 are approved from the fund balance of each respective CIP fund listed below:

General Capital Improvement Fund	
Neighborhood Partnership Grants FY12 Project	(25,000)
Neighborhood Plans Update FY11 Project	(31,000)
Jamestown Apartments Renovations Phase I Project	90,000
Police CAD, RMS, Mobile Project	(407,000)
Neighborhood & Citywide Infrastructure Fund	
Neighborhood Partnership Grants FY12 Project	(16,000)
Play Equipment Replacement FY12 Project	37,585
Recreation & Culture Fund	
Play Equipment Replacement FY12 Project	65,000
Transportation Impact Fees	
Traffic Safety Program FY09 Project	(100,000)
Water Resources Fund	
DIS New Main Extension FY12 Project	17,343.10
DIS Main Relocation FY12 Project	(17,343.10)
DIS Taps Meters Backflows FY12 Project	288,826.11
REC Ser Taps & Backflows FY12 Project	(3,392.89)
REC Flushing Appurtenance FY12 Project	(50,000)
REC Main Extension FY12Project	(208,865.02)
REC PCCP Replacement FY12Project	(1,000,000)
Airport	
Airport Apron Construction Project	21

Section 3: The following increases to the Internal Service Fund authorizations are approved for the Fiscal Year ending September 30, 2012:

Fleet Management	671,000
Health Insurance	2,168,300
Equipment Replacement	49,800

Section 4: Ordinance No. 1033-G is hereby amended by incorporating into said Ordinance all appropriations and adjustments to the operating and capital improvement budgets pertaining to the Fiscal Year ending September 30, 2012 made by previous resolution, and all supplemental appropriations and adjustments contained in this Ordinance which pertain to the Fiscal Year ending September 30, 2012. Ordinance No. 1033-G, as amended as provided herein, shall constitute the final budget for the Fiscal Year ending September 30, 2012.

Section 5: The following amounts are established as Commitments and Assignments for future appropriation in the General Operating Fund Balance which commitments can be changed by a resolution of City Council:

Operating Re-appropriations	\$1,173,924
Land Sale Proceeds	0
Qualified Target Industry (QTI) Tax Refund Program	100,000
Technology	0
Energy Conservation	0

Section 6: The following amounts encumbered during FY 2012 are re-appropriated for the Fiscal Year ending September 30, 2013 from the fund balance of the respective funds:

General Operating Fund:	
Police	\$295,787
Fire	20,200
City Development Administration	20,978
Leisure and Community Services Administration	588,640
General Government Administration	48,888
Public Works Administration	199,431
Water Resources	987,868
Stormwater Utility Operating	20,200
Sanitation Operating	303,913
Sanitation Equipment Replacement	305,104
Airport Operating	9,105
Marina Operating	43,367
Golf Course Operating	16,751
Jamestown Complex	24,850
Port Operating	1,375
Emergency Medical Services	4,688
Local Housing Assistance	77,797
Parking	132,227
Law Enforcement	19,615
Community Development Block Grant	137,545
Emergency Shelter Grant	31,480
HOME Program	348,489
Neighborhood Stabilization Program	185,606
Community Housing Donation	120,000
Building Permit Special Revenue	11,404
Pier Operating	5,942
Coliseum Operating	8,880
Sunken Gardens	13,428
Police Grant	660
Fleet Management	282,467
Equipment Replacement	423,184
Municipal Office Buildings	5,884
Information & Communication Services	241,558

Technology & Infrastructure	110,463
Supply Management	3,172
Billing & Collections	16,655

Section 7: The following supplemental appropriations are approved from the fund balances of the respective funds for the operating and capital improvement budgets for the Fiscal Year ending September 30, 2013:

General Operating Fund:	
Police	\$ 35,602.17
Fire	50,874
Parks & Recreation	35,716.70
Real Estate & Property Management	6,000
Legal	103,409
Community Services	7,500
Downtown Enterprises Facilities	80,867
Arts & Culture Programs	50,000
Local Housing Assistance	1,219,497
Law Enforcement	175,324
Downtown Redevelopment District	163,745
Community Development Block Grant	545,565
Emergency Shelter Grant	80,549
HOME Program	3,245,450
Neighborhood Stabilization Program	5,070,897
Community Housing Trust	320,536
Police Grant Trust	367,754.96
International Sports Donation	13,114
Water Resources	186,088.20
Technology & Infrastructure	127,392
General Capital Improvement	
AW Park/Civic Plaza Project	(672,458)
Mahaffey Theater Mechanical Plant Project	800,000
Plaza Parkway FY12 Project	36,203
Transfer to Equipment Replacement Fund	240,897.98
Neighborhood & Citywide Infrastructure	
Wayfaring Signage FY05 Project	(75,000)
Monuments Structural Rehab/Improvement Project	75,000
4 th Street Business District Project	(840,000)
Central Ave Improvements Project	1,114,500
Transportation Impact Fees	
Downtown Intersection & Pedestrian Facilities FY13 Project	140,703
City Facilities	
MSC Garage Improvements Project	(200,000)
Water Resources Capital Projects	
BABs Project	20,292
Super BABs Project	71,563

Section 8: The transfer from the following fund is approved to the Art in Public Places Fund based on projects meeting the City Code Percent for the Arts criteria:

Recreation & Culture Capital Improvement Fund \$18,950

Section 9: All appropriations contained in this Ordinance regarding the Budget for Fiscal Year ending September 30, 2013 may be amended in accordance with the City Code or as provided for in Ordinance No. 49-H.

Section 10: In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

APPROVED BY DEPARTMENT:

Budget Department

APPROVED AS TO FORM AND SUBSTANCE:

City Attorney

ST. PETERSBURG CITY COUNCIL

Meeting of November 19, 2012

TO: City Council Chair and City Council Members

SUBJECT: An Ordinance Enacting Year-End Appropriation Adjustments – FY12 Operating Budgets & Capital Improvement Program Budgets & Adjustments to the FY13 Budget

EXPLANATION / COST FUNDING ASSESSMENT INFORMATION:

This agenda item transitions budgets from the year just closed to the new budget year. For FY12, it adjusts budgets that exceeded annual appropriations and commits and assigns funds in the General Operating Fund for specific purposes. It also provides adjustments (supplemental appropriations) to the FY13 budget. Council is asked to approve an ordinance to enact these changes, as required by the Charter.

The agenda item is divided into three major parts. Each part may involve several types of transactions including appropriation transfers or supplemental appropriations. This item is subdivided into the sections of the Ordinance giving a detailed description of the provisions within the Ordinance and reasons for each budget modification.

Back-up for the Ordinance is covered in Parts I, II, and III

Part I describes transactions which will clean up and finalize the **FY12 budget** (Ordinance Sections 1-5). The final accounting transactions for FY12 are being posted, requiring some adjustments to the **FY12** appropriations for both operations and capital projects. Additional appropriations are necessary to authorize expenditures in excess of budgeted amounts, even if related revenues are available to cover these expenses. State law requires that any budgetary adjustments to the prior year budget be made within 60 days of the close of the fiscal year.

Part II recommends commitments and assignments of funds remaining in the General Operating Fund at the close of **FY12** for a variety of purposes in **FY13** and the future, as has been the practice for the past several years. Commitments and assignments are not legal commitments to expend funds set-aside in the various categories and require appropriation by City Council in order to do so. These appear in Section 6 of the Ordinance.

Part III provides for supplemental appropriations to the **FY13** Budget, including re-appropriation of unexpended **FY12** monies and transfers, Ordinance Sections 7-9.

ATTACHMENTS: Ordinance for Council Action

APPROVALS:

Administrative: _____

Budget: _____

**PRELIMINARY YEAR-END APPROPRIATION ADJUSTMENTS
FY12 OPERATING BUDGETS &
CAPITAL IMPROVEMENT PROGRAM BUDGETS**

This report presents recommendations for budget adjustments in various funds. Expenditure and revenue estimates are based on financial data through November 16, 2012. Budget adjustments are only required for entities that exceed previous appropriations for the entity as a whole. While some appropriations are made at the departmental level, such as the Fire Department, others are made at the administration level. For example, an appropriation would be required for the Leisure & Community Services Administration only if the expenditures exceeded the total appropriations for all departments within the administration. The Budget Ordinance is the guiding document for these requirements.

Supplemental appropriations are supported either by unanticipated revenue or by resources from the balances of the fund specified. Supplemental appropriations increase the total amounts authorized in their funds.

PART I: FY12 APPROPRIATION ADJUSTMENTS

Ordinance Section 1

GENERAL OPERATING FUND – Appropriation Transfers

From: Budget Department-Contingency	(\$316,000)	Appropriation transfers are needed to move the funds budgeted in the General Fund contingency for the Police step increases. Funding for the Police step increases was budgeted in the FY12 contingency, and now needs to be moved.
To: Police Department	316,000	

GENERAL OPERATING FUND – Supplemental Appropriations

Police	834,000	Overages include Social Security (\$201K) related to Overtime; (\$415K) for Vehicle and Accident Repairs; and Fuel (\$218K) due to increase in fuel prices. All line item overages are not detailed here as they are offset by lines which were under budget.
Coliseum Subsidy	37,000	A supplemental appropriation is needed because of higher than budgeted benefits and event costs based on requirements of actual events conducted during FY12.
Pier Subsidy	(12,000)	A reduced subsidy is needed due to lower costs for contract employees.
Sunken Gardens	(97,000)	A reduced subsidy is needed due to increased revenue from events.
Port Subsidy	90,000	An increase in the subsidy is needed due to lower revenue from dock and wharf charges.
Tropicana Field Subsidy	221,000	An increase in the Tropicana Field subsidy is needed due to reduced revenues for events.
Golf Course Loan	27,000	A transfer to the Golf Course is needed due to a reduction in revenues because of an extremely wet summer negatively impacted the fund balance. The Golf Course Fund is an enterprise fund and the Golf Course will repay the General Fund from future earnings.

Jamestown Subsidy	188,000	A supplemental appropriation is needed due to higher than budgeted facility repairs and maintenance, lower revenue, and an accounts receivable write off. This subsidy corrects the negative fund balance at the end of FY12 in the Jamestown Fund.
Legal	625,600	A supplemental appropriation is needed for Legal and Fiscal expenses (\$155,796) for expert witnesses, and \$128,000 for consultant fees for the Fire Readiness Fee; costs for medical records subpoenaed for court, etc.; Salaries and Benefits (\$341,804) for support to other departments will be accounted for differently in the 2013 budget to avoid overages.
Budget	1,700,000	A supplemental appropriation is needed because citywide salary savings of \$2.3 million was budgeted in this department. The actual salary savings for the General Fund departments that were under budget was approximately \$1.6 million, which is reflected in the individual departments.

SPECIAL DISCUSSION OF GENERAL FUND RESULTS AND IMPACT OF RNC

Currently, the General Fund is \$1.032 million over the expense budget and \$2.988 million under the budgeted revenue. The difference between revenue and expenses in the FY 2012 Amended Budget is \$6.879 million, which is the use of fund balance. \$1.571 million was planned use of fund balance in the original 2012 budget and an additional \$1.288 in appropriations from fund balance were made during the year.

The major categories of revenues that have not achieved the budgeted level for 2012 are:

Utility Tax: (\$1,384,419)
Franchise Tax: (\$943,527)

At the end of the third quarter of FY12, a report was made to the BFT indicating a projected year-end use of Fund Balance of \$5.2 million, for the following reasons:

- Planned use of \$1.5 million from the General Fund Balance when the FY12 budget was adopted;
- \$2.3 million salary savings built into the Budget Department's budget, which was not expected to be achieved due to low turnover and the need to fill vacancies essential to continued service delivery;
- Higher than expected fuel and vehicle maintenance costs of \$446,000;
- Budgeting issues in Legal and City Council totaling \$359,000.
- An estimate of \$580,000 of unreimbursed RNC expenses, as no agreements with Tampa had been signed at the time the report was prepared.

While salary savings of \$2.3 million was budgeted in the Budget Department and that amount was not totally achieved, under-expenditure of budgeted salaries in the various departments of the General Fund was approximately \$1.6 million, resulting in achievement of almost 70% of the savings target. Also in the salary category, budgeted charges to projects and/or departments outside of the General Fund did not meet budget..

Higher fuel costs and vehicle maintenance are reflected throughout the operating budgets, but the greatest impact on the General Fund was in the Police Department, where a high percentage of the

General Fund's vehicles are required. Overall, General Fund fuel costs were \$232,686 higher than budgeted.

As noted above, Legal expenses were up, and the remaining large contributor to the expense overages was the overtime and related benefits cost for the Police Department, predominantly attributable to the additional hours for late night policing downtown.

We have completed our requests for reimbursement to the City of Tampa for the RNC under the agreements signed on August 10, 2012. Those requests were submitted to Council under a separate memorandum. The \$1,281,492 is included in the anticipated revenues for FY 2012.

ENTERPRISE & SPECIAL REVENUE OPERATING FUNDS – Supplemental Appropriations

These appropriations cover expenditures which exceeded budget. In some cases, revenue also exceeded the budget. The net impact of these revenue and expenditure variances will be covered from the fund balance in each individual fund.

Local Option Tax Revenue	34	A supplemental appropriation is needed to reflect final transfers from this fund to the General Fund.
Utility Tax Revenue	924	A supplemental appropriation is needed to reflect final transfers from this fund to the General Fund.
Excise Tax Revenue	280,403	A supplemental appropriation is needed to reflect final transfers from this fund to the General Fund.
Community Redevelopment District	614,057	Currently, two funds are used for the Downtown Redevelopment District. A supplemental appropriation is needed to close the Community Redevelopment District Fund and transfer all remaining dollars to the Downtown Redevelopment Fund so that the two funds can be consolidated.
School Crossing Guard	92,992	This fund records the revenue collected from the parking ticket surcharge. A supplemental appropriation is needed to transfer the additional revenue to the General Operating Fund to reimburse part of the cost of the crossing guard program.
American Recovery & Reinvestment Fund	44,200	A supplemental appropriation is needed to expend grant revenue received.
Mahaffey Theater	472,000	A supplemental appropriation is needed because of higher costs from events and advertising. The increased expenses for events were offset by increased revenue.
Coliseum	31,000	A supplemental appropriation is needed because of higher than budgeted benefits and event costs based on requirements of actual events conducted during FY12.
Pier	18,200	Facility repairs were higher than budgeted due to Tropical Storm Debby.
Sunken Gardens	16,000	A supplemental appropriation is needed because of maintenance costs from Tropical Storm Debby and the additional cost of resale merchandise. Revenues exceeded expenses in this fund for the year.
Water Resources	1,407,000	Overages include Commodities – Resale (\$401K) due to Tampa Bay Water purchases; Other Specialized Services (\$267K) due to leasing a new lime stabilization process

		(Bioset); Chemicals (\$423K) mainly due to odor control and disinfection; Janitorial Supplies (\$4K); and Facilities Repairs & Renovations (\$312K) related to unexpected facility repairs and replacements. All line item overages are not detailed here as they are offset by lines which were under budget.
Water Cost Stabilization	313,000	A supplemental appropriation is needed to transfer additional interest earnings to the Water Resources Operating Fund (4001).
Stormwater	676,000	Stormwater worked on fewer projects than anticipated in FY12, so they were unable to recover costs for salary and benefits and equipment usage.
Sanitation	1,069,000	Budget overages include Fuel (\$380K), demolition (\$151K), processing and trucking costs (\$163K), and Repair and maintenance costs on vehicles and other equipment (\$375K). The department is under budget in Overtime by about \$352K. All line item overages are not detailed here as they are offset by lines which were under budget.
Airport	5,000	A supplemental appropriation is needed because of higher than budgeted costs for facility repairs and maintenance.
Marina	219,000	A supplemental appropriation is needed because of higher costs associated with commodities for resale, fuel costs, and credit card fees. Most of the added expense is offset by increased revenue.
Golf Courses	74,000	A supplemental appropriation is needed due to higher costs for resale items, fuel and storm related expenses.
Jamestown	134,400	A supplemental appropriation is needed due to higher than expected facility repairs and maintenance. This item just sets the appropriation for their over expenditure. The first item, on page 3, takes care of the Jamestown Fund balance.

Ordinance Section 2

CAPITAL IMPROVEMENT FUNDS – Supplemental Appropriations

General Capital Improvement Fund	(25,000)	Neighborhood Partnership Grants FY12 Project (13237)	This rescission is needed to fund the transfer of funds in FY13 to the General Fund.
General Capital Improvement Fund	(31,000)	Neighborhood Plans Update FY11 Project (12841)	This rescission is needed to fund the transfer of funds in FY13 to the General Fund.
General Capital Improvement Fund	90,000	Jamestown Apartments Renovations Phase I (11237)	A supplemental appropriation is needed to provide matching funds from the unappropriated balance of the General Capital Improvement Fund.
General Capital Improvement Fund	(407,000)	Police CAD, RMS, Mobile Project (C110231)	This rescission is needed to fund part of the Police CAD Mobile Upgrade Project (13714).

Neighborhood & Citywide Infrastructure	(16,000)	Neighborhood Partnership Grants FY12 Project (13237)	The funds from this rescission will be used to fund part of the Neighborhood Enhancements FY13 Project (13777)
Neighborhood & Citywide Infrastructure	37,585	Play Equipment Replacement FY12 Project (13252)	These funds are needed to replace fire damaged play equipment at Meadowlawn and to replace the surfacing at Wildwood to make it ADA accessible.
Recreation & Culture	65,000	Play Equipment Replacement FY13 Project (13252)	These funds are needed to replace fire damaged play equipment at Meadowlawn and to replace the surfacing at Wildwood to make it ADA accessible.
Transportation Impact Fees	(100,000)	Traffic Safety Program FY09 Project (12109)	This will fund part of the Traffic Signal Control Software Project.
Water Resources	17,343.10	DIS New Main Extension FY12 Project (13341)	A supplemental appropriation is needed for the New Water Main Extension project to cover additional construction costs. to extend water service to new customers. Demand exceeded the budget and overage may be covered by available funds in 13342 (DIS Main Relocation FY12).
Water Resources	(17,343.10)	DIS Main Relocation FY12 Project (13342)	Rescission to cover overage of funds in above project.
Water Resources	288,826.11	DIS Taps Meters Backflows FY12 Project (13345)	A supplemental appropriation is needed to cover additional construction costs driven by customer requests. Funding is coming from the close out of ASM CMMS FY 2007 Project (11440) and the three following rescissions.
Water Resources	(3,392.89)	REC Ser Taps & Backflow FY12 Project (13347)	Rescission to cover overage of funds in another project (13345).
Water Resources	(50,000)	REC Flushing Appurtenance FY12 Project (13353)	Rescission to cover overage of funds in another project (13345).
Water Resources	(208,865.02)	REC Main Extension FY12 Project (13354)	Rescission to cover overage of funds in another project (13345).
Water Resources	(1,000,000)	REC PCCP Replacement FY12 Project (13355)	A rescission is needed to reduce the budget because the bids received were lower than anticipated.

Water Resources	0	NE Aerator Equipment Replacement FY12 Project (13382)	Expand scope of work related to this project to include Design of Headworks Rehabilitation, Clarifier #3 Drive Replacement, RAS Piping Modifications, and Filter Influent Piping Modifications; no additional budget required at this time.
Airport	21	Airport Apron Construction Project (12477)	A supplemental appropriation is needed to match the grant funds associated with this project.

Ordinance Section 3

INTERNAL SERVICE FUNDS – Increased Authorizations

Fleet Management	671,000	A supplemental appropriation is needed for part of the higher than budgeted R/M Materials - Equipment costs (\$402K) due to the age of the fleet and delayed replacement of vehicles which increases maintenance costs. Fuel is also over budget by \$269K. All line item overages are not detailed here as they are offset by lines which were under budget.	
Health Insurance	2,168,300	A supplemental appropriation is needed due to higher claims than expected, primarily in the second quarter of 2012 fiscal year (last quarter of the plan year).	
Equipment Replacement	49,800	A supplemental appropriation is needed to transfer the FY11 contribution the Fire Department made for replacement mobile data computers to the Technology & Infrastructure Fund.	

Ordinance Section 4

Ordinance 49-H is hereby amended by incorporating into said Ordinance all appropriations and adjustments to the operating and capital improvement budgets pertaining to the fiscal year ending September 30, 2012 made by previous resolution, and all supplemental appropriations and adjustments contained in this Ordinance, which pertain to the Fiscal Year ending September 30, 2012. Ordinance Number 49-H as amended as provided herein shall constitute the final budget for the Fiscal Year ending September 30, 2012.

PART II: COMMITMENTS AND ASSIGNMENTS OF FUND BALANCES FOR FY12 YEAR END

Ordinance Section 5

Each year City Council has committed a portion of the General Operating Fund balance that exceeds the target balance for specific purposes. Administration recommends the commitment and assignments of the following amounts totaling \$1.295 million within the General Operating Fund balance as of September 30, 2012. These commitments include amounts requested for re-appropriation during FY12.

OPERATING RE-APPROPRIATIONS \$1,153,226
 This commitment provides for funds to be rolled over for purchases that could not be made in the previous year due to timing or other issues.

LAND SALE PROCEEDS \$0
 This commitment was created to provide a funding source for acquiring property. Proceeds from the sale of City properties valued at less than \$20,000 are deposited in the General Operating Fund and are to be used for acquiring property according to Resolution 2002-126 adopted by City Council on February 21, 2002.

QUALIFIED TARGET INDUSTRY (QTI) TAX REFUND PROGRAM \$141,370
 This commitment was established to provide the City's share over the next five years for the QTI program, which provides funds to local businesses for the purpose of stimulating economic growth and employment.

TECHNOLOGY \$0
 This category is kept in reserve to address current and future technology needs including but not limited to hardware, software, and other technology related items. This has not been funded since the establishment of the Technology and Infrastructure Fund.

ENERGY CONSERVATION \$0
 This category provides for projects to address future environmental and energy conservation issues. Grant funds are sought for most projects in this area.

PART III: FY12 CHANGES TO GENERAL OPERATING FUND, ENTERPRISE FUNDS, SPECIAL REVENUE FUNDS, INTERNAL SERVICE FUNDS, CIP FUND BUDGETS & TRANSFERS FOR ART IN PUBLIC PLACES

Ordinance Section 6

RE-APPROPRIATION OF FY12 ENCUMBRANCES

Encumbrances are funded with fund balance from each respective fund. All of these amounts were previously appropriated in FY12 and have legal commitments for expenditure that will occur in FY13. These include the unspent portion of existing contracts. Actual encumbrances may be more or less after all the financial transactions are posted.

General Operating Fund

Police	280,311
Fire	19,108
City Development Administration	90,671
Leisure and Community Services Administration	585,026
General Government Administration	48,723
Public Works Administration	<u>129,387</u>
Total General Fund	1,153,226

All Other Funds

Water Resources	960,724
Stormwater Utility Operating	25,795

Sanitation Operating	306,971
Sanitation Equipment Replacement	305,104
Airport Operating	9,105
Marina Operating	43,367
Golf Course Operating	15,537
Jamestown Complex	24,850
Port Operating	1,375
Emergency Medical Services	4,324
Local Housing Assistance	77,797
Parking	126,947
Law Enforcement	19,615
Community Development Block Grant	137,545
Emergency Shelter Grant	31,480
HOME Program	330,108
Neighborhood Stabilization Program	183,897
Community Housing Donation	120,000
Building Permit Special Revenue	11,404
Pier Operating	5,942
Coliseum Operating	8,880
Sunken Gardens	13,428
Police Grant	660
Fleet Management	282,467
Equipment Replacement	423,184
Municipal Office Buildings	5,884
Information & Communication Services	238,418
Technology & Infrastructure	110,463
Supply Management	3,172
Billing & Collections	16,655
Total Other Funds	<u>3,845,098</u>

Ordinance Section 7

FY13 APPROPRIATION ADJUSTMENTS

GENERAL OPERATING FUND – Appropriation Transfers

From: Audit	(249,000)	A transfer is needed from the Audit Services Department to the Finance Department for oversight and expense of the annual external audit contract.
To: Finance	249,000	

SUPPLEMENTAL APPROPRIATIONS

All supplemental appropriations are funded with fund balance from each respective fund. Most of these amounts (grants) were previously appropriated in FY12 and have legal commitments for expenditures that will occur in FY13. In some cases (Equipment Replacement and Technology

Funds), the appropriation is needed so that the FY13 budget is adjusted for expenditures that will occur in FY13.

GENERAL OPERATING FUND – FY13 Supplemental Appropriation

Legal	103,409	A supplemental appropriation is needed to cover costs in the case of City v. Wachovia. The funds were appropriated in FY12, but the case has not come to a conclusion.
Community Services	7,500	A supplemental appropriation is needed to roll over the remaining contribution from Sun Trust for the Neighborhood of the Quarter Award.
Parks & Recreation	35,716.70	A supplemental appropriation is needed to roll over unspent grant funds.
Real Estate & Property Management	6,000	A supplemental appropriation is needed to roll over the balance of the FY12 funds to support demolition of structure that was acquired in FY12. Demolition was originally planned immediately after the acquisition; however the Police Department requested use of the property through the end of September 2012. Demolition has been requested but service will not be complete until FY13.
Police	70,110.17	A supplemental appropriation is needed to roll over unspent Pedestrian Safety Grant funds (18,760.02), unspent funds for the contract with CASA (16,842.15), and to account for a position that was previously grant funded (\$34,508).
Planning & Economic Development	25,400	A supplemental appropriation is needed for the city's payment under the Qualified Target Industry (QTI) program. Funds are available in the General Operating Fund commitment for this purpose.
Fire	50,874	A supplemental appropriation from the unappropriated balance of the General Fund is needed to purchase protective gear (40,000) and replacement servers that have exceeded their useful life (10,874).
Downtown Enterprises Facilities	80,867	A supplemental appropriation is needed to roll over the ticket revenue from International Baseball (46,267) and the balance of the unspent money for the Al Lang Maintenance Project (34,600).

OTHER FUNDS – FY13 Supplemental Appropriations

Arts & Cultural Programs	50,000	A supplemental appropriation is needed to roll over unspent funds for arts consulting.
Local Housing Assistance	1,219,497	A supplemental appropriation is needed to roll over unspent grant funds.
Law Enforcement	175,324	A supplemental appropriation is needed to roll over unspent forfeiture funds for various police programs.
Downtown Redevelopment District	163,745	A transfer to the General Capital Improvement for funding the Plaza Parkway FY12 Project (\$36,203) and the Mahaffey Theater Mechanical Plant Project (\$127,542)
Community Development Block Grant	545,565	A supplemental appropriation is needed to roll over unspent grant funds.
Emergency Shelter Grant	80,549	A supplemental appropriation is needed to roll over unspent grant funds.
HOME Program	3,245,450	A supplemental appropriation is needed to roll over unspent grant funds.
Neighborhood Stabilization Program	5,070,897	A supplemental appropriation is needed to roll over unspent grant funds.
Community Housing Trust	320,536	A supplemental appropriation is needed to roll over unspent grant funds.
Police Grant Trust	333,246.96	A supplemental appropriation is needed to roll over unspent grant funds for the JAG 2010 (\$137,564.56) and JAG 2011 (\$182,586.02) grants. A supplemental appropriation to the ARRA FY09 JAG Program (\$47,604.38) is needed to spend grant revenue transferred from the county. The use is changing from prisoner transport services to personnel costs. Also, \$34,508 is being moved from this budget to the General Fund due to the lack of grant funding for a position.
International Sports Donation	13,114	A supplemental appropriation is needed to roll over unspent donations from the prior year.
Water Resources	186,088.20	A supplemental appropriation is needed to roll over unspent grant funds for the Toilet Rebate Grant (\$33,734.37), Sensible Sprinkling Grant (\$2,641.51) and the Toilet Replacement Bulk Grant (\$94,020.56), as well as, to cover POs that were inadvertently closed (\$55,691.58) and therefore not included in the FY12 encumbrance rollovers in Section 6 of this ordinance.
Technology & Infrastructure	127,392	An increase in the authorization level of this internal service fund is needed to purchase mobile data computers for the Fire Department. Contributions have previously been made by the department for replacement of this equipment.

CAPITAL IMPROVEMENT FUNDS – FY13 Supplemental Appropriations

General Capital Improvement Fund	(672,458)	AW Park/Civic Plaza Project (11020)	A rescission is needed to use unspent money to fund the Mahaffey Theater Mechanical Plant Project.
General Capital Improvement Fund	800,000	Mahaffey Theater Mechanical Plant Project (12889)	Funding for this appropriation comes from a transfer from the Downtown Redevelopment Revenue Fund (\$127,542) and a rescission from the AW Park/Civic Plaza Project (\$672,458).
General Capital Improvement Fund	36,203	Plaza Parkway FY12 Project (13290)	A supplemental appropriation of \$36,203 is needed to cover the costs of the final components of the Bayshore Drive Phase I project. Funding is available from TIF revenues held in fund 1105 (Downtown Redevelopment District Fund).
General Capital Improvement Fund	240,897.98	Transfer to the Equipment Replacement Fund	The Fleet Petro Storage Tank Project (10720) closed out in FY12 with \$240,897.98 remaining. This project was originally funded by transfers from the Equipment Replacement Fund (5002). This will transfer the unspent funds from the project back to the Equipment Replacement Fund.
Neighborhood & Citywide Infrastructure	(75,000)	Wayfaring Signage FY05 (10107)	A rescission is needed to fund the Monuments Structural Rehab/Improvement Project (TBD).
Neighborhood & Citywide Infrastructure	75,000	Monuments Structural Rehab/Improvement Project (TBD)	A supplemental appropriation is needed to fund this project. The funding is coming from a rescission in the Wayfaring Signage Project (10107).
Neighborhood & Citywide Infrastructure	(840,000)	4 th Street Business District Project (C120402)	A rescission of unencumbered funds will be used for the Central Avenue Improvements Project. Funds are available due to FDOT permitting fewer medians.
Neighborhood & Citywide Infrastructure	1,114,500	Central Ave Improvements Project (TBD)	A supplemental appropriation to fund components of the Central Avenue Plan. Funding is from the rescission from the 4 th Street Business District Project and the closeout of the Entry Signage Project.
Neighborhood & Citywide Infrastructure	0	Seawall Renovation & Replacement FY13 Project (13733)	Expand scope of work related to this project to include seawalls citywide.

Transportation Impact Fees	140,703	Downtown Intersection & Pedestrian Facilities FY13 Project (13765)	A supplemental appropriation is needed to consolidate funding into one project; funding comes from the closeout of prior year projects.
City Facilities	(200,000)	MSC Garage Improvements Project (10615)	A rescission is needed because the project will be completed under the original budgeted amount.
Water Resources	754	BABs TBD Project (13305)	This is a supplemental appropriation to match the exact amount of BABs proceeds.
Water Resources	119,538	BABs TBD Project (13305)	This is a supplemental appropriation to spend the interest earned.
Water Resources	246	Super BABs TBD Project (13306)	This is a supplemental appropriation to match the exact amount of Super BABs proceeds.
Water Resources	71,317	Super BABs TBD Project (13306)	This is a supplemental appropriation to spend the interest earned.

Ordinance Section 8

TRANSFERS TO THE ART IN PUBLIC PLACES FUND

Certain capital improvement construction projects within the City are required by ordinance to make transfers to the Art in Public Places Fund. The amount to be transferred is equal to 1% of the project's construction costs up to \$2,500,000 and 0.5% for costs between \$2,500,000 and \$7,500,000 with a maximum transfer of \$50,000. The following transfer, totaling \$18,950 to the Art in Public Places Fund, is based on FY12 transactions:

Recreation & Culture Capital Improvement Fund	\$18,950
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Approval of the attached ordinance is requested.

ORDINANCE NO. 56-H

AN ORDINANCE APPROVING FINAL YEAR-END ADJUSTMENTS TO THE CITY OF ST. PETERSBURG OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012; APPROVING THE FINAL AMENDED BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012 BY INCORPORATING INTO THE AFOREMENTIONED FINAL AMENDED BUDGET ALL ADJUSTMENTS AND APPROPRIATIONS CONTAINED IN THIS ORDINANCE AND ALL ADJUSTMENTS AND APPROPRIATIONS PREVIOUSLY MADE BY RESOLUTION FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012; APPROVING YEAR-END COMMITMENTS, ASSIGNMENTS, AND APPROPRIATIONS FROM THE GENERAL FUND BALANCE AS OF SEPTEMBER 30, 2012 FOR INCLUSION IN THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1: The following appropriation transfers and supplemental appropriations to the City of St. Petersburg operating budget for the Fiscal Year ending September 30, 2012 are approved from the fund balance of each respective operating fund listed below:

General Operating Fund Appropriation Transfers

From: Budget Department Contingency	(316,000)
To: Police Department	316,000

Supplemental Appropriations

General Operating Fund

General Government Administration	\$2,779,600
Police	834,000
Local Option Tax Revenue	34
Utility Tax Revenue	924
Excise Tax Revenue	280,403
Community Redevelopment District	614,057
School Crossing Guard	92,992
American Recovery & Reinvestment Fund	44,200
Mahaffey Theater	472,000
Coliseum	31,000
Pier	18,200
Sunken Gardens	16,000
Water Resources	1,407,000
Water Cost Stabilization	313,000
Stormwater	676,000
Sanitation	1,069,000
Airport	5,000

Marina	219,000
Golf Courses	74,000
Jamestown	134,400

Section 2: The following appropriation adjustments (numbers in parentheses denote reduced appropriations) to the City of St. Petersburg capital improvement program (CIP) budget for the Fiscal Year ending September 30, 2012 are approved from the fund balance of each respective CIP fund listed below:

General Capital Improvement Fund	
Neighborhood Partnership Grants FY12 Project	(25,000)
Neighborhood Plans Update FY11 Project	(31,000)
Jamestown Apartments Renovations Phase I Project	90,000
Police CAD, RMS, Mobile Project	(407,000)
Neighborhood & Citywide Infrastructure Fund	
Neighborhood Partnership Grants FY12 Project	(16,000)
Play Equipment Replacement FY12 Project	37,585
Recreation & Culture Fund	
Play Equipment Replacement FY12 Project	65,000
Transportation Impact Fees	
Traffic Safety Program FY09 Project	(100,000)
Water Resources Fund	
DIS New Main Extension FY12 Project	17,343.10
DIS Main Relocation FY12 Project	(17,343.10)
DIS Taps Meters Backflows FY12 Project	288,826.11
REC Ser Taps & Backflows FY12 Project	(3,392.89)
REC Flushing Appurtenance FY12 Project	(50,000)
REC Main Extension FY12Project	(208,865.02)
REC PCCP Replacement FY12Project	(1,000,000)
Airport	
Airport Apron Construction Project	21

Section 3: The following increases to the Internal Service Fund authorizations are approved for the Fiscal Year ending September 30, 2012:

Fleet Management	671,000
Health Insurance	2,168,300
Equipment Replacement	49,800

Section 4: Ordinance No. 1033-G is hereby amended by incorporating into said Ordinance all appropriations and adjustments to the operating and capital improvement budgets pertaining to the Fiscal Year ending September 30, 2012 made by previous resolution, and all supplemental appropriations and adjustments contained in this Ordinance which pertain to the Fiscal Year ending September 30, 2012. Ordinance No. 1033-G, as amended as provided herein, shall constitute the final budget for the Fiscal Year ending September 30, 2012.

Section 5: The following amounts are established as Commitments and Assignments for future appropriation in the General Operating Fund Balance which commitments can be changed by a resolution of City Council:

Operating Re-appropriations	\$1,153,226
Land Sale Proceeds	0
Qualified Target Industry (QTI) Tax Refund Program	141,370
Technology	0
Energy Conservation	0

Section 6: The following amounts encumbered during FY 2012 are re-appropriated for the Fiscal Year ending September 30, 2013 from the fund balance of the respective funds:

General Operating Fund:	
Police	\$280,311
Fire	19,108
City Development Administration	90,671
Leisure and Community Services Administration	585,026
General Government Administration	48,723
Public Works Administration	129,387
Water Resources	960,724
Stormwater Utility Operating	25,795
Sanitation Operating	306,971
Sanitation Equipment Replacement	305,104
Airport Operating	9,105
Marina Operating	43,367
Golf Course Operating	15,537
Jamestown Complex	24,850
Port Operating	1,375
Emergency Medical Services	4,324
Local Housing Assistance	77,797
Parking	126,947
Law Enforcement	19,615
Community Development Block Grant	137,545
Emergency Shelter Grant	31,480
HOME Program	330,108
Neighborhood Stabilization Program	183,897
Community Housing Donation	120,000
Building Permit Special Revenue	11,404
Pier Operating	5,942
Coliseum Operating	8,880
Sunken Gardens	13,428
Police Grant	660
Fleet Management	282,467
Equipment Replacement	423,184
Municipal Office Buildings	5,884
Information & Communication Services	238,418

Technology & Infrastructure	110,463
Supply Management	3,172
Billing & Collections	16,655

Section 7: The following supplemental appropriations are approved from the fund balances of the respective funds for the operating and capital improvement budgets for the Fiscal Year ending September 30, 2013:

General Operating Fund:	
Police	\$ 70,110.17
Fire	50,874
Parks & Recreation	35,716.70
Real Estate & Property Management	6,000
Planning & Economic Development	25,400
Legal	103,409
Community Services	7,500
Downtown Enterprises Facilities	80,867
Arts & Culture Programs	50,000
Local Housing Assistance	1,219,497
Law Enforcement	175,324
Downtown Redevelopment District	163,745
Community Development Block Grant	545,565
Emergency Shelter Grant	80,549
HOME Program	3,245,450
Neighborhood Stabilization Program	5,070,897
Community Housing Trust	320,536
Police Grant Trust	333,246.96
International Sports Donation	13,114
Water Resources	186,088.20
Technology & Infrastructure	127,392
General Capital Improvement	
AW Park/Civic Plaza Project	(672,458)
Mahaffey Theater Mechanical Plant Project	800,000
Plaza Parkway FY12 Project	36,203
Transfer to Equipment Replacement Fund	240,897.98
Neighborhood & Citywide Infrastructure	
Wayfaring Signage FY05 Project	(75,000)
Monuments Structural Rehab/Improvement Project	75,000
4 th Street Business District Project	(840,000)
Central Ave Improvements Project	1,114,500
Transportation Impact Fees	
Downtown Intersection & Pedestrian Facilities FY13 Project	140,703
City Facilities	
MSC Garage Improvements Project	(200,000)
Water Resources Capital Projects	
BABs Project	120,292
Super BABs Project	71,563

Section 8: The transfer from the following fund is approved to the Art in Public Places Fund based on projects meeting the City Code Percent for the Arts criteria:

Recreation & Culture Capital Improvement Fund	\$18,950
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Section 9: All appropriations contained in this Ordinance regarding the Budget for Fiscal Year ending September 30, 2013 may be amended in accordance with the City Code or as provided for in Ordinance No. 49-H.

Section 10: In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

APPROVED BY DEPARTMENT:

Budget Department

APPROVED AS TO FORM AND SUBSTANCE:

City Attorney

Tampa Bay Times

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF Pinellas

} s.s.

Before the undersigned authority personally appeared A. Robison who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: CITY ST PETERSBURG HEARING PROPOSED ORDINANCE NO. 56-H was published in said newspaper in the issues of Neighborhood Times St Petersburg, 11/7/2012.

Affiant further says the said Tampa Bay Times is a newspaper published at St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he /she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

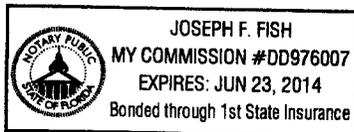
Signature of Affiant

Sworn to and subscribed before me
this 7th day of November A.D.2012

Signature of Notary Public

Personally known or produced identification

Type of identification produced _____



LEGAL NOTICE

PUBLIC HEARING NOTICE CITY OF ST. PETERSBURG

PROPOSED ORDINANCE NO. 56-H

AN ORDINANCE APPROVING FINAL YEAR-END ADJUSTMENTS TO THE CITY OF ST. PETERSBURG OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012; APPROVING THE FINAL AMENDED BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012 BY INCORPORATING INTO THE AFOREMENTIONED FINAL AMENDED BUDGET ALL ADJUSTMENTS AND APPROPRIATIONS CONTAINED IN THIS ORDINANCE AND ALL ADJUSTMENTS AND APPROPRIATIONS PREVIOUSLY MADE BY RESOLUTION FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012; APPROVING YEAR-END COMMITMENTS, ASSIGNMENTS, AND APPROPRIATIONS FROM THE GENERAL FUND BALANCE AS OF SEPTEMBER 30, 2012 FOR INCLUSION IN THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013; AND, PROVIDING AN EFFECTIVE DATE.

Date: November 19, 2012 Time: 6:00 p.m.
City Council Chamber
City Hall, 175 5th Street North
St. Petersburg, FL 33701

Notice is hereby given that all interested parties may appear at the meeting and be heard by City Council, with respect to the proposed ordinance(s) listed above. Copies of the proposed ordinance(s) are available in the City Clerk's Office, City Hall, and may be inspected by the public. Any person who decides to appeal the decision made by the City Council with respect to these matters (this matter) will need a record of the proceedings and that for such purpose the person making the appeal will need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

If you are a person with a disability who needs an accommodation in order to participate in this proceeding, please contact the City Clerk's Office, (727) 893-7448, or call our TDD number, 892-5259, at least 24 hours prior to the meeting and we will provide that accommodation for you.

Eva Andujar, City Clerk

11/7/2012

850004-01

15

Attached documents for item Open Forum

OPEN FORUM SIGN-UP

Council Meeting Date: 11-19-12

Note: Individuals wishing to address City Council must be a Business Owner, Live within the City, Own Property or be a City Employee.

Please Print

Name	Address	Subject
✓ 1. John Schoepf	1330 41 AVE NE	Utility Conn Fee.
✓ 2. DAVID MCKENRY	471 SW BLVD N	FAST
✓ 3. President Don Eastman	Ector College, 2008 N. Hime Ave	Traffic Light Local Hiring Ordinance
4. Steve Conk		
5. Bill Jordan	1107 W. DeLeon	Local Hiring
6. Momma Tee Lassiter	963 27th A/S.	Campbell Park Center
7. William Ballard	1255 Brighton Ave NE	Pier Protect
8. Anne-Drake McMullen	333 3rd Ave	Local Hiring
9. Manuel Sykes	2901 34th Ave S.	Campbell &
10. Jason Spears	445 34 A NE	
11. David Harris	1019 15th Ave P.	Local Hiring
12. ✓ Bob Dudley	w/FAST	
13.		

November 19, 2012
3:25 PM

On job hiring local priority
issue, I would like the
chance to address the council.

Bob Dudley

Attached documents for item Lift Station 85 Albert Whitted Master 30" Force Main, Part B Project:

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Awarding a contract to Kamminga & Roodvoets, Inc. in the amount of \$4,921,021 for the construction of Lift Station 85 Albert Whitted Master 30" Force Main, Part B Project (Engineering Project No. 12013-211; Oracle No. 13975); approving a transfer in the amount of \$5,762,000 from the unappropriated balance of the Water Resources Operating Fund (4001) to the Water Resources Capital Projects Fund (4003); and providing an effective date.

Explanation: The Procurement Department received eight bids for the Lift Station 85 Albert Whitted Master 30" Force Main, Part B project (see below).

The work consists of furnishing all labor, services, materials, and equipment necessary to construct approximately 11,500 LF of 30 inch Ductile Iron (DI) force main and associated valves, fittings and appurtenances; replace approximately 1,600 LF of 8-inch PVC sanitary sewer, 5 manholes and associated sanitary sewer laterals, fittings and appurtenances; miscellaneous water main, reclaimed water, sanitary sewer and storm drainage relocation and adjustments; roadway and median restoration, milling and paving.

This work will be within the existing roadway and public right of way along the west side of 31st Street, from 58th Avenue South to just south of 54th Avenue South, and along the north side of 54th Avenue South from 31st Street to Dr. Martin Luther King Jr. Street. The work continues north along the west side of Dr. Martin Luther King Jr. Street toward Country Club Way. Included in this project is the replacement of an existing 8" sanitary sewer line along Dr. Martin Luther King Jr. Street from 54th Avenue South to 50th Avenue South, including all residential service connection to the edge of right of way.

Pursuant to City Council approval on February 3, 2011 to decommission the AWWRF, and approval to proceed with detail design on December 15, 2011, this project is the first of five related projects designed to convey wastewater flows from the Albert Whitted Water Reclamation Facility (AWWRF) to the Southwest Water Reclamation Facility (SWWRF).

The project was designed in five parts during the first nine months of 2012. The strategy to utilize multiple consultant engineers and multiple contractors is designed to reduce the design and construction time requirements by employing the services of a greater number of engineering and construction firms concurrently. This strategy also enhances the competitive bidding process by providing multiple opportunities for local utility contractors to bid on projects within their bonding capabilities, as well as minimizing capital cost to the City. These five projects will be advertised for bidding during the months of October to January 2013. Construction of the projects will proceed during 2013, and start up and testing of the new facilities will commence in Spring 2014, and demolition of the SWWRF is planned for 2015.

When completed, the proposed sanitary sewer force main and Lift Station 85 will eliminate the need for continued operation of the AWWRF, resulting in an estimated present worth savings of \$32 million in capital and operating expenses over a 20 year period.

The contractor will begin work approximately ten (10) days from Notice to Proceed and is scheduled to complete the work within three hundred sixty five (365) consecutive calendar days thereafter. Bids were opened on October 9, 2012 and are tabulated as follows:

<u>Bidder</u>	<u>Total</u>
Kamminga & Roodvoets, Inc. (Tampa, FL)	\$4,921,021.00
Garney Companies, Inc. (Kissimmee, FL)	\$5,579,463.00
Woodruff & Sons, Inc. (Bradenton, FL)	\$5,654,029.39
Dallas 1 Corp., dba Dallas 1 Construction & Development Inc. (Thonotosassa, FL)	\$5,957,595.75
Westra Construction, Corp. (Palmetto, FL)	\$6,309,848.50
Felix Associates of Florida, Inc. (Stuart, FL)	\$6,658,061.18
Kimmins Contracting Corp. (Tampa, FL)	\$7,024,663.00
Pepper Contracting Services, Inc. (Tampa, FL)	\$7,410,415.00

The lowest responsive bidder Kamminga & Roodvoets, Inc. has met the specifications, terms and conditions for Bid No. 7369 dated August 31, 2012, and has satisfactorily performed similar work for City of St. Petersburg, City of Largo and City of Tampa. Principals of the firm are Kurt Poll, President and Kraig Klynstra, Secretary/Treasurer.

Administration recommends awarding this Contract to Kamminga & Roodvoets, Inc. in the amount of \$4,921,021.

A transfer in the amount of \$5,762,000 from the unappropriated balance of the Water Resources Operating Fund (4001) to the Water Resources Capital Projects Fund (4003) is necessary to provide temporary funding for this and one other project in anticipation of the issuance of a new bond later this year. Once the new bond money is available, the funds will be transferred back to the Operating Fund. The additional project is the Manhole Rehabilitation for FY13.

Cost/Funding/Assessment Information: Funds will be available in the Water Resource Capital Projects Fund (4003), SAN LS #85 FM Part B FY13 Project (13975) after approval of a transfer in the amount of \$5,762,000 from the unappropriated balance of the Water Resources Operating Fund (4001) to the Water Resources Capital Projects Fund (4003).

Attachments: Map
Resolution

Approvals:

for Administrative

Budget



LEGEND

- HAZEN & SAWYER — FORCE MAIN PART A
- McKIM & CREED — FORCE MAIN PART B
- CDM — FORCE MAIN PART C
- CDM — GRAVITY MAIN PART C
- GEORGE F. YOUNG — FORCE MAIN PART D
- CITY — FORCE MAIN PART E
- AECOM ■ LIFT STATION 85
- CAROLLO □ ALBERT WHITTED WRF DEMOLITION

Map Number:	AWWRF FLOW TRANSFER
Cost Code:	IMPLEMENTATION PLAN
Scale:	NTS
Date:	SEPTEMBER, 2012



LIFT STATION 85 & 30" FORCE MAIN ROUTE



City of St. Petersburg
Engineering Department
City of St. Petersburg

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO KAMMINGA & ROODVOETS, INC. FOR LIFT STATION 85 ALBERT WHITTED MASTER 30" FORCE MAIN, PART B PROJECT AT A TOTAL COST NOT TO EXCEED \$4,921,021; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A TRANSFER IN THE AMOUNT OF \$5,762,000 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES OPERATING FUND (4001) TO THE WATER RESOURCES CAPITAL PROJECTS FUND (4003); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Procurement & Supply Management Department received eight bids for construction of Lift Station 85 Albert Whitted Master 30" Force Main, Part B Project pursuant to Bid No. 7369 dated August 31, 2012; and

WHEREAS, Kamminga & Roodvoets, Inc. has met the specifications, terms and conditions of Bid No. 7369; and

WHEREAS, the Administration recommends approval of this award.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the bid and award of an agreement to Kamminga & Roodvoets, Inc. for construction of Lift Station 85 Albert Whitted Master 30" Force Main, Part B Project at a total cost not to exceed \$4,921,021 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

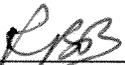
BE IT FURTHER RESOLVED by the City of St. Petersburg, Florida that there are hereby approved the following transfer from the unappropriated balance of the Water Resources Operating Fund (4001) for Fiscal Year 2013:

Water Resources Operating Fund (4001)

Transfer to: Water Resources Capital Projects Fund (4003) \$5,762,000

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)



Budget Department

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2011

TO: The Honorable Leslie Curran, Chair and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to execute Amendment No.1 to Task Order No. 08-20-MC/W to the agreement between the City of St. Petersburg and McKim & Creed, P.A. in the amount of \$59,740 for professional consulting phase services for the Lift Station 85 Albert Whitted Master 30" Force Main – Part B (Engineering Project No. 12013-211, Oracle No.13975).

EXPLANATION: On November 21, 2008, the City Council approved a master agreement with the professional consulting engineering firm of McKim & Creed, P.A. for Potable Water, Wastewater and Reclaimed Water Projects.

On February 3, 2011, City Council approved the decommissioning of the Albert Whitted Water Reclamation Facility with the wastewater to be diverted to the Southwest Water Reclamation Facility.

On December 15, 2011, City Council approved Task Order No. 08-20-MC/W with McKim & Creed, P.A. in the amount of \$374,830 for detailed engineering design and development of plans and specifications for a new 30-inch diameter force main approximately 11,500 feet in length. This new force main will connect to a proposed force main (Force Main - Part C) at the intersection of Martin Luther King Jr. Street and Country Club Way, heading southerly along Martin Luther King Jr. Street towards 54th Avenue South, where it will continue westerly along 54th Avenue South and connect to a proposed force main (Force Main – Part A) at the intersection of 54th Avenue South and 31st Street South. Included in this scope of work is a topographic and right-of-way survey of the proposed project alignment, geotechnical investigation and subsurface utility excavations of the project alignment to evaluate existing subsurface conditions, the coordination with the Florida Department of Environmental Protection (FDEP) for any permits or authorizations, and bidding services.

Amendment No. 1 to Task Order No. 08-20-MC/W, in the amount of \$59,740 provides for construction phase services including but not limited to, attending the preconstruction meeting, shop drawing and submittal reviews, site visits as required by the City, interpreting and/or clarifying design intent, assisting with pre-final and final inspections, and preparing record drawings.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute Amendment No.1 to Task Order No. 08-20-MC/W to the agreement between the City of St. Petersburg and McKim & Creed, P.A. in the amount of \$59,740 for professional consulting phase services for the Lift Station 85 Albert Whitted Master 30" Force Main – Part B (Engineering Project No. 12013-211, Oracle No. 13975).

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available in the Water Resources Capital Projects Fund (4003), SAN Lift Station #85 Force Main Part B FY13 (13975).

ATTACHMENTS: Resolution

APPROVALS:
da


TBG Administrative


Budget

Resolution No. 2012- _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO.1 TO TASK ORDER NO. 08-20-MC/W TO THE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND MCKIM & CREED, P.A. IN THE AMOUNT OF \$59,740 FOR PROFESSIONAL CONSULTING PHASE SERVICES FOR THE LIFT STATION 85 ALBERT WHITTED MASTER 30" FORCE MAIN - PART B (ENGINEERING PROJECT NO. 12013-211, ORACLE NO.13975).

WHEREAS, on November 21, 2008, the City Council approved a master agreement with the professional consulting engineering firm of McKim & Creed, P.A. for Potable Water, Wastewater and Reclaimed Water Projects; and

WHEREAS, on February 3, 2011, City Council approved the decommissioning of the Albert Whitted Water Reclamation Facility with the wastewater to be diverted to the Southwest Water Reclamation Facility; and

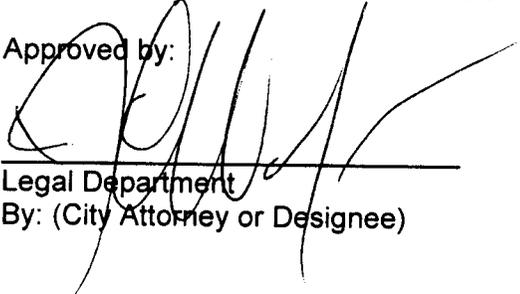
WHEREAS, on December 15, 2011, City Council approved Task Order No. 08-20-MC/W with McKim & Creed, P.A. in the amount of \$374,830 for detailed engineering design and development of plans and specifications for a new 30-inch diameter force main approximately 11,500 feet in length; and

WHEREAS, Amendment No. 1 to Task Order No. 08-20-MC/W, in the amount of \$59,740 provides for construction phase services.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee execute

This resolution shall become effective immediately upon its adoption.

Approved by:



Legal Department

By: (City Attorney or Designee)

Approved by:



Thomas B. Gibson, P.E.
Engineering Director

Attached documents for item Renewing blanket purchase agreements with Odyssey Manufacturing Co; Allied Universal Corp; and Carmeuse Lime & Stone, Inc. for water and wastewater chemicals for the Water Resources and Parks and Recreation departments at an estimated annual cost of \$1,28

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Renewing blanket purchase agreements with Odyssey Manufacturing Co; Allied Universal Corp; and Carmeuse Lime & Stone, Inc. for water and wastewater chemicals for the Water Resources and Parks and Recreation departments at an estimated annual cost of \$1,285,980.

Explanation: On October 7, 2010, December 9, 2010 and December 1, 2011 City Council approved annual cooperative blanket purchase agreements for sodium hypochlorite, calcium oxide (quicklime) and sodium hydroxide (caustic soda) respectively. These purchases were made from a joint bid with Tampa Bay Water. On December 1, 2011 City Council approved the first renewal for sodium hypochlorite and quicklime. Under the renewal of contract clause, the city reserves the right to extend the contracts for an additional one-year period if mutually agreeable.

Odyssey Manufacturing Co. provides liquid sodium hypochlorite which is used to disinfect wastewater at the City's four water reclamation facilities and is also used to chlorinate North Shore Pool. Allied Universal Corp. provides sodium hydroxide which is used in combination with quicklime to stabilize the chloramines and safeguard potable water, as well as to protect the iron piping in the water distribution system and is also used with sodium hypochlorite to maintain odor control at the Southwest Water Reclamation Facility. Carmeuse Lime & Stone, Inc. provides quicklime for the Cosme Water Treatment Plant to soften and adjust ph levels of potable water and reduce pipe corrosion within the potable water distribution system.

The Procurement Department, in cooperation with the Water Resources and Parks and Recreation departments, recommends for renewal:

Wastewater Chemicals.....		\$1,285,980
Odyssey Manufacturing Co	1,885,460 gal @ \$0.564/gal	\$1,063,400
Allied Universal Corp	257 tons @ \$474.50/ton	121,950
Carmeuse Lime & Stone, Inc	480 tons @ \$209.64/ton	100,630

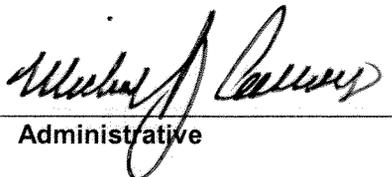
All vendors have agreed to uphold the prices firm under the terms and conditions of Tampa Bay Water Bid Contract No. 2011-026, dated August 17, 2010; Contract No. 2012-021 dated November 15, 2011; and Contract No. 2011-024 dated October 26, 2010 respectively. This renewal will be effective through December 30, 2013 and will be binding only for actual quantities ordered.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001) [\$1,265,980], Water Resources Department Albert Whitted Water Reclamation Facility (WRF) (4202169), Northeast WRF (4202173), Northwest WRF (4202177), Southwest WRF (4202181) and Cosme W.T.P. Operations (4202077) and in the General Fund (0001) [\$20,000], Parks & Recreation Department, North Shore Pool (1901677).

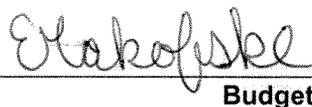
Attachments: Price History
Resolution

Approvals:





Administrative



Budget

Price History
885-99 Chemicals, Water and Wastewater

Description	2009	2010	2011	2012	2013	% Change
Sodium Hydroxide, 50% solution, dry ton	\$1,098.45	\$387.00	\$387.00	\$474.50	\$474.50	--
Quicklime, ton	\$200.83	\$212.84	\$209.64	\$209.64	\$209.64	--
Sodium Hypochlorite, gallon	\$.74	\$.74	\$.564	\$.564	\$.564	--

A RESOLUTION APPROVING THE SECOND ONE-YEAR RENEWAL OPTION OF AN AGREEMENT (BLANKET AGREEMENT) WITH ODYSSEY MANUFACTURING CO. AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$1,285,980 FOR THE PURCHASE OF WATER AND WASTEWATER CHEMICALS FOR THE WATER RESOURCES AND PARKS AND RECREATION DEPARTMENTS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On October 7, 2010, City Council approved the award of a one-year agreement (Blanket Agreement) with three one-year renewal options to Odyssey Manufacturing Co., for the purchase of sodium hypochlorite utilizing Tampa Bay Water Contract No. 2011-026 dated August 17, 2010; and

WHEREAS, on December 1, 2011 City Council approved the first one-year renewal option of the Agreement; and

WHEREAS, the City desires to exercise the second one-year renewal option; and

WHEREAS, Odyssey Manufacturing Co. has agreed to hold its prices firm under the terms and conditions of Tampa Bay Water Contract No. 2011-026; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources and Parks and Recreation Departments, recommends approval of the renewal of this Agreement.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the second one-year renewal of the Agreement (Blanket Agreement) with Odyssey Manufacturing Co. at an estimated annual cost not to exceed \$1,285,980 for the purchase of water and wastewater chemicals for the Water Resources and Parks and Recreation Departments is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this renewal will be effective through December 30, 2013.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (designee)

Attached documents for item Awarding a contract to Spectrum Contracting, Inc. in the amount of \$1,126,516.40 for the construction of the Northwest Water Reclamation Facility (NWWRF) North Chlorine Contact Basins Improvements FY11 Project (Engineering Project Number 11066-111; Oracl

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Awarding a contract to Spectrum Contracting, Inc. in the amount of \$1,126,516.40 for the construction of the Northwest Water Reclamation Facility (NWWRF) North Chlorine Contact Basins Improvements FY11 Project (Engineering Project Number 11066-111; Oracle Number 12975); rescinding unencumbered appropriations from the following projects in the Water Resources Capital Project Fund (4003): \$250,000 from the WRF NW Disinfection Basin Improvements FY12 Project (13385) and \$400,000 from the WRF NW Aeration Basin Structural Repairs FY12 Project (13386); appropriating \$1,142,000 from the unappropriated balance of the Water Resources Capital Project Fund (4003), resulting partially from these rescissions, to the WRF NW Chlorine Contact Basin Improvements FY11 Project (12975).

Explanation: The Procurement Department received five bids for the Northwest Water Reclamation Facility North Aeration & Chlorine Contact Basins Concrete Repairs project (see below). The work consists of furnishing all labor, material, services and equipment, tools and supplies to perform structural concrete and equipment repairs to the NWWRF North Aeration Tank and Chlorine Contact Basins. The North Aeration Basin is a reinforced concrete tank 268 feet long by 70 feet wide containing aeration piping for the wastewater treatment process. The Chlorine Contact Basin is a reinforced concrete tank 105 feet long by 109 feet wide with 12 flow channels separated by a center effluent channel, used for final disinfection of treated wastewater. These tanks were constructed in the 1960's and 1970's and structural inspections indicate repairs are necessary to extend the service life of the structures, and maintain wastewater treatment operations.

Work includes bypass pumping and dewatering of tanks, preparation of surfaces and repair of cracks, rebar replacement, structural concrete repairs, grouting of concrete voids, expansion joint repair, epoxy coating, , aeration pipe and mechanical mixer removal and replacement; replacement of structural steel, and electrical conduit support rods, fiberglass baffle replacement, and other improvements. Work includes 1680 LF of concrete crack repair, 2450 SF of concrete spall repair, 300 CF of concrete replacement, 440 LF of expansion joint repair, replacement of one drain valve, and 95,530 SF of Epoxy and Polyurethane coating applications.

The contractor will begin work approximately ten (10) calendar days from written Notice to Proceed and is scheduled to complete the work within 270 consecutive calendar days thereafter. Bids were opened on October 4, 2012 and are tabulated as follows:

<u>Bidders</u>	<u>Bid Amount</u>
Spectrum Contracting, Inc. (Naples, FL)	\$1,126,516.40
Cypress Construction & Coating, Inc (Lehigh Acres, FL)	\$1,212,419.50
Wharton-Smith, Inc.(Sanford, FL)	\$1,247,000.00
Amherst Maintenance, Inc. (Palm Harbor, FL)	\$1,314,358.00
A.C. Schultes of Florida, Inc. (Gibsonton, FL)	\$1,433,010.00

The low bidder, Spectrum Contracting, Inc. has met the specifications, terms and conditions of IFB 7370 dated September 5, 2012, and has satisfactorily performed other similar projects in the past for Charlotte and Collier Counties. The principals of the firm are John Schallert, President and Robert Valentine, Vice President.

Recommendation: Administration recommends awarding this contract to Spectrum Contracting, Inc. in the amount of \$1,126,516.40; rescinding unencumbered appropriations from the following projects in the Water Resources Capital Project Fund (4003): \$250,000 from the WRF NW Disinfection Basin Improvements FY12 Project (13385) and \$400,000 from the WRF NW Aeration Basin Structural Repairs FY12 Project (13386); appropriating \$1,142,000 from the unappropriated balance of the Water Resources Capital Project Fund (4003), resulting partially from these rescissions, to the WRF NW Chlorine Contact Basin Improvements FY11 Project (12975).

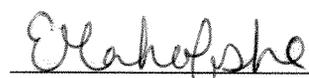
Cost/Funding/Assessment Information: Funds will be available after the rescission of unencumbered appropriations from the following projects in the Water Resources Capital Projects Fund (4003): \$250,000 from the WRF NW Disinfection Basin Improvements FY12 Project (13385) and \$400,000 from the WRF NW Aeration Basin Structural Repairs FY12 Project (13386) and an appropriation in the amount of \$1,142,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003), resulting partially from these rescissions, to the WRF NW Chlorine Contact Basin Improvements FY11 Project (12975).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO SPECTRUM CONTRACTING, INC. FOR THE CONSTRUCTION OF THE NORTHWEST WATER RECLAMATION FACILITY NORTH CHLORINE CONTACT BASINS IMPROVEMENTS FY11 PROJECT AT A TOTAL COST NOT TO EXCEED \$1,126,516.40; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; RESCINDING UNENCUMBERED APPROPRIATIONS FROM THE FOLLOWING PROJECTS IN THE WATER RESOURCES CAPITAL PROJECT FUND (4003): \$250,000 FROM THE WRF NW DISINFECTION BASIN IMPROVEMENTS FY12 AND PROJECT, \$400,000 FROM THE WRF NW AERATION BASIN STRUCTURAL REPAIRS FY12 PROJECT; AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$1,142,000 FROM THE INCREASED UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECT FUND (4003) RESULTING PARTIALLY FROM THESE RESCISSIONS TO THE WRF NW CHLORINE CONTACT BASIN IMPROVEMENTS FY11 PROJECT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Procurement & Supply Management Department received five bids for construction of the Northwest Water Reclamation Facility North Chlorine Contact Basins Improvements FY11 Project pursuant to Bid No. 7370 dated September 5, 2012; and

WHEREAS, Spectrum Contracting, Inc. has met the specifications, terms and conditions of Bid No. 7370; and

WHEREAS, the Administration recommends approval of this award.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the bid and award of an agreement to Spectrum Contracting, Inc. for construction of the Northwest Water Reclamation Facility North Chlorine Contact Basins Improvements FY11 Project at a total cost not to exceed \$1,126,516.40 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that the unencumbered appropriations in the Water Resources Capital Projects Fund (4003) are rescinded as follows:

1. WRF NW Disinfection Basin Improvements FY12 Project (13385) in the amount of \$250,000, and
2. WRF NWAeration Basin Structural Repairs FY12 Project (13386) in the amount of \$400,000; and

BE IT FURTHER RESOLVED that there is hereby approved from the increased unappropriated balance of the Water Resources Capital Projects Fund (4003) resulting partially from these rescissions the following supplemental appropriation for Fiscal Year 2013:

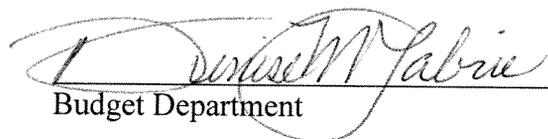
<u>Water Resources Capital Project Fund (4003)</u>	
WRF NW Chlorine Contact Basin Improvements	
FY11 Project (12975)	\$1,142,000

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)



Budget Department

Attached documents for item Awarding a Contract to New Vista Builders Group, LLC. In the amount of \$604,100 for the Jamestown Apartments Renovations, Phase 1 Project (13398) (Engineering Project No. 11237-019, Oracle No. 13398).

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Awarding a Contract to New Vista Builders Group, LLC. In the amount of \$604,100 for the Jamestown Apartments Renovations, Phase 1 Project (13398) (Engineering Project No. 11237-019, Oracle No. 13398).

Explanation: The Procurement Department received two bids for the Jamestown Apartments Renovations, Phase 1 project (see below). The work consists of furnishing all labor, materials, tools, equipment and services necessary to fully renovate eight (8) apartment units at the Jamestown Apartments and Townhomes. Two of the units will be renovated to meet ADA accessibility requirements for the ground floor. The eight units will be made more energy efficient and sustainable, and will meet current Florida Building Code for hardened openings.

The work includes selective demolition of all finishes, cabinetry, windows, doors, appliances, plumbing fixtures, and the Heating, Ventilating, and Air Conditioning (HVAC) equipment and air distribution system and lighting. The new work includes replacing the HVAC system with a new energy efficient 15 SEER split system and replacing all the existing fiberboard ductwork. The windows will be replaced with impact resistant, low-E glazing aluminum casement style windows. New impact resistant hollow metal doors and new exterior sliding glass doors will be installed. Bathrooms and kitchens will receive new fixtures, cabinetry, accessories, and floor finishes. R-30 Glass fiber batt insulation will be added to the attic spaces. New Energy Star appliances include a refrigerator, electric range with oven and range hood. Washer and dryer connections will be relocated from the second floor to the ground floor. The new finishes include vinyl composite plank flooring; skim coating existing drywall and paint all surfaces. The electrical work includes replacement of the existing panel, new electrical wiring from the meter to the panel and the addition of arc-fault circuits in each bedroom. Domestic water piping will be replaced below the slab for each unit. ADA accessible units will additionally be provided with a combination washer/dryer and sidewalk and parking improvements to create an accessible route to the units.

The Jamestown Apartments and Townhomes Included in Phase I are located at 1142-1148 and 1172-1178 3rd Terrace North and were originally constructed in 1978. The two buildings that are being renovated consist of four, two story units in each building. The eight units include four 3-bedroom/2-bath units, two four-bedroom/2-bath units, and two 2-bedroom/1-bath units. The interior finishes, fixtures, appliances and the air-conditioning systems have reached the end of their useful service life and are in need of replacement.

The contractor will begin work approximately ten calendar days from written Notice to Proceed and is scheduled to complete the work within 150 consecutive calendar days thereafter. The Bids were opened on September 13, 2012 and are tabulated as follows:

Bidders

New Vista Builders Group, LLC (Tampa, FL)
LEMA Construction & Developers, Inc. (St. Petersburg, FL)

Base Bid

\$604,000.00
\$651,264.00

New Vista Builders Group, LLC, the lowest responsive bidder, has met the specifications, terms and conditions of Bid No. 7354. They have satisfactorily completed similar work for the City, and are a certified SBE firm. The principals of New Vista Builders Group, LLC are Matthew Carlson, Manager and Lazaro Fernandez, Manager.

Recommendation: Administration recommends awarding this contract to New Vista Builders Group LLC in the amount of \$604,100; Funds have previously been appropriated in the HOME Program (Fund 1113) and in the General Capital Improvement Fund (Fund 3001).

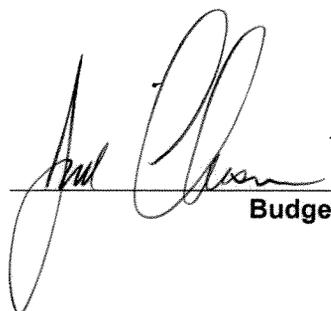
Cost/Funding/Assessment Information: Funds have previously been appropriated in the HOME Program (Fund 1113) and in the General Capital Improvement Fund (Fund 3001 to Jamestown Apartments Renovations, Phase 1 (13398).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO NEW VISTA BUILDERS GROUP LLC. AT A TOTAL COST NOT TO EXCEED \$604,100 FOR THE JAMESTOWN APARTMENTS RENOVATIONS, PHASE 1 PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received two bids for the Jamestown Apartments Renovations, Phase 1 Project pursuant to Bid No. 7354 dated August 7, 2012; and

WHEREAS, New Vista Builders Group LLC has met the specifications, terms and conditions of Bid No. 7354; and

WHEREAS, the Administration recommends approval of this award.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the bid is accepted and the award of an agreement to New Vista Builders Group LLC at a total cost not to exceed \$604,100 for the Jamestown Apartments Renovations, Phase 1 Project is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)

Attached documents for item Approving a five year agreement with Environmental Products of Florida, a sole source supplier, for a maintenance and repair agreement for six Vactor 2100 Series vehicles for the Fleet Management Department at a cost of \$360,000.

**SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012**

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Approving a five year agreement with Environmental Products of Florida, a sole source supplier, for a maintenance and repair agreement for six Vactor 2100 Series vehicles for the Fleet Management Department at a cost of \$360,000.

Explanation: Administration received a proposal for comprehensive maintenance and repair services for the city's fleet of six Vactor 2100 Series sewer cleaning vehicles. Because Environmental Products of Florida is the only factory authorized maintenance and repair facility for west Florida, a sole-source procurement is recommended.

The vendor will provide all labor, material, and equipment to perform on-site factory recommended scheduled maintenance and repair for the vehicles, excluding tires and sewer cleaner related components. The vendor will also transport the vehicles to and from the city facility at no cost for any services that cannot be completed at the City's site. This proposal is based on maximum average annual usage of the sewer cleaner equipment of 2,000 engine hours per year. An hourly charge of \$75 will be charged for hours exceeding 2,000 average annual engine hours per year.

In addition, the vendor will guarantee that the equipment covered under the agreement will be available for operation at least 95% of normal workdays; will not be out of service for more than three consecutive normal work days for sewer cleaner related issues; and no more than five consecutive normal workdays for chassis related issues, nor more than five normal workdays in any 100 consecutive normal work day period. Loaner vehicles will be provided should any repair exceed this timeframe.

In the past, the repairs of this equipment were performed by Fleet Management's mechanics. The guaranteed uptime in the agreement will allow the city to eventually reduce the number of sewer cleaning machines in its fleet due to the elimination of the need for spare machines as backups. In addition, the annual maintenance cost is firm for the full five year term of the agreement even as the machines age and major components fail. The machines are also repaired on site, which saves time and eliminates the cost of towing and transportation for repairs. The agreement also features an optional buyback program, whereby the vendor will purchase the machines after five years at a set price of \$63,000. However the city reserves the right to select the method of surplus disposal.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award:

Environmental Products of Florida.....\$360,000
Six vehicles @ \$72,000 per year for five years

This purchase is made in accordance with Section 2-241 (d) of the Sole Source Procurement of the Procurement Code, which authorizes City Council to approve the purchase of a supply or service over \$100,000 without competitive bidding if it has been determined that the supply or service is available from only one source. Environmental Products of Florida is based in Apopka, Florida and has been in business since January 2002. They have 22 full time and 5 part time employees. The city has utilized them for similar services in the past and they have performed satisfactorily.

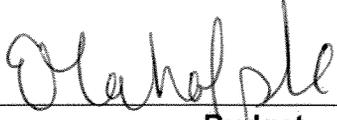
Cost/Funding/Assessment Information: Funds will be available in the Fleet Management Fund (5001), Fleet Mechanical Costs (8002527).

Attachments: Sole Source
Resolution

Approvals:



Administrative



Budget

**City of St. Petersburg
Sole Source Request**

Department: Fleet Management Requisition No. _____
Check One: X Sole Source Proprietary Specifications
Proposed Vendor: Environmental Products of Florida
Estimated Total Cost: \$360,000.00

Description of Items (or Services) to be purchased:

5 year maintenance and repair contract for 6 Vactor sewer cleaners (see attached agreement)

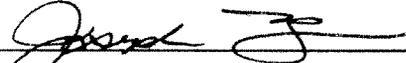
Purpose of Function of items:

Repair and maintenance of 6 Vactor sewer cleaners purchased from Environmental Products.

Justification for Sole Source of Proprietary specification:

Environmental products of Florida is the only authorized service center for Vactor product in the area.
(see attached letter)

I hereby certify that in accordance with Section 2-232(d) of the City of St. Petersburg Procurement Code, I have conducted a good faith review of available sources and have determined that there is only one potential source for the required items per the above justification. I also understand that under Florida Statute 838.22(2) it is a second degree felony to circumvent a competitive bidding process by using a sole-source contract for commodities or services.



Department Director

10/08/2012

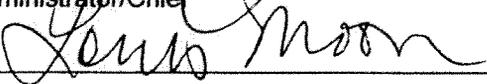
Date



Administrator/Chief

10-16-12

Date



Louis Moore, Director
Procurement & Supply Management

10/22/12

Date

A RESOLUTION DECLARING ENVIRONMENTAL PRODUCTS OF FLORIDA CORPORATION TO BE A SOLE SOURCE SUPPLIER; ACCEPTING THE PROPOSAL AND AWARDING A FIVE-YEAR AGREEMENT TO ENVIRONMENTAL PRODUCTS OF FLORIDA CORPORATION FOR MAINTENANCE AND REPAIR FOR SIX VACTOR 2100 SERIES VEHICLES FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$360,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has a need for comprehensive maintenance and repair services for the City's fleet of six Vactor 2100 Series sewer cleaning vehicles; and

WHEREAS, Environmental Products of Florida Corporation is the only factory authorized maintenance and repair facility for west Florida; and

WHEREAS, the City received a proposal from Environmental Products of Florida Corporation for maintenance and repair for the City's Vactor 2100 Series sewer cleaning vehicles; and

WHEREAS, Section 2-241(d) of the City Code provides requirements for sole source procurement; and

WHEREAS, the Purchasing Department, in cooperation with the Fleet Management Department, recommends acceptance of the proposal from Environmental Products of Florida Corporation as a sole source supplier; and

WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances for this sole source purchase.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Environmental Products of Florida Corporation is a sole source supplier; and

BE IT FURTHER RESOLVED that the proposal and award of a five-year agreement to Environmental Products of Florida Corporation for maintenance and repair services for six Vactor 2100 Series vehicles for the Fleet Management Department at a total estimated cost not to exceed \$360,000 is hereby approved and the Mayor or the Mayor's designee is authorized to execute all necessary documents to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Renewing a blanket purchase agreement with Xerox Corporation for the lease and maintenance of copiers at an estimated annual amount of \$340,000.

**SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012**

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Renewing a blanket purchase agreement with Xerox Corporation for the lease and maintenance of copiers at an estimated annual amount of \$340,000.

Explanation: On November 3, 2011 City Council approved an award to Xerox for copier leases effective through December 31, 2012. The purchase was made from the State of Florida contract number 600-000-11-1 dated August 4, 2010. Under the renewal of contract clause, the City reserves the right to extend the contract for an additional one-year period if mutually agreeable. This is the first of three one-year renewal options.

The vendor provides leased copiers with pricing based on a fixed monthly rate plus cost per impression for a specified period. These copiers will replace equipment currently under leases that expire over the next year. As the current copier leases obtained through other vendors expire, new equipment leases at comparable monthly rates will be obtained from Xerox to achieve continuity of service, cost and quality. These agreements include maintenance based on copy volume and include supplies such as toner and developer. At the end of the new lease agreements, the city has the option to: (a) renew the lease, (b) return the copier or (c) purchase the copier as negotiated in the initial agreement.

The Xerox copiers are Energy Star compliant, utilize environmentally friendly toner, and cover a broad range of volume and functionality requirements. The State of Florida contract's lease rates are based on a statewide volume of 40,000 copiers and its cost per impression is approximately 42 percent lower than standard Xerox agreements. In addition, the cost per impression structure of the contract is more economical for the city than a monthly copier allowance structure due to the city's increased use of document scanning. The city has saved \$12,121 on the lease and maintenance costs plus an additional \$51,024 on the cost per impression costs for a total savings of \$63,145.

The Procurement Department recommends renewal:

Xerox Corporation\$340,000

Xerox Corporation has met the specifications, terms and conditions of State of Florida contract number 600-000-11-1 dated August 4, 2010. This purchase is made in accordance with Section 2-234 (e) of the City Code which authorizes the Mayor or his designee to purchase supplies from a competitively bid proposal or contract secured by State, County or municipal government. The agreement will be effective from date of award through December 31, 2013 and will be binding only for actual services provided.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Fund (0001), Building Permit Special Revenue Fund (1151), Sunken Gardens Operating Fund (1207), Water Resources Operating Fund (4001), Information & Communication Services Fund (5011), and Billing & Collections Fund (5201) for each user department.

Attachments: Projected Requirements (2 pages)
Resolution

Approvals:



Administrative



Budget

**Projected Requirements
985-26 Copiers; Lease, Maint., Rental**

Mfg	Model	City Department Location	Monthly Lease Amt	Monthly Maint Amt	Maint/Lease Term
Xerox	MFP3635X	Audit Services (was Internal Audit)	\$82.26	included in lease	January-13
Xerox	W5655PT	Billing & Collections, Admin. Office	\$185.50	included in lease	February-13
Xerox	WC4118X	Billing & Collections, Finance Division	\$56.35	included in lease	February-13
Xerox	W5655PT	Billing & Collections, Business Tax	\$185.50	included in lease	February-13
Xerox	W7535P	Billing & Collections, Utility Accounts	\$189.96	included in lease	May-14
Xerox	WC7535P	Budget & Management	\$170.53	included in lease	August-16
Xerox	W7545P	Business Assistance Center	\$215.50	included in lease	March-14
Xerox	WCM20i	Central Records	OWN	\$21.00	September-12
Xerox	2CQ9302	City Clerk's Office	\$421.79	included in lease	June-15
Xerox	WC7535P	City Council's Office	\$197.89	included in lease	September-15
Xerox	2CQ9303	City Development Administration	\$426.92	included in lease	November-15
Xerox	WC7232P	Codes Enforcement Dept	\$205.04	included in lease	June-14
Xerox	WC7345P	Codes Enforcement Dept	\$225.13	included in lease	October-13
	Added Fax Feature		\$14.76		October-13
Xerox	WC7120PT	Coliseum	\$190.39	included in lease	December-13
Xerox	WCP215	Credit Union (Not Handled by PURCHASING)	OWN	\$0.00	
Xerox	W7535P	Downtown Enterprise, Albert Whited Airport	\$204.37	included in lease	May-14
Xerox	WC7755P	Downtown Enterprise-City Hall Admin.	\$462.03	included in lease	June-13
Xerox	3CQ9201	Downtown Enterprise - Bayfront Ctr Mahaffey	\$567.90	included in lease	December-13
Xerox	W7545P	Downtown Enterprise, Marina	\$202.48	included in lease	March-15
Xerox	W7535P	Downtown Enterprise, Port	\$188.92	included in lease	December-15
Xerox	WC7120PT	Downtown Enterprise, Sunken Gardens	\$190.39	included in lease	October-13
Xerox	WC7242P	Downtown Enterprise, Pier	\$220.32	included in lease	December-12
Xerox	WC7232	Development Serv-MSD 8th Floor	?	included in lease	February-11
Xerox	W5755PT	Development Serv - (Construction - Permitting)	\$265.61	included in lease	February-14
Xerox	W5655PT	Engineering-MSD 6th Floor	\$315.38	included in lease	May-13
Xerox	W5655PT	Engineering-MSD 7th Floor	\$291.48	included in lease	May-13
Xerox	WC7120PT	Enoch Davis Center	\$228.72	included in lease	October-13
Xerox	WC7132	Fleet - Maintenance	\$137.11	included in lease	August-15
Xerox	W5655PT	Fleet - Operation	\$154.46	included in lease	February-13
Xerox	WC4118X	Fire Rescue-Shop & Supply	\$36.55	included in lease	May-13
Xerox	3CQ9201	Fire Rescue-Copy Room	\$563.25	included in lease	May-13
Xerox	MFP6180N	Fire - Station No. 13	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Station No. 12	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Station No. 11	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Station No. 10	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Station No. 9	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Station No. 8	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Station No. 7	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Station No. 6	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Station No. 4	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Station No. 3	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Master Station	\$28.90	included in lease	March-15
Xerox	MFP6180N	Fire - Master Station	\$28.90	included in lease	March-15
Xerox	WC5755APT	HR, Employment Svcs - 4th Floor	\$233.76	included in lease	November-14
Xerox	W5745PT	HR Admin. & Labor Relations	\$333.74	included in lease	December-13
Xerox	W5755PT	HR, Benefits - 4th Floor	\$251.57	included in lease	December-13
Xerox	WC6400S	ICS	\$149.83	included in lease	September-13
Xerox	W5645PT	ICS	\$291.37	included in lease	November-11
Xerox	4112CPC	ICS, DataCenter - MSC	OWN	\$952.00	July-12
Xerox	LPFFSVRC Freeflow 4112/27 Server			\$110.00	July-12
Xerox	4112CPC	ICS, Print Shop - City Hall	OWN	\$952.00	July-12
Xerox	LPFFSVRC Freeflow 4112/27 Server			\$265.00	July-12
Xerox	WC3550X	Jamestown Apts	\$53.40	included in lease	May-14
Xerox	WC7345P	Legal Department - Attorney's Office	\$215.38	included in lease	November-13
Xerox	WC4150	Legal Department - Attorney's Office	\$103.96	included in lease	October-12
Xerox	W5655PT	Mangrove Bay Golf Course	\$291.38	included in lease	May-13
Xerox	W7556P	Mayor's Office - City Hall	\$275.17	included in lease	September-15
Xerox	WC7545P	Marketing & Communications - City Hall	\$263.45	included in lease	October-15
Xerox	2CQ9303	Real Estate & Property Mgt. - Housing	\$393.61	included in lease	September-15
Xerox	WC7345P	Neighborhood Partnership - Housing, Annex	\$220.38	included in lease	November-13
Xerox	W7535P	North Shore Pool	\$166.32	included in lease	December-15
Xerox	WC4118X	Parks and Recreation - Athletic Field Office	\$49.70	included in lease	January-12
Xerox	2CQ9303	Parks and Recreation - Leisure Services	\$428.81	included in lease	December-15
Xerox	W7545P	Parks and Recreation - Boyd Hill Nature	\$246.85	included in lease	April-14
Xerox	WC7435P	Parking Mgmt, Transportation	\$257.36	included in lease	December-14
Xerox	2CQ9303	Planning & Economic Dev-MSD 8th Floor	\$473.54	included in lease	December-15
Xerox	WC5755APT	Planning & Economic Dev, Zoning-MSD 1st Floor	\$158.04	included in lease	December-15
Xerox	WC3550X	Police - Comm Center	\$62.44	included in lease	October-14
Xerox	WC5755T	Police - Comm Center	\$220.64	included in lease	October-14
Xerox	WC5755APT	Police - Crime Awareness	\$205.33	included in lease	October-14
Xerox	W5655PT	Police - Uniform Support	\$359.85	included in lease	April-13
Xerox	W5687PT	Police - Copy Center - 2nd Flr	\$549.82	included in lease	April-13
Xerox	WC7665P	Police Crime Awareness	OWN	\$33.36	September-12

**Projected Requirements
985-26 Copiers; Lease, Maint., Rental**

Xerox	W5755PT	Police, Internal Affairs	\$244.48	included in lease	December-13
Xerox	WC3550X	Police - Street Crimes Unit	\$49.44	included in lease	October-14
Xerox	Doc12	Police - Photo Lab	OWN	\$0.00	September-12
Xerox	WC3550X	Police - Property & Evidence Maintenance	\$49.44	included in lease	November-14
Xerox	WC5755A	Police - Records	\$258.96	included in lease	June-15
Xerox	WC5755A	Police - Records	\$258.96	included in lease	June-15
Xerox	WC5755A	Police - Copy Room - 3rd Flr	\$314.96	included in lease	June-15
Xerox	WC3550X	Police - Computer Project, ITS	\$71.43	included in lease	August-15
Xerox	WC3550X	Police - Maintenance	\$61.44	included in lease	August-15
Xerox	WC5755APT	Police - Training	\$233.33	included in lease	August-15
Xerox	WC5150PT	Police - Vice	\$121.87	included in lease	August-15
Xerox	W5655PT	Police -Youth	\$279.48	included in lease	February-13
Xerox	W5645PT	Procurement & Supply Mgt - MSC	\$385.78	included in lease	October-13
Xerox	WCM20ID	Procurement & Supply Mgt - Consolidated Whse	OWN	\$21.00	September-12
Xerox	W7535P	Sanitation - Administration	\$181.93	included in lease	March-15
Xerox	WC15i	Sanitation - Operations	\$61.54	included in lease	September-10
Xerox	W5655OT	Stormwater, Traffic Operations	\$214.48	included in lease	February-12
Xerox	W4118X	Stormwater, Traffic Operations	\$82.35	included in lease	July-12
Xerox	WC5755P	Sunshine Senior Center	\$169.43	included in lease	May-15
Xerox	3CQ9201	Water Resources-Admin	\$445.16	included in lease	December-14
Xerox	W5655PT	Water Resources-Admin	\$341.74	included in lease	December-14
Xerox	W7535P	Water Resources-Admin (training)	\$215.32	included in lease	July-14
Xerox	W7535P	Water Resources-Cosme	\$161.87	included in lease	June-15
Xerox	WC4118P	Water Resources - H Building	\$41.98	included in lease	September-11
Xerox	WC4118X	Water Resources - Cosme Water Plant	OWN	\$16.00	April-13
Xerox	WC4118X	Water Resources-Cosme Water Plant	\$43.05	included in lease	February-13
Xerox	WC7232P	Water Resources, Environmental Comp. Division -Lab	\$211.61	included in lease	December-11
Xerox	WC41118P	Water Resources (Lift Stations)	\$42.94	included in lease	January-12
Xerox	WC4118X	Water Resources-Oberly Pumping Station	\$36.55	included in lease	February-13
Xerox	W5755PT	Water Resources Ops Bldg-Work Control	\$185.65	included in lease	August-14
Xerox	W5655PT	Water Resources, WSMD (Water Maintenance)	\$291.38	included in lease	January-13
Xerox	WC4118X	Water Resources - Lab Admin	\$43.35	included in lease	February-13
Monthly Lease & Maintenance Sub-Total:			\$18,498.89	\$2,370.36	TOTAL MONTHLY COSTS: \$20,869.25
Annual Lease & Maintenance Sub-Total:			\$221,986.68	\$28,444.32	TOTAL ANNUAL LEASE & MAINTENANCE COSTS: \$250,431.00
					TOTAL ANNUAL OVERAGES & COST PER COPY COSTS: \$75,482.42
					TOTAL: \$325,913.42

A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OPTION TO THE AGREEMENT (BLANKET AGREEMENT) WITH XEROX CORPORATION FOR THE LEASE AND MAINTENANCE COPIERS AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$340,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 3, 2011 City Council approved the award of a one-year agreement (Blanket Agreement) with three one-year renewal options for copier leases utilizing State of Florida Contract No. 600-000-11-1 dated August 4, 2010; and

WHEREAS, the City desires to exercise the first one-year renewal option to the Agreement; and

WHEREAS, the Procurement & Supply Management Department recommends approval of this renewal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the first one-year renewal option of the agreement (Blanket Agreement) with Xerox Corporation for the lease and maintenance of copiers at an estimated annual cost not to exceed \$340,000 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this renewal will be effective from the date of award through December 31, 2013.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Renewing a blanket purchase agreement with Neptune Technology Group, Inc., a sole source supplier, for water meters for the Water Resources Department at an estimated annual cost of \$320,000.

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Renewing a blanket purchase agreement with Neptune Technology Group, Inc., a sole source supplier, for water meters for the Water Resources Department at an estimated annual cost of \$320,000.

Explanation: On March 3, 2011 City Council approved a one-year agreement for water meters. Under the renewal of contract clause, the city reserves the right to extend the agreement for three one-year periods if mutually agreeable. City Council approved the first renewal option on December 15, 2011. This is the second renewal.

The vendor furnishes and delivers water meters for residential and commercial use. A sole source procurement is recommended to maintain compatibility with the vast majority of Neptune Trident meters currently installed in the field. Compatibility and use of common replacement parts are paramount considerations in minimizing ongoing maintenance costs and facilitating future upgrades. Neptune Trident water meters are only available from Neptune Technology Group, Inc. They are installed as part of the meter change-out program as existing meters reach the end of their useful life and will also be used to replace damaged or broken meters. The life expectancy of each meter is approximately 10 years. The city currently has approximately 91,000 active water customers and anticipates the replacement of 7,500 meters during the next 12 months. The water meters will be stocked at the Consolidated Warehouse.

The Procurement Department, in cooperation with the Water Resources Department, recommends for renewal:

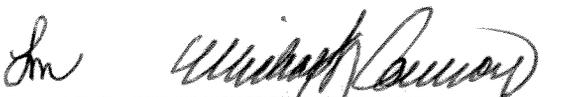
Neptune Technology Group, Inc.....\$320,000

This purchase will be made in accordance with Section 2-232(d) of the Sole Source Procurement of the City Code which authorizes City Council to approve the purchase of a supply or service over \$100,000 without competitive bidding if it has been determined that the supply or service is available from only one source. The renewal will be effective from date of award through March 31, 2014.

Cost/Funding/Assessment Information: Funds are available in the Water Resources Capital Projects Fund (4003), DIS Meter & Backflow Replacement FY13 Project (13833). Each subsequent year will have a unique Oracle project number.

Attachments: Sole Source
Resolution

Approvals:



Administrative



Budget

CITY OF ST. PETERSBURG
REQUEST FOR SOLE SOURCE

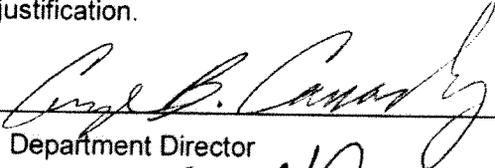
Department: Water Resources Requisition No. _____
Check One: Sole Source Proprietary Specifications
Proposed Vendor: Neptune
Estimated Total Cost: \$ _____

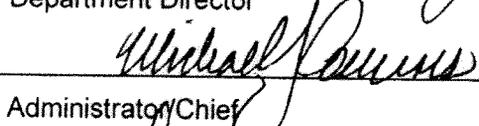
Description of Items (or Services) to be purchased: Water Meters, displacement type
various sizes, 5/8" X 3/4", 1", 1-1/2", and 2".

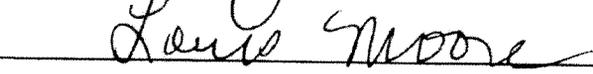
Purpose of Function of items: Water meters are installed on every residential and commercial
account to measure water usage. The registered use is recorded monthly and serves as a basis to
accurately bill customers for the water they use.

Justification for Sole Source of Proprietary specification: The Water Resources Dept has
used Neptune water meters for over 10 years with very good results. WRD has standardized on
on these water meters for continued efficiency and cost effectiveness. Neptune meters are proven
to be reliable with a high percentage of the products maintaining their accuracy and functionality
over the life of the operation.

I hereby certify that in accordance with Section 2-232(d) of the City of St. Petersburg Purchasing Code, I have conducted a good faith review of available sources and have determined that there is only one potential source for the required items per the above justification.

 _____
Department Director Date 1/12/11

 _____
Administrator/Chief Date 2/7/11

 _____
Louis Moore, Director Date 2/7/11
Purchasing and Materials Management

A RESOLUTION APPROVING THE SECOND ONE-YEAR RENEWAL OPTION OF AN AGREEMENT (BLANKET AGREEMENT) WITH NEPTUNE TECHNOLOGY GROUP INC., A SOLE SOURCE SUPPLIER AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$320,000 FOR THE PURCHASE OF WATER METERS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On March 3, 2011, City Council declared Neptune Technology Group Inc., ("Neptune") to be a sole source supplier pursuant to City Code Section 2-232(d) for the purchase of water meters and, approved the award of a one-year agreement (Blanket Agreement) with three one-year renewal options to Neptune; and

WHEREAS, on December 15, 2011, City Council approved the first one-year renewal option of the Agreement; and

WHEREAS, the City desires to exercise the second one-year renewal option of the Agreement; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources Department, recommends approval of the second one-year renewal option of the Agreement.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the second one-year renewal of the Agreement (Blanket Agreement) with Neptune Technology Group Inc., a sole source supplier, at an estimated annual cost not to exceed \$320,000 for the purchase of water meters is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this renewal will be effective through March 31, 2014.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (designee)

Attached documents for item Awarding a two-year blanket purchase agreement to Enviro Painting, Inc. for Painting and Coating Aerial Crossings at an estimated cost of \$218,939.50.

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Awarding a two-year blanket purchase agreement to Enviro Painting, Inc. for Painting and Coating Aerial Crossings at an estimated cost of \$218,939.50.

Explanation: The Procurement Department received three bids for Painting and Coating Aerial Crossings. The contractor shall apply industrial coatings on above-ground water, reclaimed water, and sewer pipes typically installed on bridges, pilings, or free spanning. Work also includes miscellaneous pipe repairs, pipe bracket and fastener repairs, recoating and replacements as determined in the field. Performance of the work will require the contractor to provide safe and stable work platforms such as scaffolding, ladders, barge, and lifts without closure of sidewalks and road lanes, unless approved by City's Project Manager ("PM") or designee. The City reserves the right to award the contract to the lowest responsive bidder for an amount equal to the City's budgetary limit for the work, which may be greater or less than the lowest responsive Bidder's total bid.

The Water Resources Department's distribution and collection systems include over 100 pipes that cross aerially over salt and fresh water creeks, ditches, bays, etc. Painting is a normal maintenance activity necessary to limit corrosion and extend service life. Painting also improves aesthetics and maintains compliance with State color code requirements. Brackets and fasteners, which hold the pipes in place, are also prone to corrosion.

Bids were opened on September 6, 2012 and are tabulated as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Enviro Painting, Inc.	\$218,939.50
Leo's Construction, Inc.	\$279,773.00
TMI Coatings, Inc.	\$606,400.00

Enviro Painting, Inc., the low bidder, has met the terms and conditions of Bid No. 7327 dated August 6, 2012. The contractor has performed similar projects for FDOT, AE Engineering, and Seminole Equipment in the past and has performed satisfactorily. The principals of the firm are Emmanuel H. Kavouklis, President, and Haralambos Kavouklis, Treasurer.

A blanket purchase agreement will be issued and will be binding only for actual services rendered. The agreement will be effective from date of award through October 31, 2014 with two one-year renewal options.

Cost/Funding/Assessment Information: Funds will be available in the Water Resources Operating Fund (4001), Water Resources Department, AWWRF (420-2169) \$6,250, NEWRF (420-2173) \$6,250, NWWRF (420-2177) \$6,250 and SWWRF (420-2181) \$6,250 and the Water Resources Capital Projects Fund (4003), DIS Aqueous Bridge Crossing FY12 Project (13356) \$156,000 and SAN Aqueous Crossing Repair/Replacement FY12 Project (13366) \$14,000.

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF A ONE-YEAR AGREEMENT (BLANKET AGREEMENT) WITH TWO ONE-YEAR RENEWAL OPTIONS TO ENVIRO PAINTING CORP. INC. AT AN ESTIMATED TOTAL COST NOT TO EXCEED \$218,939.50 FOR PAINTING AND COATING AERIAL CROSSINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received three bids for painting and coating aerial crossings pursuant to Bid No. 7327 dated August 6, 2012; and

WHEREAS, Enviro Painting Corp. has met the terms and conditions of Bid No. 7327; and

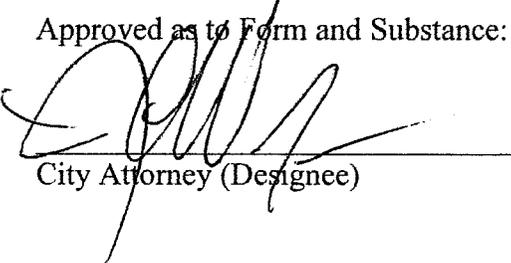
WHEREAS, the Procurement & Supply Management Department, recommends approval of this award.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the bid is accepted and the award of a one-year agreement (Blanket Agreement) with two one-year renewal options to Enviro Painting Corp. at an estimated total cost not to exceed \$218,939.50 for painting and coating aerial crossings is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

BE IT FURTHER RESOLVED that this agreement will be effective through October 31, 2014.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Renewing a blanket purchase agreement with Boley Centers, Inc. for management services for the Summer Youth Intern Program (SYIP) for the Community Services Department at an estimated annual cost of \$250,000.

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Renewing a blanket purchase agreement with Boley Centers, Inc. for management services for the Summer Youth Intern Program (SYIP) for the Community Services Department at an estimated annual cost of \$250,000.

Explanation: On January 12, 2012 City Council approved an agreement for management services for the city's summer intern program. Under the renewal of contract clause, the City reserves the right to extend the contract for a period of one year if mutually agreeable. This is the first of two renewals.

The vendor recruits, screens, places applicants and provides full payroll services and supervision for individuals employed under this summer program. In addition, the provider will work with private industries and community groups to recruit eligible participants and employers. The city funded program provides temporary employment for the city's youth in economically disadvantaged families, who meet certain household income guidelines. SYIP provides diverse opportunities for participants between the ages of 16 and 21 to develop real vocational skills and earn income. The 2013 program will run approximately nine weeks from June 17 through mid-August with projections to place approximately 120 interns.

The Procurement Department, in cooperation with the Community Services Department recommends for renewal:

Boley Centers, Inc.\$250,000

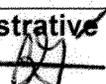
The vendor has agreed to hold prices firm under the terms and conditions of RFP No. 7196 dated October 14, 2011. Administration recommends renewal of the agreement based upon the vendor's past satisfactory performance, demonstrated ability to comply with the terms and conditions of the contract, and no requested increase in cost. The renewal will be effective from date of approval through the end of the 2013 summer program.

Cost/Funding/Assessment Information: Funds are available in the General Fund Special Project (0003), Community Services, Community Services Administration (0831081).

Attachments: Resolution

Approvals:



Administrative
BY: 


Budget

A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OPTION TO THE AGREEMENT WITH BOLEY CENTERS, INC. AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$250,000 FOR MANAGEMENT SERVICES FOR THE SUMMER YOUTH INTERN PROGRAM FOR THE COMMUNITY SERVICES DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 12, 2012 City Council approved the award of a one-year agreement with two one-year renewal options for management services for the City's Summer Intern Program pursuant to RFP No. 7196 dated October 14, 2011; and

WHEREAS, the City desires to exercise the first one-year renewal option to the Agreement; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Community Services Department recommends approval of this renewal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the first one-year renewal option of the agreement with Boley Centers, Inc. for management services for the City's Summer Intern Program at an annual cost not to exceed \$250,000 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this renewal will be effective through the end of the 2013 summer program.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Renewing a blanket purchase agreement with Life Extension Clinics Inc. for medical exams and testing for the Police and Fire Departments at an estimated annual cost of \$175,000.

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Renewing a blanket purchase agreement with Life Extension Clinics Inc. for medical exams and testing for the Police and Fire Departments at an estimated annual cost of \$175,000.

Explanation: On January 22, 2009 City Council approved a two-year agreement for medical exams and testing. On February 16, 2012 City Council approved a one year renewal effective through January 31, 2013. Under the renewal of contract clause, the city reserves the right to extend the contract for a period of one year if mutually agreeable. This is the final renewal option.

The vendor provides annual physicals for the Fire and Police departments that include traditional occupational medical services as well as ultrasound imaging. The ultrasound imaging provides additional information on potentially serious conditions in the earlier stages of disease progression. These examinations ensure that specific job classifications within the city are staffed by physically capable individuals. The primary users of these services are the Fire and Police departments.

The Procurement Department, in cooperation with the user departments recommends for renewal:

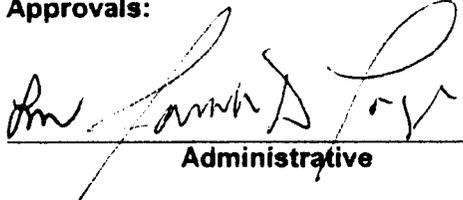
Life Extension Clinics, Inc.....\$175,000

The vendor has agreed to hold prices firm under the terms and conditions of RFP No. 6762 dated September 22, 2008. Administration recommends renewal of the agreement based upon the vendor's past satisfactory performance, demonstrated ability to comply with the terms and conditions of the contract, and no requested increase in cost per exam. The renewal will be effective from date of approval through January 31, 2014 and will be binding only for actual services rendered.

Cost/Funding/Assessment Information: Funds are available in the General Fund (0001) [\$132,000] Fire & Rescue Operations (1501497), Police Department Training (1401397), and Emergency Medical Services Fund (1009) [\$35,000], Fire & Rescue Emergency Medical Services (1501513).

Attachments: Resolution

Approvals:



Administrative

 10-31-12

Budget

CB-6

Attached documents for item Awarding a contract to Electrical Engineering Enterprises, Inc. in the amount of \$164,976 for the N.E. Master Lift Station Transfer Switch Replacement project. (Oracle Nos. 12960 and 12958)

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Awarding a contract to Electrical Engineering Enterprises, Inc. in the amount of \$164,976.00 for the N.E. Master Lift Station Transfer Switch Replacement project (Oracle Nos. 12960 and 12958).

Explanation: The Procurement Department received four bids for the N.E. Master Lift Station Transfer Switch Replacement project (see below).

The work consists of furnishing all labor, services, materials, and equipment necessary to furnish and install a 1600 amp, 480 volt, three phase, service rated, automatic transfer switch (ATS) at the North East Master Lift Station (LS63). The automatic transfer shall consist of an inherently double throw power transfer switch mechanism and a microprocessor controller to provide automatic operation. The transfer switch and controller shall be the products of the same manufacturer.

The work includes removal of the existing transfer switch system and the interface of a new ATS to replace an electrical power transfer switch system that is over 25 years old and is un-reliable. The system is used to automatically transfer electrical power from the commercial side to generator power during power outages.

The contractor will begin work approximately ten (10) days from Notice to Proceed and is scheduled to complete the work within one hundred eighty (180) consecutive calendar days thereafter. Bids were opened on October 4, 2012 and are tabulated as follows:

<u>Bidder</u>	<u>Total</u>
Electrical Engineering Enterprises, Inc. (Tampa, FL)	\$164,976.00
JDP Electric, Inc. (Tampa, FL)	\$297,600.00
Himes Electrical Services Inc. (Lutz, FL)	\$321,523.20
Castco Construction, Inc. (Largo, FL)	\$335,040.00

The lowest responsible bidder Electrical Engineering Enterprises, Inc. has met the specifications, terms and conditions for Bid No. 7353 dated September 10, 2012, and has satisfactorily performed similar work for the city. The Principal of the firm is Wayne H. Ellis, Director.

Administration recommends awarding this Contract to Electrical Engineering Enterprises, Inc. in the amount of \$164,976.00.

Cost/Funding/Assessment Information: Funds are available in the Water Resource Capital Projects Fund (4003), LST #63 N.E. Master Improvements FY11 Project (12960) and LST Generator/Transfer Switch FY11 Project (12958).

Attachment: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO ELECTRICAL ENGINEERING ENTERPRISES, INC. AT TOTAL COST NOT TO EXCEED \$164,976 FOR THE N.E. MASTER LIFT STATION TRANSFER SWITCH REPLACEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received four bids for the N.E. Master Lift Station Transfer Switch Replacement Project pursuant to Bid No. 7353 dated September 10, 2012; and

WHEREAS, Electrical Engineering Enterprises, Inc. has met the specifications, terms and conditions of Bid No. 7353; and

WHEREAS, the Administration recommends approval of this award.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the bid is accepted and the award of an agreement to Electrical Engineering Enterprises, Inc. at a total cost not to exceed \$164,976 for the N.E. Master Lift Station Transfer Switch Replacement Project is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Awarding a one-year blanket purchase agreement to Hach Company, a sole source supplier, for laboratory supplies, equipment repair and chemicals for the Water Resources Department at an estimated annual cost of \$150,000.

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair and Members of City Council

Subject: Awarding a one-year blanket purchase agreement to Hach Company, a sole source supplier, for laboratory supplies, equipment repair and chemicals for the Water Resources Department at an estimated annual cost of \$150,000.

Explanation: The vendor will furnish and deliver parts, supplies and chemicals such as reagents, buffers, filters, electrodes, calibration kits and sensors. They will also provide technical support, repair and replacement of analytical laboratory equipment. This equipment is used for analyzing and testing reclaimed and potable water. Hach Company is the manufacturer of these proprietary analytical instruments and is the only authorized distributor, therefore a sole source procurement is recommended.

The Procurement Department in cooperation with the Water Resources Department, recommends for award:

Hach Company..... \$150,000

This purchase is made in accordance with Section 2-241 (d) of the Sole Source Procurement of the Procurement Code, which authorizes City Council to approve the purchase of a supply or service over \$100,000 without competitive bidding if it has been determined that the supply or service is available from only one source. A blanket purchase agreement will be issued to the vendor and will be binding only for actual services rendered and material received. This agreement will be effective through October 31, 2013.

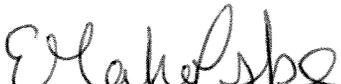
Cost/Funding/Assessment Information: Funds have been appropriated in the Water Resources Operating Fund (4001), Water Resources Department, COSME W T P Operations & Maintenance (420-2077), Environmental Compliance Laboratory (420-2153) Environmental Compliance Field Services (420-2161), Albert Whitted WRF (420-2169) Northeast WRF(420-2173), Northwest WRF (420-2177), and Southwest WRF (420-2181).

Attachments: Sole Source
Resolution

Approvals:




Administrative



Budget

City of St. Petersburg
Sole Source Request

Department: Water Resources Requisition No. Term Contract
Check One: X Sole Source Proprietary Specifications
Proposed Vendor: Hach Company
Estimated Total Cost: \$150,000.00

Description of Items (or Services) to be purchased:

Analytical laboratory equipment and supplies, process instruments, repair parts and services.

Purpose of Function of items:

Items are used to monitor drinking water and reclaimed water processes and evaluate water quality to determine compliance with state and federal regulation.

Justification for Sole Source of Proprietary specification:

The City owns many process and laboratory instruments manufactured by Hach, which require maintenance. We have found that many of the needed parts can only be obtained through Hach. We have an outside contractor who services this equipment as well. Some repairs that this equipment requires are beyond the scope of our contractor, and necessitate return to the manufacturer. Our research has determined that there are no other distributors of certain repair parts and supplies, or other authorized competent repair services.

I hereby certify that in accordance with Section 2-232(d) of the City of St. Petersburg Procurement Code, I have conducted a good faith review of available sources and have determined that there is only one potential source for the required items per the above justification. I also understand that under Florida Statute 838.22(2) it is a second degree felony to circumvent a competitive bidding process by using a sole-source contract for commodities or services.

OSW 11/6/2012

Stem Leante

Department Director

Date

11/6/12

Michael [Signature]

Date

11-6-12

Louis Moore
Louis Moore, Director
Procurement & Supply Management

Date

11/6/12

A RESOLUTION DECLARING HACH COMPANY TO BE A SOLE SOURCE SUPPLIER; ACCEPTING THE PROPOSAL AND AWARDING A ONE-YEAR AGREEMENT (BLANKET AGREEMENT) TO HACH COMPANY FOR LABORATORY SUPPLIES, EQUIPMENT REPAIR, CHEMICALS, TECHNICAL SUPPORT, REPAIR AND REPLACEMENT OF ANALYTICAL LABORATORY EQUIPMENT FOR THE WATER RESOURCES DEPARTMENT AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$150,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City utilizes proprietary analytical instruments for analyzing and testing reclaimed and potable water; and

WHEREAS, the City has a need for laboratory supplies, equipment repair and chemicals related to reclaimed and potable water; and

WHEREAS, Hach Company is the manufacturer of these proprietary analytical instruments and is the only authorized distributor; and

WHEREAS, the City received a proposal from Hach Company to supply laboratory supplies, equipment repair, chemicals, technical support, repair and replacement of analytical laboratory equipment; and

WHEREAS, Section 2-241(d) of the City Code provides requirements for sole source procurement; and

WHEREAS, the Purchasing Department, in cooperation with the Water Resources Department, recommends acceptance of the proposal from Hach Company as a sole source supplier; and

WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances for this sole source purchase.

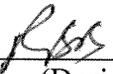
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Hach Company is a sole source supplier; and

BE IT FURTHER RESOLVED that the proposal and award of a one-year agreement (Blanket Agreement) to Hach Company for laboratory supplies, equipment repair, chemicals, technical support, repair and replacement of analytical laboratory equipment for the Water Resources Department at an estimated annual cost not to exceed \$150,000 is hereby

approved and the Mayor or the Mayor's designee is authorized to execute all necessary documents to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Authorizing the Mayor or his designee to convey the surplus, unimproved City-owned property located at 1774 – 12th Avenue South, St. Petersburg, to Community Partners In Revitalization, Inc., for \$1.00, plus all closing costs.

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to convey the surplus, unimproved City-owned property located at 1774 – 12th Avenue South, St. Petersburg, to Community Partners In Revitalization, Inc., for \$1.00, plus all closing costs; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management Department received a request from Community Partners In Revitalization, Inc. ("CPR"), a Florida non-profit 501(c)3 corporation, to acquire the surplus, unimproved City-owned parcel located at approximately 1774 – 12th Avenue South, St. Petersburg ("Property").

CPR has an existing lot in Melrose Mercy for which it has selected a wounded veteran for the home it is constructing, but has had additional candidates that would be interested in the opportunity to be located in the same area if a property was available. CPR is a licensed contractor whose goal is to partner with municipalities and other non-profit organizations to improve blighted residential areas. CPR has partnered with a national non-profit group, "Operation Finally Home", and plans to construct a new single-family home on the Property. CPR has a license agreement with Sunstone Homes to utilize its sustainable design "right sized, affordable green product". The home will also be built in accordance with the City's Visitability Ordinance to comply with City Ordinance No. 664-G, which provides adaptable/accessible housing for persons with disabilities. CPR will convey the new home mortgage free to a wounded veteran.

The Property is legally described as follows:

Lot 1, Block 4, DALY'S REVISED SUBDIVISION
Pinellas County Parcel I.D. No.: 25/31/16/20232/004/0010

The Property was acquired via certificate of title at a foreclosure sale in November 2007 as a result of a foreclosure action which was filed on behalf of the City to foreclose its special assessment liens against the Property. The Property is unimproved with lot dimensions of 42 ft. x 120 ft. and is zoned NT-1 (Neighborhood/Traditional). The Property was declared surplus real estate after appropriate City Departments were queried.

The deed will contain a clause which provides that the Property shall revert to the City if CPR has not constructed a new single-family residence, with a non-conditional certificate of occupancy issued and a deed recorded transferring the Property mortgage free to a wounded veteran within two (2) years from the date the Property is conveyed to CPR.

According to Billing and Collections, Special Assessment and Utility Liens records, there are no City liens against CPR.

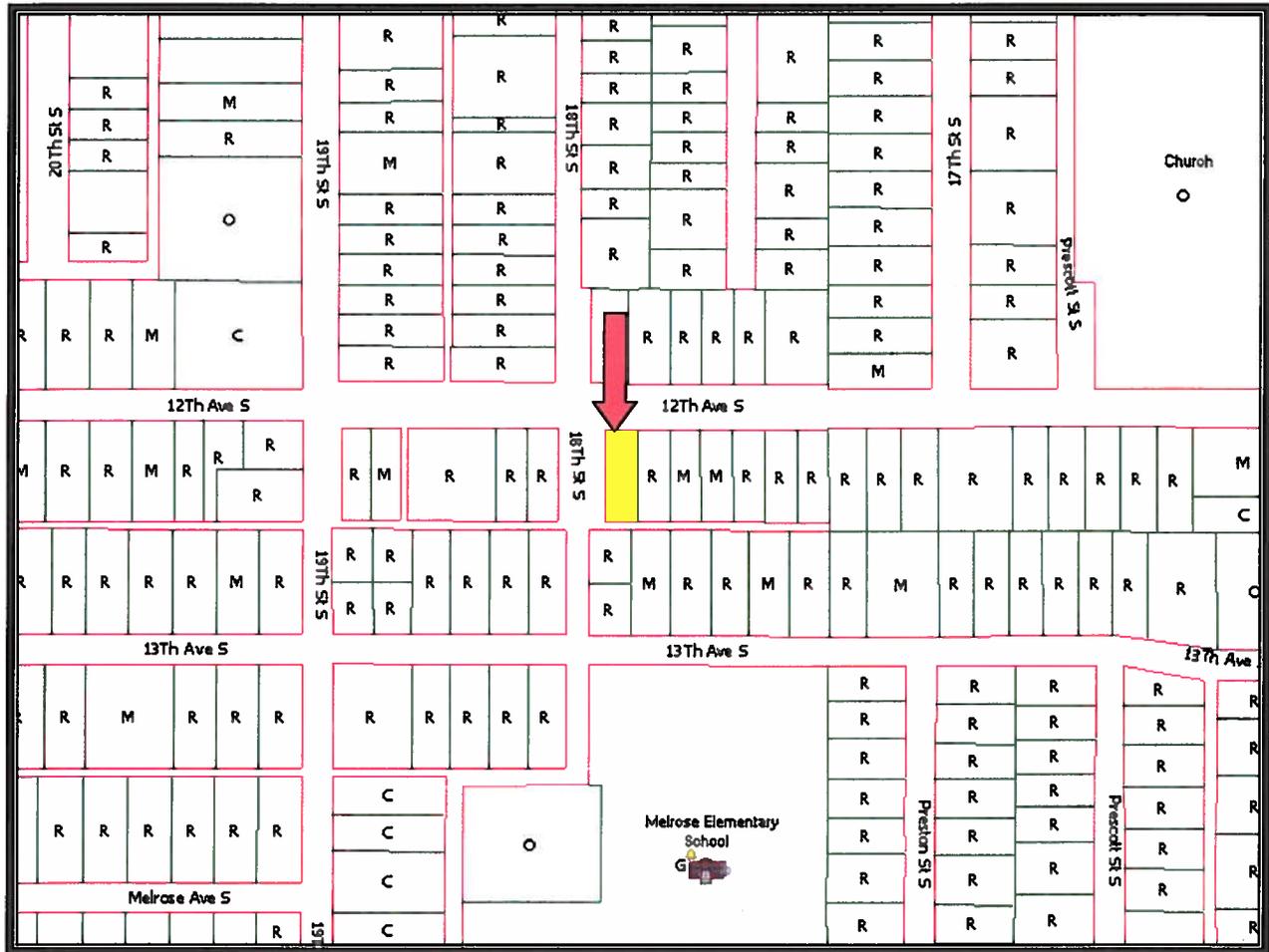
RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to convey the surplus, unimproved City-owned property located at 1774 – 12th Avenue South, St. Petersburg, to Community Partners In Revitalization, Inc., for \$1.00, plus all closing costs; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration: *JF Zerli* *JB*
Budget: N/A
Legal: *RBS*
(As to consistency w/attached legal documents)
Legal: 00164243.doc v.1

ILLUSTRATION



1774 – 12th Avenue South, St. Petersburg, Florida 33712

Resolution No. 2012 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO CONVEY THE SURPLUS, UNIMPROVED CITY-OWNED PROPERTY LOCATED AT 1774 – 12TH AVENUE SOUTH, ST. PETERSBURG, TO COMMUNITY PARTNERS IN REVITALIZATION, INC., FOR \$1.00, PLUS ALL CLOSING COSTS; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management Department received a request from Community Partners In Revitalization, Inc. ("CPR"), a Florida non-profit 501(c)3 corporation, to acquire the surplus, unimproved City-owned parcel located at approximately 1774 – 12th Avenue South, St. Petersburg ("Property"); and

WHEREAS, CPR has an existing lot in Melrose Mercy for which it has selected a wounded veteran for the home it is constructing, but has had additional candidates that would be interested in the opportunity to be located in the same area if a property was available; and

WHEREAS, CPR is a licensed contractor whose goal is to partner with municipalities and other non-profit organizations to improve blighted residential areas; and

WHEREAS, CPR has partnered with a national non-profit group, "Operation Finally Home", and plans to construct a new single-family home on the Property; and

WHEREAS, CPR has a license agreement with Sunstone Homes to utilize its sustainable design "right sized, affordable green product"; and

WHEREAS, the home will also be built in accordance with the City's Visitability Ordinance to comply with City Ordinance No. 664-G, which provides adaptable/accessible housing for persons with disabilities; and

WHEREAS, CPR will convey the new home mortgage free to a wounded veteran; and

WHEREAS, the Property is legally described as follows:

Lot 1, Block 4, DALY'S REVISED SUBDIVISION
Pinellas County Parcel I.D. No.: 25/31/16/20232/004/0010; and

WHEREAS, the Property was acquired via certificate of title at a foreclosure sale in November 2007 as a result of a foreclosure action which was filed on behalf of the City to foreclose its special assessment liens against the Property; and

WHEREAS, the Property is unimproved with lot dimensions of 42 ft. x 120 ft. and is zoned NT-1 (Neighborhood/Traditional); and

WHEREAS, the Property was declared surplus real estate after appropriate City Departments were queried; and

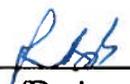
WHEREAS, the deed will contain a clause which provides that the Property shall revert to the City if CPR has not constructed a new single-family residence, with a non-conditional certificate of occupancy issued and a deed recorded transferring the Property mortgage free to a wounded veteran within two (2) years from the date the Property is conveyed to CPR; and

WHEREAS, according to Billing and Collections Special Assessment and Utility Liens records, there are no City liens against CPR.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to convey the surplus, unimproved City-owned property located at 1774 – 12th Avenue South, St. Petersburg, as legally described above, to Community Partners In Revitalization, Inc., for \$1.00, plus all closing costs; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



City Attorney (Designee)
Legal: 00164243.doc v.1

APPROVED BY:



Bruce E. Grimes, Director
Real Estate and Property Management

Attached documents for item Authorizing the Mayor or his designee to execute two (2) License Agreements with TFTSP (The First Tee) Youth Golf Council St. Petersburg, Inc., a Florida not-for-profit corporation, for use of ±268 sq. ft. of office/storage space within the Mangrove Bay G

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute two (2) License Agreements with TFTSP Youth Golf Council St. Petersburg, Inc., a Florida not-for-profit corporation, for use of ±268 sq. ft. of office/storage space within the Mangrove Bay Golf Course Club House located at 875 – 62nd Avenue Northeast, St. Petersburg, for a period of three (3) years, at an aggregate rent of \$36.00 and for use of ±64 sq. ft. of storage space within the Twin Brooks Golf Course Club House located at 3800 – 22nd Avenue South, St. Petersburg, for a period of three (3) years, at an aggregate rent of \$36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same; and providing an effective date. *(Requires an affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate and Property Management received a request from TFTSP Youth Golf Council St. Petersburg, Inc. (“TFTSP”) to renew two (2) license agreements for the use of office/storage space within the club house buildings located at City-owned Mangrove Bay and Twin Brooks Golf Courses. TFTSP would utilize space within both premises as follows: 1)

maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee's use of each Premises. Each License Agreement may be terminated without cause by either party with thirty (30) days written notice prior to the scheduled date of termination.

City Council Resolution No. 79-740A, dated October 4, 1979, establishes policies for the sale and leasing of City-owned park and waterfront property. This resolution requires that when leasing City property to a non-profit, private organization ". . . the organization pays operating costs plus a reserve for replacement." Due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs. These terms and conditions are consistent with prior leases with this and other non-profit organizations. Under the terms of the lease, "the City is under no obligation to provide a replacement facility under any circumstances."

City Charter, Park and Waterfront Property, Section 1.02 (c)(2) states "*Sale or Lease*. A lease of three (3) years or less of residentially zoned waterfront or park property, a lease of five (5) years or less of commercially zoned waterfront or park property, a lease not exceeding the lease terms permitted for the waterfront or park properties listed in Section 1.02(c) (4) or a lease not exceeding the lease terms permitted by the City Park and Waterfront Map requires approval by

EXHIBIT "A"
Space within Mangrove Bay Golf Course Club House
(LEGAL DESCRIPTION & AERIAL PHOTOGRAPH)

PREMISES (A)

The 2nd Floor northwest storage room for office space consisting of ±130 sq. ft. (10 ft. x 13 ft.) and the 1st Floor northeast office consisting of ±108 sq. ft. (9 ft. x 12 ft.) for office and storage space with HVAC of the City-owned facility referred to as the Mangrove Bay Golf Course Club House located at 875 – 62nd Avenue Northeast, St. Petersburg, Florida 33702, within property boundaries being more particularly described as follows:

PT OF NW ¼ DESC BEG NW SEC COR TH E 2654 FT TO N ¼ COR TH S 1418 FT (S) TO N LN OF MANGROVE BAY SUBDIVISION

This parcel is zoned Neighborhood Suburban Estate (NS-E).

Pinellas County Parcel I.D. No.: 32/30/17/00000/240/0000



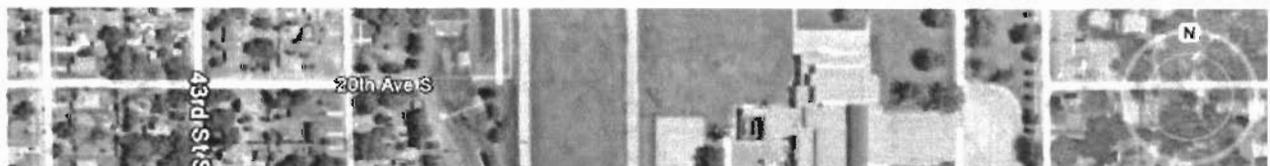
EXHIBIT "B"
Space within Twin Brooks Golf Course Club House
(LEGAL DESCRIPTION & AERIAL PHOTOGRAPH)

The northeast storage room for equipment storage space consisting of ± 64 sq. ft. (8 ft. x 8 ft.) with HVAC of the City-owned facility referred to as the Twin Brooks Golf Course Club House located at 3800 – 22nd Avenue South, St. Petersburg, Florida 33711, within property boundaries being more particularly described as follows:

W 638 FT OF NW 1/4 OF NE 1/4 & E 335 FT OF NE 1/4 OF NW 1/4 LESS ST ON N AKA LOTS 9 & 24 CONT 28.87 AC (C)

This parcel is zoned Neighborhood Suburban Estate (NS-E).

Pinellas County Parcel I.D. No.: 34/31/16/00000/120/0100



Resolution No.: 2012 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE TWO (2) LICENSE AGREEMENTS WITH TFTSP YOUTH GOLF COUNCIL ST. PETERSBURG, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR USE OF ±268 SQ. FT. OF OFFICE/STORAGE SPACE WITHIN THE MANGROVE BAY GOLF COURSE CLUB HOUSE LOCATED AT 875 – 62ND AVENUE NORTHEAST, ST. PETERSBURG, FOR A PERIOD OF THREE (3) YEARS, AT AN AGGREGATE RENT OF \$36.00 AND FOR USE OF ±64 SQ. FT. OF STORAGE SPACE WITHIN THE TWIN BROOKS GOLF COURSE CLUB HOUSE LOCATED AT 3800 – 22ND AVENUE SOUTH, ST. PETERSBURG, FOR A PERIOD OF THREE (3) YEARS, AT AN AGGREGATE RENT OF \$36.00; TO WAIVE THE RESERVE FOR REPLACEMENT REQUIREMENT AND TO EXECUTE ALL

WHEREAS, each License Agreement may be terminated without cause by either party by providing written notice no less than thirty (30) days prior to the scheduled date of termination; and

WHEREAS, the Licensee is responsible for daily cleaning and removal of all trash and debris, in addition to providing and paying for all costs (including installation, deposits, and usage) for telephone services in association with its use of the Premises at the Mangrove Bay Golf Course; and

WHEREAS, the Licensee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee's use of the Premises; and

WHEREAS, Section 1.02 (c)(2) and (c)(4) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property with approval by an affirmative vote of at least six (6) members of City Council; and

WHEREAS, the subject properties are zoned (NS-E) Neighborhood Suburban
Estate

Attached documents for item Authorizing the Mayor or his designee to execute a five (5) year License Agreement with Pam Piper for an annual fee of \$50.00 to fence a minor portion of a City-owned property located in Safety Harbor for the City's 36-Inch water transmission main.

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a five (5) year License Agreement with Pam Piper, for an annual fee of \$50.00, to fence a minor portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management Department ("REPM") received a request from Pam Piper to renew a five (5) year License Agreement to allow the fencing of a minor portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main adjacent to her property. This is the first renewal of a standard license agreement that the Water Resources Department ("Water Resources") requested REPM to develop for uses related to the City's transmission main properties.

The current License Agreement with Ms. Piper was approved on August 23, 2007 for a 5-year term. Prior to the License Agreement, Ms. Piper previously received an authorization letter from Water Resources to fence the area. The area Ms. Piper has been allowed to fence does not contain the City's water main and the fencing does not impede the City's access to the property for City maintenance purposes.

The Property has dimensions of 109 ft. x 16 ft. is legally described as follows:

Approximately the North 16 Feet of the West 110 of the East 120 Feet of Lot 74, BRIDGEFORD ESTATES, as recorded in Plat Book 84, Pages 83 & 84, of the Public Records of Pinellas County, Florida.
Pinellas County Parcel I. D. No.: 27/28/16/11280/000/0740
Approximate Street Address: 5022 Parrish Lane, Safety Harbor

The Licensee has executed a License Agreement ("Agreement") for a term of five (5) years, subject to City Council approval. The Licensee shall pay a use fee of \$50.00 per year to the City for the entire term. Additionally, the Licensee shall maintain a \$500,000 Personal and/or Premises Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee's use of the Property. The Licensee shall maintain the Property at its own cost and expense, remove the fence and deliver up the Property in good condition upon expiration of this Agreement.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a five (5) year License Agreement with Pam Piper, for an annual fee of \$50.00, to fence a minor portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

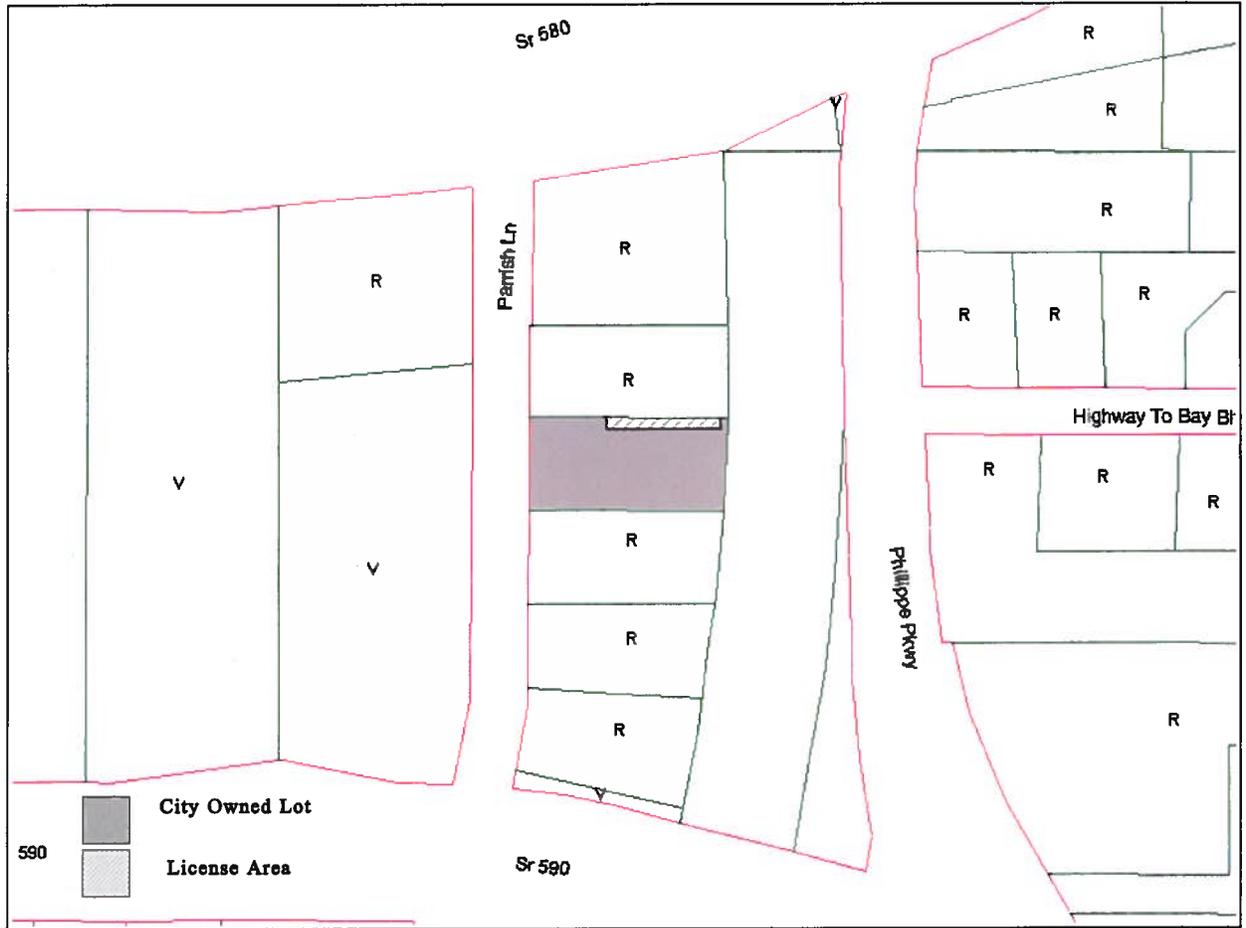
APPROVALS: Administration: R. Massett 10-29-12 BE

Budget: N/A

Legal: RSS
(As to consistency w/attached legal documents)

Legal: 165066.doc V. 1

ILLUSTRATION



Resolution No. 2012 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A FIVE (5) YEAR LICENSE AGREEMENT WITH PAM PIPER, FOR AN ANNUAL FEE OF \$50.00, TO FENCE A MINOR PORTION OF A CITY-OWNED PROPERTY LOCATED IN SAFETY HARBOR FOR THE CITY'S 36-INCH WATER TRANSMISSION MAIN; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management Department ("REPM") received a request from Pam Piper to renew a five (5) year License Agreement to allow the fencing of a minor portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main adjacent to her property; and

WHEREAS, this is the first renewal of a standard license agreement that the Water Resources Department ("Water Resources") requested REPM to develop for uses related to the City's transmission main properties; and

WHEREAS, the current License Agreement with Ms.Piper was approved on August 23, 2007 for a 5-year term; and

WHEREAS, prior to the License Agreement, Ms. Piper previously received an authorization letter from Water Resources to fence the area; and

WHEREAS, the area Ms. Piper has been allowed to fence does not contain the City's water main and the fencing does not impede the City's access to the property for City maintenance purposes; and

WHEREAS, the Property has dimensions of 109 ft. x 16 ft. is legally described as follows:

Approximately the North 16 Feet of the West 110 of the East 120 Feet of Lot 74, BRIDGEFORD ESTATES, as recorded in Plat Book 84, Pages 83 & 84, of the Public Records of Pinellas County, Florida.
Pinellas County Parcel I. D. No.: 27/28/16/11280/000/0740
Approximate Street Address: 5022 Parrish Lane, Safety Harbor; and

WHEREAS, the Licensee has executed a License Agreement ("Agreement") for a term of five (5) years, subject to City Council approval; and

WHEREAS, the Licensee shall pay a use fee of \$50.00 per year to the City for the entire term; and

WHEREAS, the Licensee shall maintain a \$500,000 Personal and/or Premises Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee's use of the Property; and

WHEREAS, the Licensee shall maintain the Property at its own cost and expense, remove the fence and deliver up the Property in good condition upon expiration of this Agreement.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to execute a License Agreement with Pam Piper, for an annual fee of \$50.00, to fence a minor portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main, as legally described above, and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



City Attorney (Designee)
Legal: 165066.doc V. 1

APPROVED BY:



Steven Leavitt, Director
Water Resources Department

APPROVED BY:



Bruce E. Grimes, Director
Real Estate and Property Management

Attached documents for item Resolution initiating the partial vacation of 2nd Avenue South and 5th Street South contiguous to the YMCA property for the purpose of providing dedicated parking to improve the feasibility of the restoration of the YMCA building. [To be voted on separat



SAINT PETERSBURG CITY COUNCIL

Meeting of November 19, 2012

- TO:** The Honorable Leslie Curran, Chair, and Members of City Council
- SUBJECT:** Resolution initiating the partial vacation of 2nd Avenue South and 5th Street South contiguous to the YMCA property.
- RECOMMENDATION:** The Administration recommends **APPROVAL** of the attached proposed resolution.

Background: The historic YMCA, located at 116 5th Street South, is a historically significant building in downtown St. Petersburg. The current owner has applied for a certificate of appropriateness to allow demolition of the building. The YMCA, built in 1927, is an excellent example of Mediterranean Revival architecture and was designated as a local historic landmark in 1991. Since the YMCA organization relocated to a larger and more modern facility, the original YMCA building has remained unoccupied. Previous and current owners have made several attempts to restore and adaptively reuse the building without success.

The current owners, who have owned the YMCA since 2004, have indicated that an inadequate supply of dedicated off-street parking is a significant contributing factor to their difficulty in restoring the building. Currently there is enough land area on the YMCA site for approximately 9 off-street spaces. The number of spaces needed for a given restoration project vary depending on the use proposed; however, it can be stated that the current 9 off-street parking spaces are inadequate for almost any reasonable restoration project. While there are other options to provide additional parking, it is recommended that the City Council consider initiating a partial street vacation as a mechanism to provide additional on-site parking in an effort to facilitate the restoration of this historic structure. If Council initiates the proposed vacation, it would still be subject to the formal right-of-way vacation process including but not limited to DRC review and Council public hearing and approval of a vacation ordinance.

On the public right-of-way abutting the YMCA on its 5th Street South and 2nd Avenue South frontages are 10 marked diagonal public parking spaces with the possibly of adding approximately two additional spaces in an area currently reserved for loading. The owner and St. Petersburg Preservation Inc. have requested that the City assist in facilitating the YMCA restoration by vacating the portions of the adjacent right-of-way

containing these 10 spaces and the loading area, as generally shown on the attached map and aerial, so that they can be used exclusively by the YMCA building users. They cannot be dedicated for the YMCA users if they remain in public right-of-way. The proposed partial street vacation would more than double the number of dedicated parking spaces for the YMCA and improve the opportunities for a restoration project.

The City's preliminary review finds that the inadequate supply of dedicated parking for use by the YMCA is a contributing reason for its continued vacant and unrestored status and vacation appears to be appropriate for the purposes of facilitating its restoration and return to productive use. A preliminary review of the vacation on the functionality of 5th Street South and 2nd Avenue South indicate that the impacts appear to be manageable.

Given these considerations, Staff recommends that City Council approve the attached resolution to initiate the vacation of the right-of-way abutting the YMCA property on 5th Street South and 2nd Avenue South for the purpose of providing dedicated parking to facilitate the restoration and adaptive reuse of the former YMCA building. If the resolution is approved, the application will be forwarded to the DRC for an initial determination and recommendation and then submitted to the City Council for final action.

During the vacation process, City staff will develop the appropriate conditions to ensure that the proposed vacation, should it ultimately be approved, can only become effective once the restoration and adaptive reuse of the YMCA is insured. Further, the vacation of the subject right-of-way, should it be approved, will contain conditions of approval that support the renovation of the former YMCA building. Conditions will also be proposed so that the appropriate easements are put in place to maintain the public sidewalk and protect any underground utilities within the vacated area.

RECOMMENDATION:

The Administration recommends **APPROVAL** of the attached proposed resolution.

Attachments: resolution, aerial and map

RESOLUTION NO.

A RESOLUTION INITIATING THE VACATION OF A PORTION OF 5TH STREET SOUTH AND A PORTION OF 2ND AVENUE SOUTH THAT ARE CONTIGUOUS TO THE FORMER YMCA PROPERTY LOCATED AT 116 5TH STREET SOUTH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property located at 116 5TH Street South, St. Petersburg, FL, was designated as a local historic landmark by the City Council in October of 1991; and

WHEREAS, the existing building has remained vacant and unused for many years; and

WHEREAS, the ability to adaptively reuse and ultimately preserve the existing historic structure is impacted by an inadequate supply of dedicated parking; and

WHEREAS, the owner has applied for a certificate of appropriateness to allow demolition the subject building; and

WHEREAS, if the vacation of the abutting right of way was approved, the existing, diagonal on-street parking spaces along the northern side of 2ND Avenue South and the eastern side of 5^H Street South would become the private property of the subject landmark site if the associated right-of-way was vacated by the City; and

WHEREAS, the establishment of a privately-owned parking supply would likely facilitate the adaptive reuse and preservation of the subject landmark; and

WHEREAS, there is a compelling public interest in facilitating the adaptive reuse and preservation of this local historic landmark; and

WHEREAS, any existing utilities or public sidewalks can be protected by the dedication of appropriate easements; and

WHEREAS, vacation of the right-of-way containing the existing on-street parking would not substantially impact access to any other lot of record; and

WHEREAS, the City Code provides that the City Council may initiate the vacation of public right-of-way, which will then be considered by the Development Review Commission for a recommendation, before coming before City Council for consideration; and

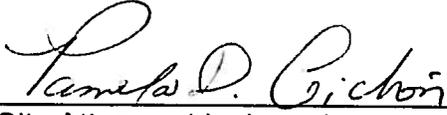
WHEREAS, the vacation of the subject right-of-way, should it be approved, will be conditioned upon, and not take effect until, completion of the restoration and adaptive reuse of the YMCA consistent with all applicable standards and regulations; and

WHEREAS, the Administration supports the vacation of the subject right-of-way with the above described assurances that tie the vacation to the restoration and adaptive reuse of the YMCA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that this Council hereby initiates the vacation of portions of 5th Street South and 2nd Avenue South contiguous to the former YMCA property located at 116 5th Street South.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content:


Pamela D. Cichon
City Attorney (designee)

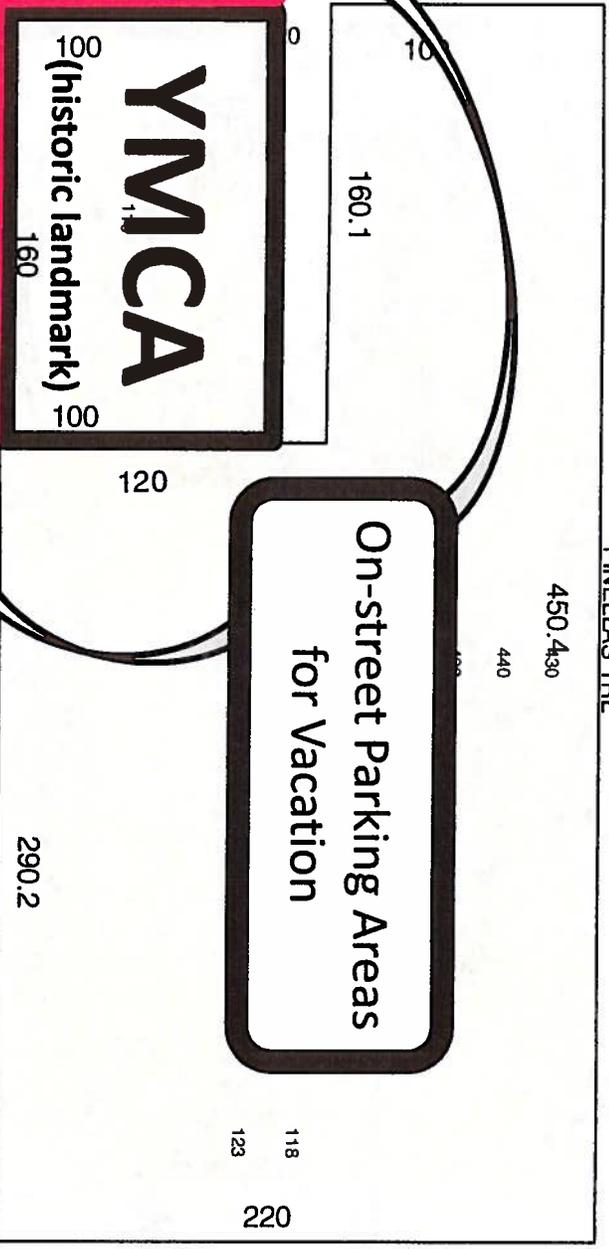
100
5TH ST S

200	40	125'	400s	50
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1ST AVE S
PINELLAS TRL
5TH ST S

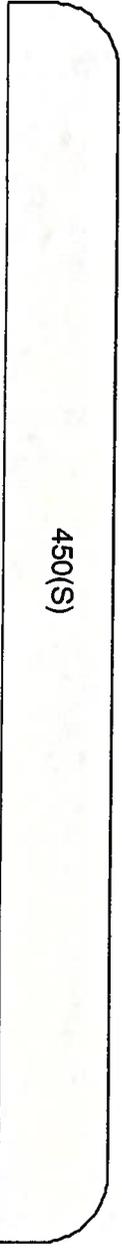
**Proposed City-initiated Partial Street Vacations
Historic YMCA (116 – 5th St S)**

220.2
100
5TH ST S



2ND AVE S

5TH ST S



5TH ST S

100

1ST AVE S

4TH ST S

PINELLAS TRL

100

100

4TH ST S

20
36
100

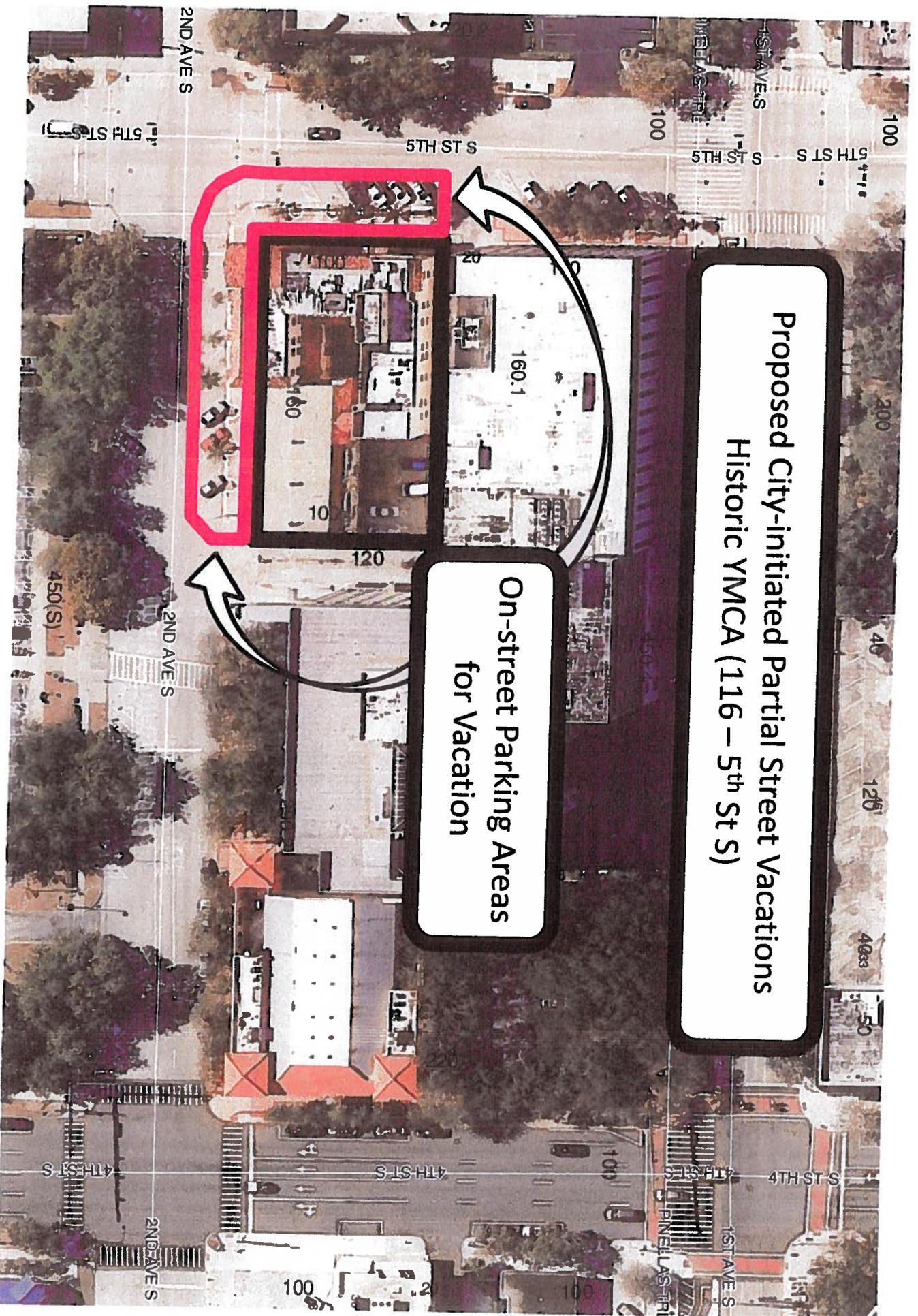
2ND AVE S

4TH ST S

100

**Proposed City-initiated Partial Street Vacations
Historic YMCA (116 – 5th St S)**

**On-street Parking Areas
for Vacation**



RESOLUTION NO.

A RESOLUTION INITIATING THE VACATION OF A PORTION OF 5TH STREET SOUTH AND A PORTION OF 2ND AVENUE SOUTH THAT ARE CONTIGUOUS TO THE FORMER YMCA PROPERTY LOCATED AT 116 5TH STREET SOUTH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property located at 116 5TH Street South, St. Petersburg, FL, was designated as a local historic landmark by the City Council in October of 1991; and

WHEREAS, the existing building has remained vacant and unused for many years; and

WHEREAS, the ability to adaptively reuse and ultimately preserve the existing historic structure is impacted by an inadequate supply of dedicated parking; and

WHEREAS, the owner has applied for a certificate of appropriateness to allow demolition the subject building which will be heard by the Community Preservation Commission; and

WHEREAS, if the vacation of the abutting right of way is approved, the existing, diagonal on-street parking spaces along the northern side of 2ND Avenue South and the eastern side of 5TH Street South would become the private property of the subject landmark site; and

WHEREAS, the establishment of a privately-owned parking supply would likely facilitate the adaptive reuse and preservation of the subject landmark; and

WHEREAS, there is a compelling public interest in facilitating the adaptive reuse and preservation of this local historic landmark; and

WHEREAS, any existing utilities or public sidewalks can be protected by the dedication of appropriate easements; and

WHEREAS, vacation of the right-of-way containing the existing on-street parking does not appear to substantially impact access to any other lot of record; and

WHEREAS, the City Code provides that the City Council may initiate the vacation of public right-of-way, which will then be considered by the Development Review Commission for a recommendation, before coming before City Council for final consideration; and

WHEREAS, the vacation of the subject right-of-way, should it be approved, should be conditioned upon, and not take effect until, completion of the restoration and

adaptive reuse of the YMCA consistent with all applicable standards and regulations;
and

WHEREAS, the Administration supports the vacation of the subject right-of-way with the above described assurances that tie the vacation to the restoration and adaptive reuse of the YMCA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that this Council hereby initiates the vacation of the portions of 5th Street South and 2nd Avenue South contiguous to the former YMCA property located at 116 5th Street South.

BE IT FURTHER RESOLVED that by initiating this vacation application, the City Council takes no position concerning whether it should be approved or not. City Council will review the findings and recommendations of the Development Review Commission and the recommendations of the Administration and will consider any citizen input at its public hearing before making a determination to approve or deny the application.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content:

City Attorney (designee)

Attached documents for item Authorizing the Mayor or his designee to accept \$20,000 from the Pinellas County Health Department for the installation costs of the Azalea Fitness Zone and to execute all documents necessary to effectuate this transaction; and authorizing a supplemental

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair, and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to accept \$20,000 from the Pinellas County Health Department for the installation costs of the Azalea Fitness Zone and to execute all documents necessary to effectuate this transaction; authorizing a supplemental appropriation in the amount \$20,000 from the increase in the unappropriated balance of the General CIP Fund (3001), resulting from these additional revenues, to the Play Equipment Replacement FY 12 Project (13252); and providing an effective date.

EXPLANATION: The Pinellas County Health Department has received a Federal grant, Communities Putting Prevention to Work (CPPW) included in the Affordable Care Act. This grant seeks to reduce the burden of obesity focusing on healthier food access and choices, and increasing physical activity throughout Pinellas County. To that end, the funding provided to the City of St. Petersburg from the Pinellas County Health Department will be used to support the installation of the Azalea Fitness Zone.

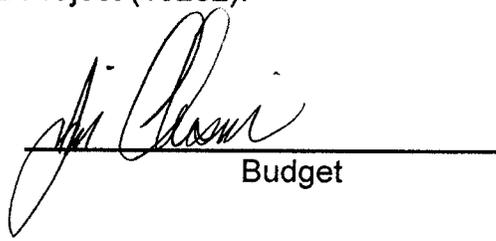
RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor or his designee to accept \$20,000 from the Pinellas County Health Department for the installation costs of the Azalea Fitness Zone and to execute all documents necessary to effectuate this transaction; authorizing a supplemental appropriation in the amount \$20,000 from the increase in the unappropriated balance of the General CIP Fund (3001), resulting from these additional revenues, to the Play Equipment Replacement FY 12 Project (13252); and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available after a supplemental appropriation in the amount of \$20,000 from the increase in the unappropriated balance of the General CIP Fund (3001), resulting from these additional revenues, to the Play Equipment Replacement FY 12 Project (13252).

ATTACHMENTS: Resolution

APPROVALS:


Administrative


Budget

final

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT \$20,000 FROM THE PINELLAS COUNTY HEALTH DEPARTMENT FOR THE INSTALLATION COSTS OF THE AZALEA FITNESS ZONE AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$20,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CIP FUND (3001), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE PLAY EQUIPMENT REPLACEMENT FY 12 PROJECT (13252); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to provide its citizens with healthy lifestyle options by installing outdoor fitness equipment; and

WHEREAS, the Pinellas County Health Department has offered the City funding in the amount of \$20,000 for the installation costs of the Azalea Fitness Zone.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to accept \$20,000 from the Pinellas County Health Department for the installation costs of the Azalea Fitness Zone and to execute all documents necessary to effectuate this transaction.

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General CIP fund (3001) resulting from these additional revenues, a supplemental appropriation for FY13:

<u>General CIP Fund (3001)</u>	
Play Equipment Replacement FY 12 (13252)	\$20,000

This resolution should become effective immediately upon adoption.

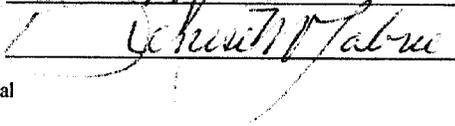
Approvals:

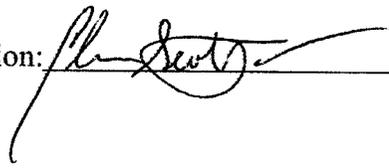
Legal:

Budget:

00165309 final

Administration:



Attached documents for item Amending City Council Resolution No. 2011-329, as amended, to change the proposed funding source of the City's loan to Urban Edge Apartments, Ltd. from the HOME Investment Partnership Program ("HOME") Fund (1113) to the Community Housing Donation Fund ("C

ST. PETERSBURG CITY COUNCIL

**Consent Agenda
Meeting of November 19, 2012**

TO: The Honorable Leslie Curran, Chair, and Members of City Council

SUBJECT: A resolution amending City Council Resolution No. 2011-329, as amended, to change the proposed funding source of the City's loan to Urban Edge Apartments, Ltd. from the HOME Investment Partnership Program ("HOME") Fund (1113) to the Community Housing Donation Fund ("CHDF") (1117); rescinding an unencumbered appropriation in the amount of \$120,000 in the HOME Fund (1113) for the Urban Edge Senior Apartments Project (13550); approving supplemental appropriations from the increase in the HOME Fund (1113) resulting from the above rescission, in the amount of \$100,000 to the HOME Purchase Assistance FY 10/11 Project (12820) and \$20,000 to the HOME Rehabilitation FY10/11 Project (12817); approving a supplemental appropriation in the amount of \$120,000 from the unappropriated fund balance in the CHDF Fund (1117) to the Urban Edge Senior Apartments Project (13550); providing that all other provisions of Resolution No. 2010-329, as amended, not amended herein shall remain in full force and effect; authorizing the Mayor or his Designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: City Council has previously adopted Resolution No. 2011-329, authorizing the Mayor or his designee to negotiate and provide a non-recourse 0% interest HOME Investment Partnership ("HOME") loan to Urban Edge Apartments, Ltd., a Florida limited partnership ("Urban Edge") in the amount of \$120,000 for the proposed construction of the 85-unit Urban Edge Senior Apartments ("Development") to be located at 300 4th Avenue South, St. Petersburg, subject to conditions set out in that resolution. The Resolution also required that Urban Edge obtain Florida Housing Finance Corporation ("FHFC") administered Low Income Housing Tax Credit ("LIHTC") funding approval by December 31, 2011, which was later extended to December 31, 2012 by Resolution 2011-513, and close on financing of the Development within two years of the effective date of the resolution.

In July of this year, Urban Edge received notification that they were awarded the LIHTC funding and they are moving forward with preparation for a loan closing. However, in order to more effectively administer the commitment and expenditure deadlines of the HOME Fund and the Community Housing Donation Fund ("CHDF"), Administration recommends that the proposed funding source of the loan be switched from the HOME fund to the CHDF.

RECOMMENDATION:

Administration recommends adoption of the attached resolution amending City Council Resolution No. 2011-329, as amended, to change the proposed funding source of the City's loan to Urban Edge Apartments, Ltd. from the HOME Investment Partnership Program ("HOME") Fund (1113) to the Community Housing Donation Fund ("CHDF") (1117); rescinding an unencumbered appropriation

in the amount of \$120,000 in the HOME Fund (1113) for the Urban Edge Senior Apartments Project (13550); approving supplemental appropriations from the increase in the HOME Fund (1113) resulting from the above rescission, in the amount of \$100,000 to the HOME Purchase Assistance FY 10/11 Project (12820) and \$20,000 to the HOME Rehabilitation FY10/11 Project (12817); approving a supplemental appropriation in the amount of \$120,000 from the unappropriated fund balance in the CHDF Fund (1117) to the Urban Edge Senior Apartments Project (13550); providing that all other provisions of Resolution No. 2010-329, as amended, not amended herein shall remain in full force and effect; authorizing the Mayor or his Designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available after rescinding an unencumbered appropriation in the amount of \$120,000 in the HOME Fund (1113) for the Urban Edge Senior Project (13550); approving supplemental appropriations from the increase in the HOME Fund (1113), resulting from the above rescission, in the amount of \$100,000 to the HOME Purchase Assistance Project FY 10/11 (12817) and \$20,000 to the HOME Rehabilitation FY 10/11 Project (12817); and approving a supplemental appropriation in the amount of \$120,000 from the Unappropriated fund balance in the CHDF Fund (1117), to the Urban Edge Senior Apartments Project (13550).

ATTACHMENTS: Signed Resolution No. 2011-329
Signed Resolution No. 2011-513

APPROVALS:

Administration:

Budget:

Legal: 00165174.doc V. 1

Resolution No. 2012: _____

A RESOLUTION AMENDING CITY COUNCIL RESOLUTION NO. 2011-329, AS AMENDED, TO CHANGE THE PROPOSED FUNDING SOURCE OF THE CITY'S LOAN TO URBAN EDGE APARTMENTS, LTD. FROM THE HOME INVESTMENT PARTNERSHIP PROGRAM ("HOME") FUND (1113) TO THE COMMUNITY HOUSING DONATION FUND ("CHDF") (1117); RESCINDING AN UNENCUMBERED APPROPRIATION IN THE AMOUNT OF \$120,000 IN THE HOME FUND (1113) FOR THE URBAN EDGE SENIOR APARTMENTS PROJECT (13550); APPROVING SUPPLEMENTAL APPROPRIATIONS FROM THE INCREASE IN THE HOME FUND (1113) RESULTING FROM THE ABOVE RESCISSION, IN THE AMOUNT OF \$100,000 TO THE HOME PURCHASE ASSISTANCE FY 10/11 PROJECT (12820) AND \$20,000 TO THE HOME REHABILITATION FY10/11 PROJECT (12817); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$120,000 FROM THE UNAPPROPRIATED FUND BALANCE IN THE CHDF FUND (1117) TO THE URBAN EDGE SENIOR APARTMENTS PROJECT (13550); PROVIDING THAT ALL OTHER PROVISIONS OF RESOLUTION NO. 2010-329, AS AMENDED, NOT AMENDED HEREIN SHALL REMAIN IN FULL FORCE AND EFFECT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg ("City") established the need for additional affordable housing units as a priority in its 2011-2016 Consolidated Plan; and

WHEREAS, City Council has previously adopted Resolution No. 2010-329, authorizing the Mayor or his designee to negotiate and provide a non-recourse 0% interest HOME Investment Partnership ("HOME") loan to Urban Edge Apartments, Ltd., a Florida Limited Partnership ("Urban Edge") in an amount of \$120,000 for the proposed construction of the 85 unit Urban Edge Senior Apartments ("Development"), to be located at 300 4th Avenue South, St. Petersburg, subject to conditions set out in that resolution; and

WHEREAS, Resolution No. 2010-329 required that Urban Edge obtain Florida Housing Finance Corporation ("FHFC") administered Low Income Housing Tax Credit ("LIHTC") funding approval by June 30, 2012, which was later extended to December 31, 2012, and close on financing of the Development within two years of the effective date of the resolution; and

WHEREAS, FHFC has approved Urban Edge for LIHTC; and

WHEREAS, In order to effectively administer the commitment and expenditure requirements of both the HOME and CHDF funds, it is necessary to modify the proposed funding source of the loan to Urban Edge Apartments, Ltd.; and

WHEREAS, the Housing Trust Fund was created pursuant to Pinellas County Ordinance No. 06-28 for the purpose of receiving revenues as determined and directed by the Board of County Commissioners into a specific fund dedicated to support the development and preservation of affordable community housing; and

WHEREAS, the City's Community Housing Donation Fund ("CHDF") is the name of the local housing trust fund created in accordance with Pinellas County Ordinance No. 06-28 to accept the Housing Trust Funds administered by the Housing Finance Authority of Pinellas County and was created for the purpose of providing funds to promote homeownership and to expand the production and preservation of rental and owner occupied housing that is affordable to very low-income, low-income, and moderate-income households.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that City Council Resolution No. 2011-329, as amended, is hereby amended to change the funding source of the City's loan to Urban Edge Apartments, Ltd. from the HOME Investment Partnership ("HOME") Fund (1113) to the Community Housing Donation Fund ("CHDF")(1117); and

BE IT FURTHER RESOLVED, that the unencumbered appropriation in the amount of \$120,000 in the HOME Fund (1113) for the Urban Edge Senior Apartments Project (13550) is hereby rescinded; and

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the HOME Fund (1113), resulting from the above rescission, the following supplemental appropriations for FY2013:

HOME Investment Partnership Fund (1113)

HOME Purchase Assistance FY 10/11 Project (12820)	\$100,000
HOME Rehabilitation Project FY10/11 (12817)	\$ 20,000

; and

BE IT FURTHER RESOLVED that there is hereby approved from unappropriated balance of the CHDF Fund (1117), the following supplemental appropriation for FY 2013:

Community Housing Development Fund (1117)

Urban Edge Senior Apts. Project (13239)	\$120,000
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; and

BE IT FURTHER RESOLVED that all other provisions of Resolution No. 2011-329, as amended, not amended herein shall remain in full force and effect; and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

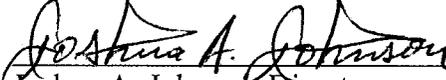
Approvals:

LEGAL:



City Attorney (Designee)
Legal: 00165175.doc V. 4

HOUSING & COMMUNITY DEVELOPMENT:



Joshua A. Johnson, Director

Budget:



Attached documents for item Authorizing the Mayor or his designee to accept Assistance Funding (“Order”) from the Florida Fish and Wildlife Conservation Commission (“FFWCC”) Gopher Tortoise Habitat Management Program for a Gopher Tortoise habitat management plan at Boyd Hill Nature

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair, and Members of City Council

Subject: A resolution authorizing the Mayor or his designee to accept Assistance Funding ("Order") from the Florida Fish and Wildlife Conservation Commission ("FFWCC") Gopher Tortoise Habitat Management Program for a Gopher Tortoise habitat management plan at Boyd Hill Nature Preserve at a maximum reimbursement amount of \$14,553; and to execute all other documents necessary to effectuate the Order; approving a supplemental appropriation in the amount of \$14,553 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Boyd Hill Nature Trail (1902389) Gopher Tortoise Habitat Management Project (TBD); and providing an effective date.

Explanation: The FFWCC Gopher Tortoise Habitat Management Program has awarded the City Assistance Funding ("Order") in the amount of \$14,553 for a gopher tortoise habitat management plan on 67 acres at Boyd Hill Nature Preserve ("Preserve"). The Preserve has a large population of gopher tortoises and burrows; however, vegetation is becoming too dense to sustain the foraging and burrowing needs of the tortoises. The proposed management activities will create forest openings to increase suitable habitat at the site for the tortoises. Work under this Order includes mechanical and chemical treatment to reduce the exotic vegetation at the site. In Florida, the gopher tortoise is listed as a "threatened" species, and therefore, the tortoise and its burrow are protected under state law.

Recommendation: Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to accept Assistance Funding ("Order") from the Florida Fish and Wildlife Conservation Commission ("FFWCC") Gopher Tortoise Habitat Management Program for a Gopher Tortoise habitat management plan at Boyd Hill Nature Preserve at a maximum reimbursement amount of \$14,553; and to execute all other documents necessary to effectuate the Order; approving a supplemental appropriation in the amount of \$14,553 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Boyd Hill Nature Trail (1902389) Gopher Tortoise Habitat Management Project (TBD); and providing an effective date.

Cost/Funding/Assessment Information: Revenues of up to \$14,553 are to be received from this Order. A supplemental appropriation in the amount of \$14,553 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues, to the Parks & Recreation Boyd Hill Nature Trail (1902389) Gopher Tortoise Habitat Management Project (TBD) will be necessary.

Attachment: Resolution

Approvals:

Administration: _____

Budget: _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT ASSISTANCE FUNDING ("ORDER") FROM THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") GOPHER TORTOISE HABITAT MANAGEMENT PROGRAM FOR A GOPHER TORTOISE HABITAT MANAGEMENT PLAN AT BOYD HILL NATURE PRESERVE AT A MAXIMUM REIMBURSEMENT AMOUNT OF \$14,553; AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE ORDER; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$14,553 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND (0001), RESULTING FROM THESE ADDITIONAL REVENUES, TO PARKS & RECREATION BOYD HILL NATURE TRAIL (1902389) GOPHER TORTOISE HABITAT MANAGEMENT PROJECT (TBD); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the FFWCC Gopher Tortoise Habitat Management Program has awarded the City Gopher Assistance Funding ("Order") in the amount of \$14,553 for a gopher tortoise habitat management plan on 67 acres at Boyd Hill Nature Preserve ("Preserve"); and

WHEREAS, the Preserve has a large population of gopher tortoises and burrows; however, vegetation is becoming too dense to sustain the foraging and burrowing needs of the tortoises; and

WHEREAS, the proposed management activities will create forest openings to increase suitable habitat at the site for the tortoises; and

WHEREAS, the work under this Order includes mechanical and chemical treatment to reduce the exotic vegetation at the site; and

WHEREAS, in Florida, the gopher tortoise is listed as a "threatened" species, therefore, the tortoise and its burrow are protected under state law.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to accept Assistance Funding ("Order") from the Florida Fish and Wildlife Conservation Commission ("FFWCC") Gopher Tortoise Habitat Management Program for a Gopher Tortoise Habitat Management Plan at Boyd Hill Nature Preserve, at a maximum reimbursement amount of \$14,553; and to execute all other documents necessary to effectuate the Order; and

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues, the following supplemental appropriation for FY13:

General Fund (0001)

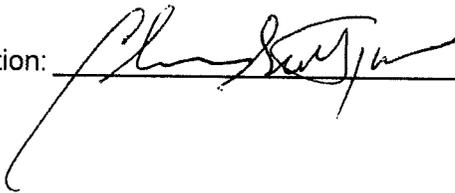
Parks & Recreation Boyd Hill Nature Trail (1902389)
Gopher Tortoise Habitat Management Project (TBD)

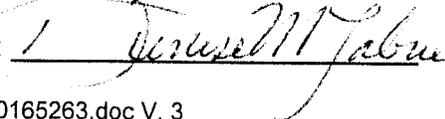
\$14,553

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: 

Administration: 

Budget: 

Legal: 00165263.doc V. 3

Attached documents for item Authorizing the Mayor or his designee to accept an estoppel affidavit and a deed in lieu of foreclosure from New Millennial, LLC, for the property located at 2937 3rd Avenue South, St. Petersburg, Florida ("Property"); with the City to pay estimated delin

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to accept an estoppel affidavit and a deed in lieu of foreclosure from New Millennial, LLC, for the property located at 2937 3rd Avenue South, St. Petersburg, Florida ("Property"); with the City to pay estimated delinquent taxes in the amount of \$6,500; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: On May 15, 2008, the City of St. Petersburg ("City") provided New Millennial, LLC ("Developer"), a Housing Capital Improvement Program Investor Sales Program Loan ("Loan") in the amount of \$132,000 to construct an affordable home at 2937 3rd Avenue South, St. Petersburg, Florida ("Property"). The developer executed a promissory note and a mortgage on the property with a term to repay the City within 12 months from the date of closing.

The purpose of the Loan was for the Developer to construct the Property and sell it to an income eligible buyer within a year of receipt of the Loan. However, the downturn in the economy and housing market occurred shortly after the completion of the construction of the property, which led the Developer to request an extension of the Loan. A condition of the extension required the Developer to make quarterly payments of \$5,000 to the City until the entire mortgage was satisfied. The Developer made one payment of \$5,000 to the City, then experienced a number of setbacks and requested the City to work with it to find a way in which it was acceptable for the Developer to satisfy the Loan.

The current outstanding Loan balance is \$127,000 and the Developer requested that it be allowed to market the Property for its appraised value and, upon the sale, to pay the City the sale proceeds, net of closing costs paid by Developer, to the City as full satisfaction of the note and mortgage on the Property. An appraisal was conducted on July 6, 2012, which estimated the Property's value to be \$51,500. City Council by Resolution No. 2012-121 authorized the Administration to proceed in accordance with the Developer's request, provided the Property was under contract for sale within 30 days of the date of Resolution No. 2012-121 and that the closing occurred within 60 days of the date of Resolution No. 2012-121 approved on March 1, 2012.

The City Council further provided that if the Developer failed to perform within these time limits that the Developer shall provide the City with an estoppels affidavit and a deed in lieu of foreclosure free and clear of liens recorded against the Property during the Developer's ownership in full satisfaction of the Loan. The Developer was not able to sell the property within 60 days and has decided to convey the Property back to the City. The Property has five years of delinquent property taxes in the amount of \$6,500 that has to be paid.

The Administration request that the City accept the Property from the Developer and pay the property taxes.

RECOMMENDATION: Administration recommends that City Council approve the attached resolution authorizing the Mayor or his designee to accept an estoppel affidavit and a deed in lieu or foreclosure from New Millennial, LLC, for the property located at 2937 3rd Avenue South, St. Petersburg, Florida ("Property"); with the City to pay estimated delinquent taxes in the amount of \$6,500; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

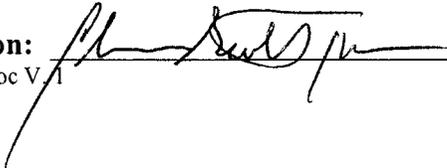
COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in the Developer Recycling Program line item in the Housing Capital Improvement Budget Fund (3000), Project 12039 - 15.

ATTACHMENTS: Resolution
Appraisal

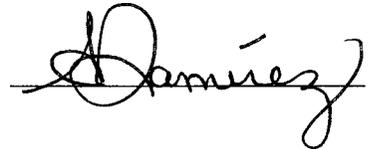
APPROVALS:

Administration:

Legal: 00165137.doc V.1



Budget:



A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT AN ESTOPPEL AFFIDAVIT AND A DEED IN LIEU OF FORECLOSURE FROM NEW MILLENNIAL, LLC, FOR THE PROPERTY LOCATED AT 2937 3RD AVENUE SOUTH, ST. PETERSBURG, FLORIDA ("PROPERTY"); WITH THE CITY TO PAY ESTIMATED DELINQUENT TAXES IN THE AMOUNT OF \$6,500; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On May 15, 2008, the City of St. Petersburg ("City") provided New Millennial, LLC ("Developer"), a Housing Capital Improvement Program Investor Sales Program Loan ("Loan") in the amount of \$132,000 to construct an affordable home at 2937 3rd Avenue South, St. Petersburg, Florida ("Property"); and

WHEREAS, the Developer executed a promissory note and a mortgage on the Property; and

WHEREAS, the terms and conditions of the Note required the Developer to repay the City within 12 months from the date of closing; and

WHEREAS, the purpose of the Loan was for the Developer to construct the Property and sell it to an income eligible buyer within a year of receipt of the Loan; and

WHEREAS, the downturn of the economy and housing market occurred shortly after the completion of the construction of the Property, which led the Developer to request an extension of the Loan; and

WHEREAS, a condition of the extension required the Developer to make quarterly payments of \$5,000 to the City until the entire mortgage was satisfied; and

WHEREAS, the Developer made one payment of \$5,000 to the City, then experienced a number of setbacks and requested the City to work with it to find a way in which it was acceptable for the Developer to satisfy the Loan; and

WHEREAS, the current outstanding Loan balance is \$127,000; and

WHEREAS, the Developer requested that it be allowed to market the Property for its appraised value and, upon sale, to pay to the City the sale proceeds, net of closing costs paid by Developer, to the City as full satisfaction of the note and mortgage on the Property; and

WHEREAS, an appraisal was conducted on July 6, 2012, which estimated the Property's value to be \$51,500; and

WHEREAS, this City Council by Resolution No. 2012-121 authorized the Administration to proceed in accordance with the Developer's request, provided the Property was under contract for sale within 30 days of the date of Resolution No. 2012-121 and that the closing occurred within 60 days of the date of Resolution No. 2012-121 approved on March 1, 2012; and

WHEREAS, City Council further provided that if the Developer failed to perform within these time limits that the Developer shall provide the City with an estoppel affidavit and a deed in lieu of foreclosure free and clear of liens recorded against the Property during the Developer's ownership in full satisfaction of the Loan; and

WHEREAS, Developer did not sell the property within 60 days and has decided to convey the Property back to the City; and

WHEREAS, the Property has five years of delinquent property taxes in the amount of \$6,500 that has to be paid; and

WHEREAS, the Administration requests that the City accept the Property from the Developer and pay the property taxes from its Developer Recycling Program line item in its Housing Capital Improvement Budget Fund (3000) , Project 11755 which will enable the City to sell the Property.

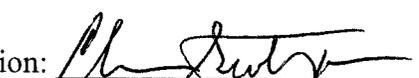
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to accept an estoppel affidavit and a deed in lieu of foreclosure from New Millennial, LLC, for the property located at 2937 3rd Avenue South, St. Petersburg, Florida, with the City to pay estimated delinquent taxes in the amount of \$6,500; and .

BE IT FURTHER RESOLVED that the Mayor of his designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal: 

Administration: 

Budget: 



GULF TO BAY APPRAISALS

6291 Bahia Del Mar Ci, Suite #104
St Petersburg, FL 33715

File No. 8-12

APPRAISAL OF



LOCATED AT:

2937 3rd Avenue South
St Petersburg, FL 33712-1016

FOR:

New Millennial LC
7303 N. Nebraska Ave.
Tampa, FL

AS OF:

July 6, 2012

BY:

Jill R. Davis
Gulf to Bay Appraisals

Uniform Residential Appraisal Report

File No. 8-12

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address 2937 3rd Avenue South	City St Petersburg	State FL Zip Code 33712-1016
Borrower The City of St. Petersburg	Owner of Public Record New Millennium LC	County Pinellas
Legal Description Palmetto Park Blk 3, Lot 12	Assessor's Parcel # 23-31-16-65862-003-0120	Tax Year 2011 R.E. Taxes \$ 1,069.49
Neighborhood Name Palmetto Park	Map Reference 31/16/23	Census Tract 0219.00
Occupant <input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input checked="" type="checkbox"/> Vacant	Special Assessments \$ N/A	<input type="checkbox"/> PUD HOA \$ N/A <input type="checkbox"/> per year <input type="checkbox"/> per month
Property Rights Appraised <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other (describe)	Assignment Type <input type="checkbox"/> Purchase Transaction <input type="checkbox"/> Refinance Transaction <input checked="" type="checkbox"/> Other (describe)	Current Fair Market Value Estimate
Lender/Client New Millennium LC	Address 7303 N. Nebraska Ave., Tampa, FL	
Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Report data source(s) used, offering price(s), and date(s). Per MLS records and public records data, the subject has not been listed or sold within 12 months of this appraisal date.		
I <input type="checkbox"/> did <input type="checkbox"/> did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed. This is not a purchase transaction.		
Contract Price \$ N/A	Date of Contract N/A	Is the property seller the owner of public record? <input type="checkbox"/> Yes <input type="checkbox"/> No Data Source(s)
Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, report the total dollar amount and describe the items to be paid. This is not a purchase transaction.		

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics		One-Unit Housing Trends		One-Unit Housing		Present Land Use %	
Location <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE	AGE	One-Unit	80 %		
Built-Up <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$(000)	(yrs)	2-4 Unit	5 %		
Growth <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time <input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	8 Low	1	Multi-Family	5 %		
Neighborhood Boundaries The subject's neighborhood is defined as: Central Ave. to the North, 9th Ave. S. to the South, 34th Street to the West and I-275 to the East.		960 High	90	Commercial	5 %		
Neighborhood Description See Attached Addendum		47 Pred.	55	Other Vacant	5 %		

Market Conditions (including support for the above conclusions) **See Attached Addendum**

Dimensions 45' X 127'	Area 5715 Sq.Ft.	Shape Rectangular	View Residential Street
Specific Zoning Classification Single Fam Res - 0110	Zoning Description Single Family Residential		
Zoning Compliance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal Nonconforming (Grandfathered Use) <input type="checkbox"/> No Zoning <input type="checkbox"/> Illegal (describe)	Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe.		
Utilities Public Other (describe)	Public Other (describe)	Off-site Improvements—Type	Public Private
Electricity <input checked="" type="checkbox"/> <input type="checkbox"/>	Water <input checked="" type="checkbox"/> <input type="checkbox"/>	Street Asphalt	<input checked="" type="checkbox"/> <input type="checkbox"/>
Gas <input type="checkbox"/> <input type="checkbox"/>	Sanitary Sewer <input checked="" type="checkbox"/> <input type="checkbox"/>	Alley Yes/Paved	<input checked="" type="checkbox"/> <input type="checkbox"/>
FEMA Special Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	FEMA Flood Zone X	FEMA Map # 12103C0218G	FEMA Map Date 09/03/2003
Are the utilities and off-site improvements typical for the market area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe.			
Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe. See Attached Addendum			

GENERAL DESCRIPTION	FOUNDATION	EXTERIOR DESCRIPTION materials/condition	INTERIOR materials/condition
Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit	<input checked="" type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space	Foundation Walls CB/Avg	Floors CT/Avg
# of Stories 1 Story	<input type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement	Exterior Walls Stucco/Paint/Avg	Walls DWPaint/Avg
Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Alt. <input type="checkbox"/> S-Det./End Unit	Basement Area sq. ft.	Roof Surface FGShg/Avg	Trim/Finish Wood/Avg
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.	Basement Finish %	Gutters & Downspouts Alum/Avg	Bath Floor Ceramic/Avg
Design (Style) Ranch	<input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump	Window Type AlumSH/Avg	Bath Wainscot Ceramic/Avg
Year Built 2008	Evidence of <input type="checkbox"/> Infestation	Storm Sash/Insulated None	Car Storage <input checked="" type="checkbox"/> None
Effective Age (Yrs) 2	<input type="checkbox"/> Dampness <input type="checkbox"/> Settlement	Screens Yes/Avg	<input checked="" type="checkbox"/> Driveway # of Cars 1
Attic <input type="checkbox"/> None	Heating <input checked="" type="checkbox"/> FWA <input type="checkbox"/> HWBB <input type="checkbox"/> Radiant	Amenities <input type="checkbox"/> WoodStove(s) #	Driveway Surface Concrete
<input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs	<input type="checkbox"/> Other <input type="checkbox"/> Fuel Electric	<input type="checkbox"/> Fireplace(s) #	<input type="checkbox"/> Garage # of Cars
<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Scuttle	Cooling <input checked="" type="checkbox"/> Central Air Conditioning	<input type="checkbox"/> Patio/Deck <input checked="" type="checkbox"/> Porch Entry	<input type="checkbox"/> Carport # of Cars
<input type="checkbox"/> Finished <input type="checkbox"/> Heated	<input type="checkbox"/> Individual <input type="checkbox"/> Other	<input type="checkbox"/> Pool <input type="checkbox"/> Other	<input type="checkbox"/> Alt. <input type="checkbox"/> Det. <input type="checkbox"/> Built-in
Appliances <input checked="" type="checkbox"/> Refrigerator <input checked="" type="checkbox"/> Range/Oven <input checked="" type="checkbox"/> Dishwasher <input checked="" type="checkbox"/> Disposal <input type="checkbox"/> Microwave <input type="checkbox"/> Washer/Dryer <input type="checkbox"/> Other (describe)			
Finished area above grade contains: 6 Rooms 3 Bedrooms 2 Bath(s) 1,200 Square Feet of Gross Living Area Above Grade			
Additional features (special energy efficient items, etc.) See Attached Addendum			

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). **The improvements appear to be in average structural condition with no evidence of major defects. The improvements have never been lived in per builder. The property is reported in public records as built in 2008. The improvements are in Average Condition. Since the improvements represent typical quality construction and property is not located near any obvious adverse influences, the only form of depreciation is Physical Deterioration via the age/life concept. There was no obvious evidence of termite or insect infestation. The interior of the unit showed average maintenance and there were no items of obvious deferred maintenance evident. Interior of unit was in average condition.**

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? Yes No If Yes, describe.

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? Yes No If No, describe. **Conforms to the neighborhood in terms of functional utility, style, condition and construction.**

Uniform Residential Appraisal Report

File No. 8-12

There are <u>30</u> comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ <u>27,000</u> to \$ <u>179,900</u>	
There are <u>22</u> comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ <u>25,000</u> to \$ <u>210,000</u>	
FEATURE	SUBJECT
2937 3rd Avenue South Address St Petersburg, FL 33707	1121 Dr. Martin Luther King Jr. St. S. St Petersburg, FL 33705
Proximity to Subject	1.75 miles ESE
Sale Price	\$ <u>53,000</u>
Sale Price/Gross Liv. Area	\$ <u>44.17</u> sq. ft.
Data Source(s)	MLS# <u>U7514391</u>
Verification Source(s)	Int Inspection
VALUE ADJUSTMENTS	DESCRIPTION
Sale or Financing	N/A
Concessions	N/A
Date of Sale/Time	N/A
Location	Suburban
Leasehold/Fee Simple	Fee Simple
Site	5715 Sq.Ft.
View	Residential Street
Design (Style)	Ranch
Quality of Construction	Average
Actual Age	2008/4 Years
Condition	Average
Above Grade	Total Bdrms. Baths
Room Count	6 3 2
Gross Living Area	1,200 sq. ft.
Basement & Finished Rooms Below Grade	Slab
Functional Utility	Average
Heating/Cooling	FWA C/Air
Energy Efficient Items	HVAC/Insull/Windws
Garage/Carport	None
Porch/Patio/Deck	Entry
Handicap Access	Handicap Access
Net Adjustment (Total)	\$ <u>3,000</u>
Adjusted Sale Price of Comparables	\$ <u>62,900</u>

I did did not research the sale or transfer history of the subject property and comparable sales. If not, explain _____

My research did did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.
 Data source(s) As Noted Below.
 My research did did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.
 Data source(s) As Noted Below.

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3
Date of Prior Sale/Transfer	None noted within 36 months	No Sales in Past 12 Months	No Sales in Past 12 Months	11/1/2011
Price of Prior Sale/Transfer	of appraisal date.	Not Applicable	Not Applicable	\$31,100
Data Source(s)		Not Applicable	Not Applicable	Foreclosure Deed
Effective Date of Data Source(s)		7/10/2012	7/10/2012	7/10/2012

Analysis of prior sale or transfer history of the subject property and comparable sales The subject property has not sold within the last 36 months per public records. A previous MLS listing was noted. MLS#: T2319452 with a list date of June 24, 2008 for \$154,900 for a total of 643 days on the market before being withdrawn. Sale three appears to have been a foreclosure deed and then sold as an REO sale on 4/2012 as noted in the grid. No other sale transactions were noted in public records for the sales utilized above.

Summary of Sales Comparison Approach. Sale one is given the most consideration, as it was built as a handicap accessible property and equipped with energy efficient improvements, similar to the subject. This sale was adjusted for a three year age variance via extraction. Per MLS comments, sale two was in inferior condition, with an adjustment applied for the condition difference. This sale was also built three years prior to the subject. No energy efficient improvements were noted in MLS. An adjustment was applied via extraction for these noted differences. Sale three was built approximately eight years prior to the subject and was adjusted for this difference. No energy efficient improvements were noted for this property in MLS data. This sale had a one car garage facility and was adjusted for this difference via extraction as well. The search for similar sales was extended in relation to distance due to a limited number of sales with similar year built, within the subject's immediate market. It is felt that all sales utilized would have appealed to a similar buyer of the subject property. All sales utilized were given weight when estimating the subject's current market value.

Indicated Value by Sales Comparison Approach \$ 51,500
 Indicated Value by: Sales Comparison Approach \$ 51,500 Cost Approach (if developed) \$ 74,500 Income Approach (if developed) \$ N/A

The Market Approach is used as a basis for a valid Fair Market Value Estimate. The Cost Approach has been developed in this estimate of value to indicate the contributory value of the lot. The Income Approach has not been developed for the purposes of this valuation assignment. There are no other hypothetical conditions, extraordinary assumptions, supplemental standards, and jurisdictional exceptions.

This appraisal is made "as is," subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair: This appraisal is developed on an as-is basis.

Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$ 51,500 as of 7/6/2012, which is the date of inspection and the effective date of this appraisal.

This report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit, including a unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

Uniform Residential Appraisal Report

File No. 8-12

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.
21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

Uniform Residential Appraisal Report

File No. 8-12

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature Jill R. Davis
 Name Jill R. Davis
 Company Name Gulf to Bay Appraisals
 Company Address 6291 Bahia Del Mar Ct, Suite 104
St Petersburg, FL 33715
 Telephone Number 727-867-9696
 Email Address marten@tampabay.rr.com
 Date of Signature and Report 7/10/2012
 Effective Date of Appraisal 7/8/2012
 State Certification # _____
 or State License # RH 169
 or Other (describe) _____ State # FL
 State Florida
 Expiration Date of Certification or License 11/30/2012

ADDRESS OF PROPERTY APPRAISED

2937 3rd Avenue South
St Petersburg, FL 33712-1016

APPRAISED VALUE OF SUBJECT PROPERTY \$ 51,500

LENDER/CLIENT

Name New Millennial LC
 Company Name New Millennial LC
 Company Address 7303 N. Nebraska Ave.
Tampa, FL
 Email Address _____

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____
 Name _____
 Company Name _____
 Company Address _____
 Telephone Number _____
 Email Address _____
 Date of Signature _____
 State Certification # _____
 or State License # _____
 State _____
 Expiration Date of Certification or License _____

SUBJECT PROPERTY

- Did not inspect subject property
 Did inspect exterior of subject property from street
 Date of Inspection _____
 Did inspect interior and exterior of subject property
 Date of Inspection Effective Date of Appraisal

COMPARABLE SALES

- Did not inspect exterior of comparable sales from street
 Did inspect exterior of comparable sales from street
 Date of Inspection Effective Date of Appraisal

ADDENDUM

Borrower: The City of St. Petersburg	File No.: 8-12	
Property Address: 2937 3rd Avenue South	Case No.:	
City: St Petersburg	State: FL	Zip: 33712-1016
Lender: New Millennial LC		

Neighborhood Description

The subject neighborhood consists primarily of single family dwellings between 720 to 1500 SF of living area. Prices range greatly mostly due to condition and age. Maintenance of properties in this market area is average with average evidence of deferred maintenance evident. Most properties are in average construction. The area is primarily owner occupied. The area is well served by public transportation systems and employment centers are within reasonable driving distance. There are some small strip centers and areas of public use within this market area. Schools are within reasonable driving distance. Sales price to listing price is typically between 92% and 98% in this market area. Considering the market data analyzed by this appraiser, there are no fiscal or economic trends expected to occur that would significantly impact the relatively stable market currently experienced in this neighborhood.

Neighborhood Market Conditions

The current market conditions in the subject market area indicate that we are at the bottom of a steep decline in property values during the past 48+ months. During this decline in values there was an excess of listings priced at the high range with limited buyers. Homes & Condos which sold, had prices lowered to much lower levels and those that did not sell were mostly removed from the market to wait until conditions improved. At the current time, there is a near balance between supply and demand and properties placed on the market near Fair Market Value usually sell within 90 - 120 days. There is relative stability in the subject's market at this time. Mortgage financing is readily available and current mortgage rates are attractive. There is little seller financing available at these low interest rates but sellers are typically willing to contribute a moderate amount towards buyers closing costs.

Site Comments

The subject site is basically flat, slightly above street grade and is typical of the neighborhood in terms of size, topography, view and general appeal. The site provides a suitable setting for the improvements and is consistent with market expectations in this price range. Landscaping consists of average plantings, shrubbery and trees which makes appearance good. There were no obvious adverse site influences present. A detailed analysis of adverse site conditions is beyond the scope of this assignment. Statements regarding zoning compliance are intended in only the most general sense. Zoning and building ordinances vary significantly from one municipality to another and can be extremely detailed. The scope of this assignment does not include a comparison of every potentially significant characteristic of the subject property's site and improvements relative to zoning and building ordinances. Unless otherwise noted, standard utility and right-of-way easements are insignificant to value. However, a current locational or boundary survey, which was unavailable to the appraiser, may reveal encroachments, easements, zoning violations or other matters of interest that could warrant modification of the appraised value.

Final Reconciliation

The Market Approach is used as a basis for a valid Fair Market Value Estimate. The Cost Approach has been developed in this estimate of value to indicated the value of the subject lot. Lots in this market area typically have values which represent up to 20-30% of total property value. This is typical in this market area, and not a detriment to the subject's value. The Income Approach adds little if any value in a final estimate of Value. The general neighborhood is primarily owner occupied with moderate rental activity. There are no other hypothetical conditions, extraordinary assumptions, supplemental standards, and jurisdictional exceptions.

Intended User:

The intended user of this appraisal report is New Millennial LC and The City of St. Petersburg. The Intended Use is to evaluate the property that is the subject of the appraisal for a Fair Market Value Estimate, subject to the stated Scope of Work, purpose of the appraisal, reporting requirements of this appraisal report form, and Definition of Market Value. No additional Intended Users are identified by the appraiser.

Definition of Exposure Time:

"Exposure Time: estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal."

Exposure Time Assumed For Property Being Appraised:

The exposure time for the property being appraised is 90 - 120 days. A typical listing price for the subject property, would be assumed as being close to Fair Market Value. Listing price would be assumed to be, in the ratio for this zip code, of listing price to sales price. This ratio in this zip code is approximately 96%.

Involvement in Subject Property in Past 36 Months:

This appraiser has had no involvement in appraising this property during the past 36 months or any other involvement with the property during this period.

Additional Features

The subject's extra features include: Covered entry, open floor plan. The subject was built ADA and VA compliant. The master has an "O" threshold roll-in shower with grab bars and shower seat grab bars. The subject was built to include an Energy Star Package. This includes a 14 seer Trane HVAC system, double pane windows and attic and walls insulated with Icynene.

SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: The City of St. Petersburg

File No.: 8-12

Address: 2937 3rd Avenue South

Case No.:

City: St Petersburg

St: FL

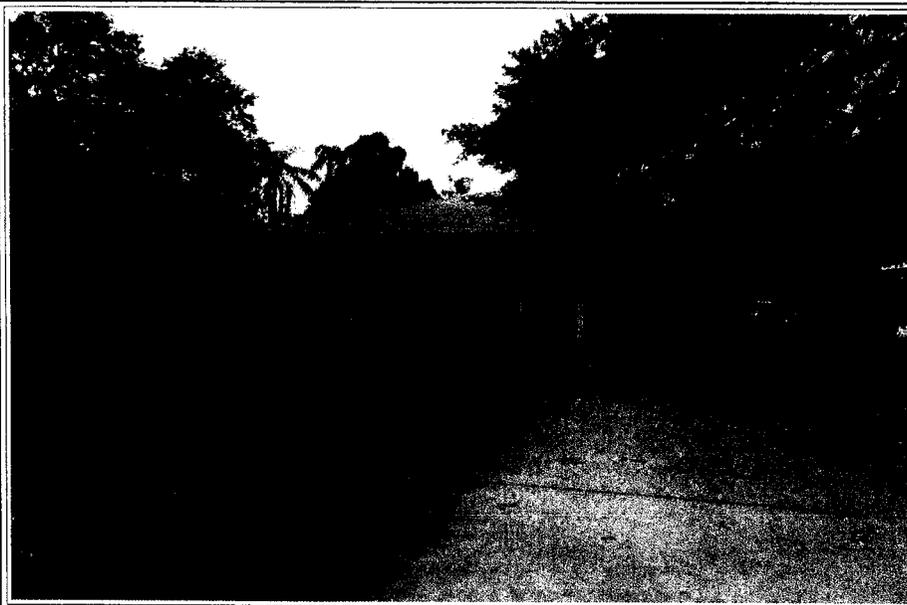
Zip: 33712-1016

Lender: New Millennial LC



FRONT VIEW OF
SUBJECT PROPERTY

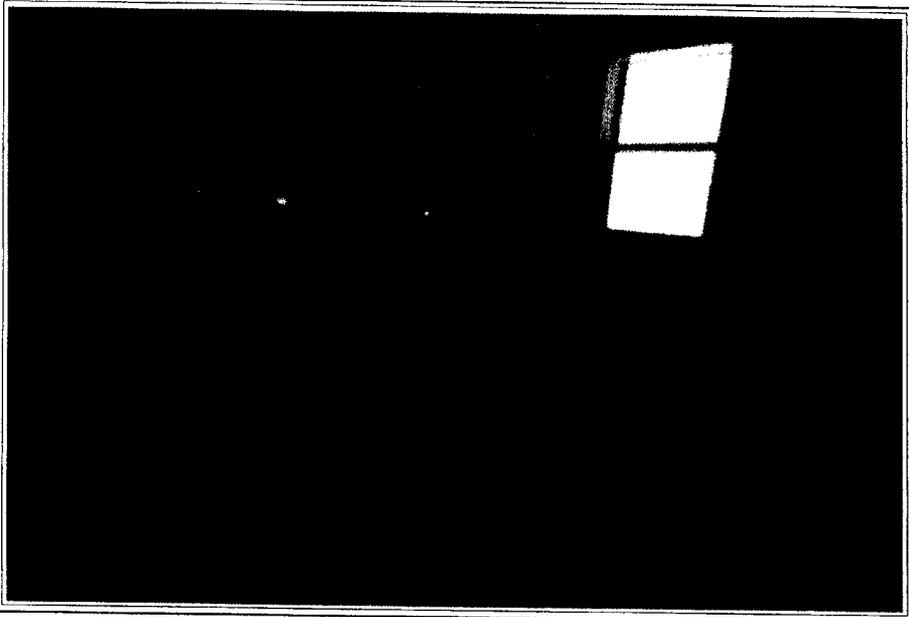
Date: July 6, 2012
Appraised Value: \$ 51,500



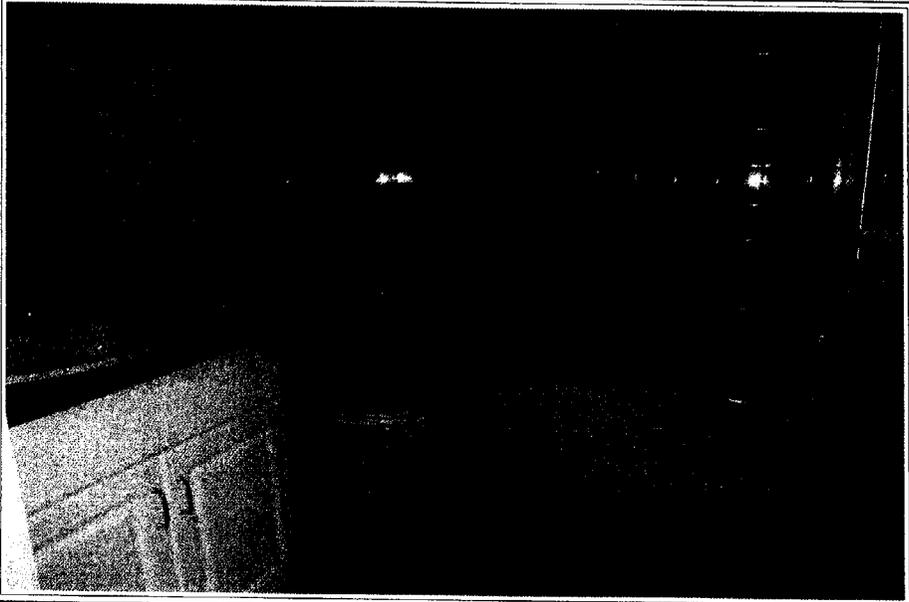
REAR VIEW OF
SUBJECT PROPERTY



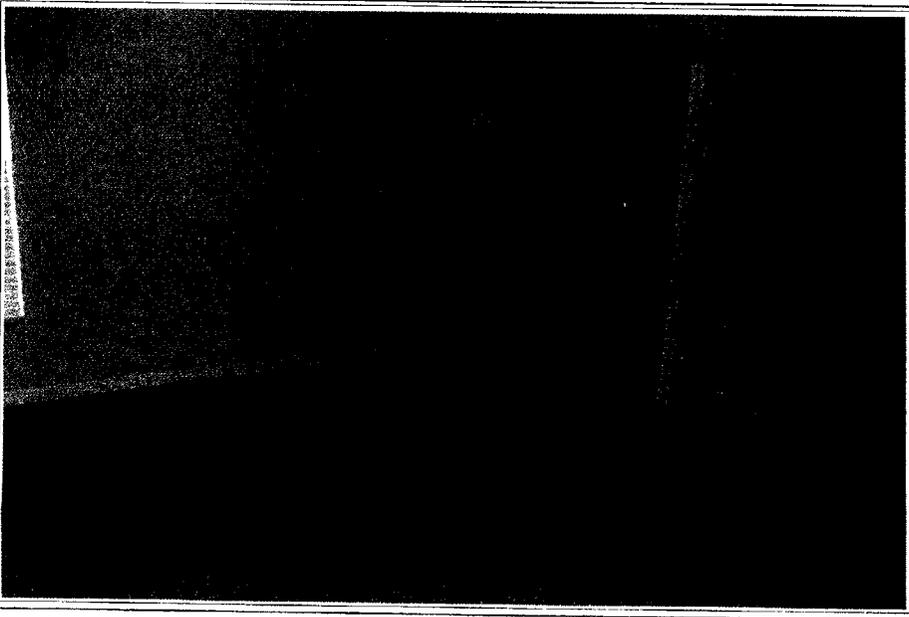
STREET SCENE



Bath



Bath



Bedroom

 MULTIPLE BUY APPEARANCE
2011 North Co. Ave. St. Petersburg, FL 33715

Borrower: The City of St. Petersburg

File No.: 8-12

Address: 2937 3rd Avenue South

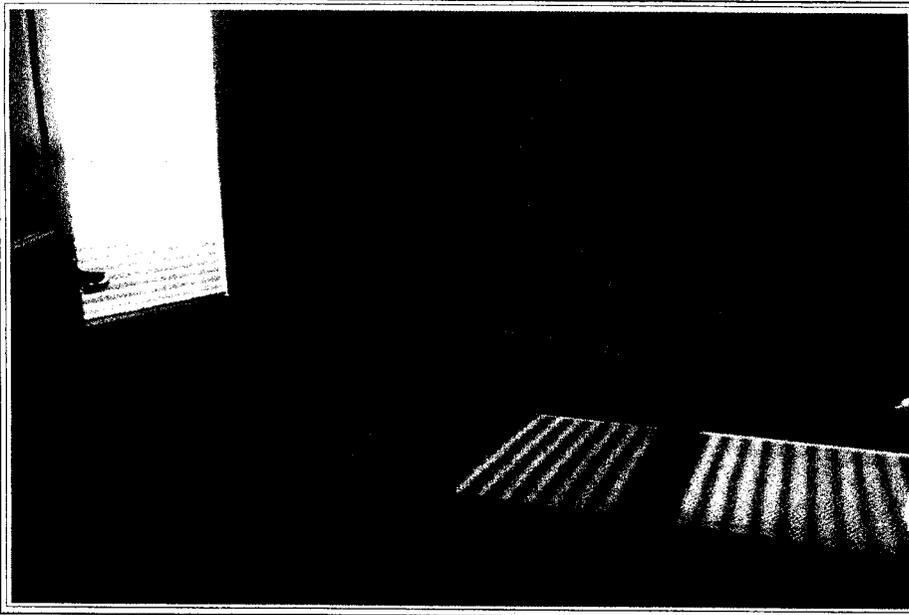
Case No.:

City: St Petersburg

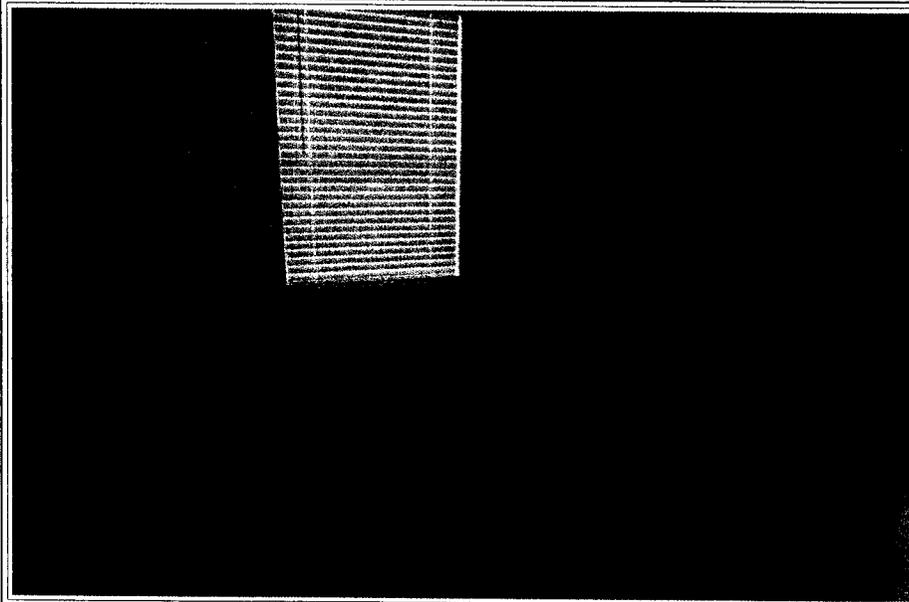
St: FL

Zip: 33712-1016

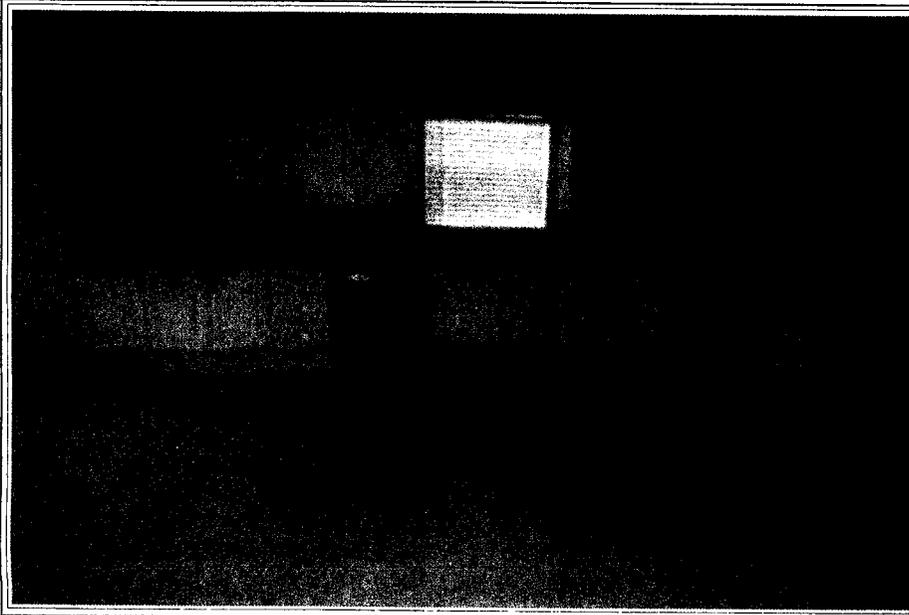
Lender: New Millennial LC



Bedroom



Bedroom

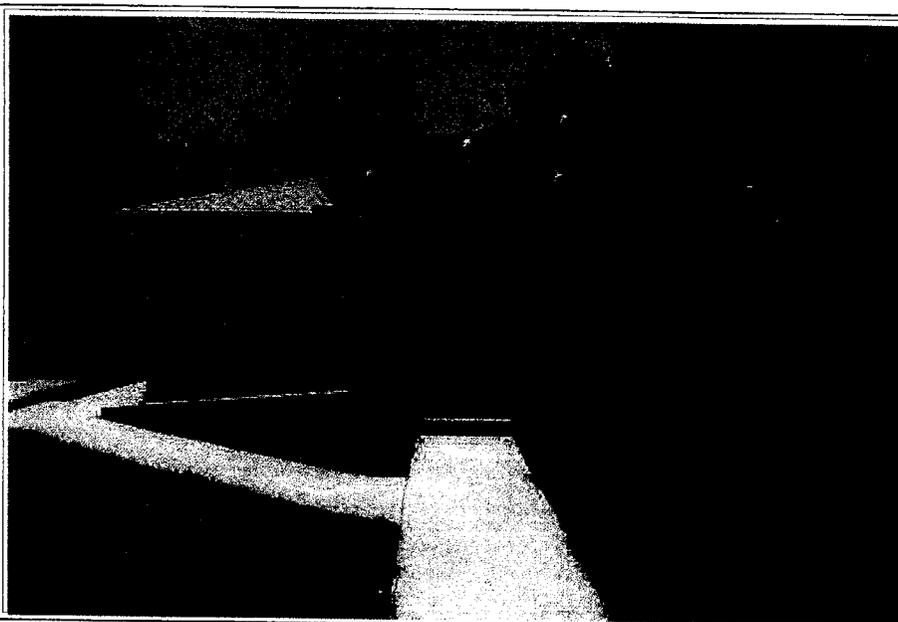


Kitchen

 THE FUND BY APPRAISAL
823 South Dale Street, Suite 114
Tampa, FL 33606

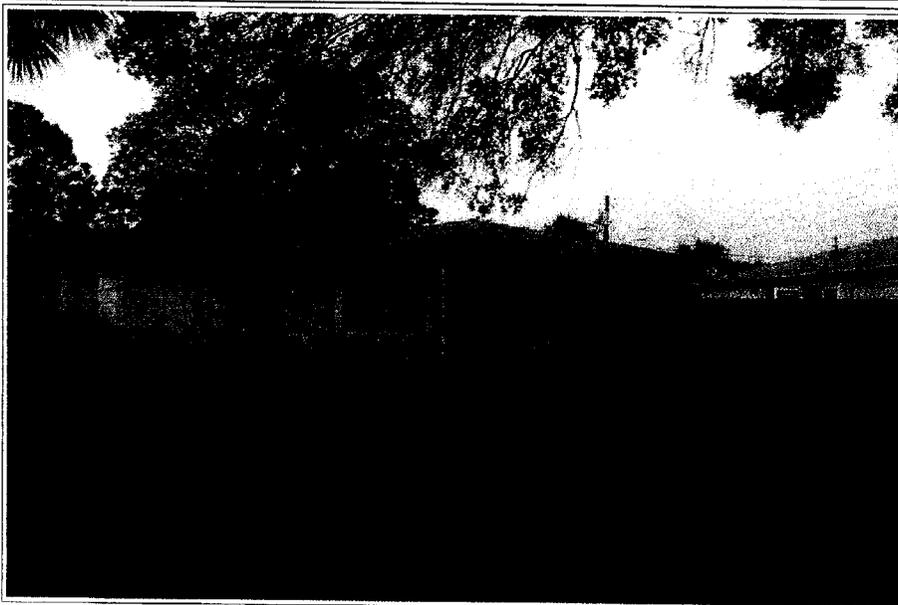
COMPARABLE PROPERTY PHOTO ADDENDUM

Borrower: The City of St. Petersburg	File No.: 8-12		
Address: 2937 3rd Avenue South	Case No.:		
City: St Petersburg	St: FL	Zip: 33712-1016	Lender: New Millennial LC



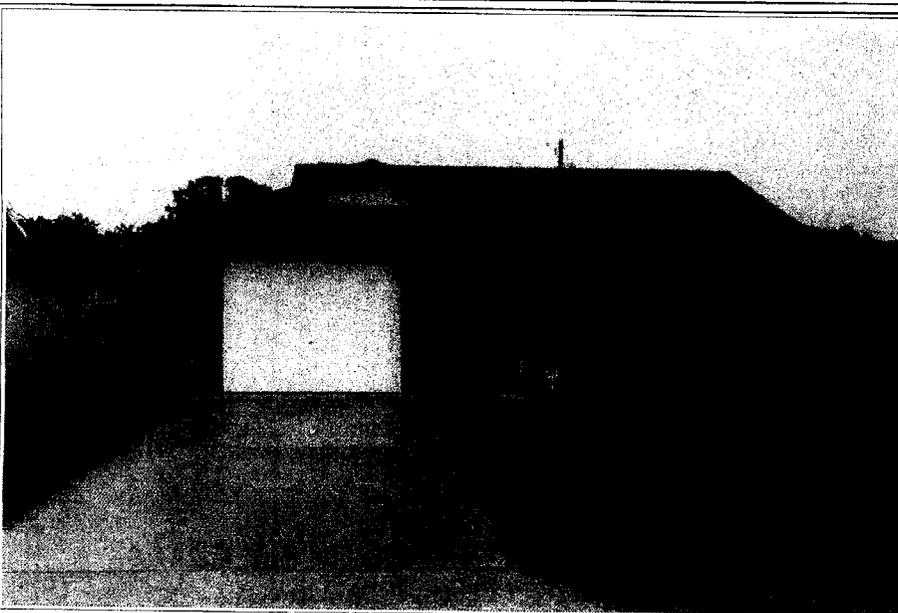
COMPARABLE SALE #1

1121 Dr. Martin Luther King Jr. St. S
St Petersburg, FL 33705
Sale Date: 6/7/2012
Sale Price: \$ 53,000



COMPARABLE SALE #2

3111 6th Avenue S.
St Petersburg, FL 33712
Sale Date: 2/29/2012
Sale Price: \$ 41,000

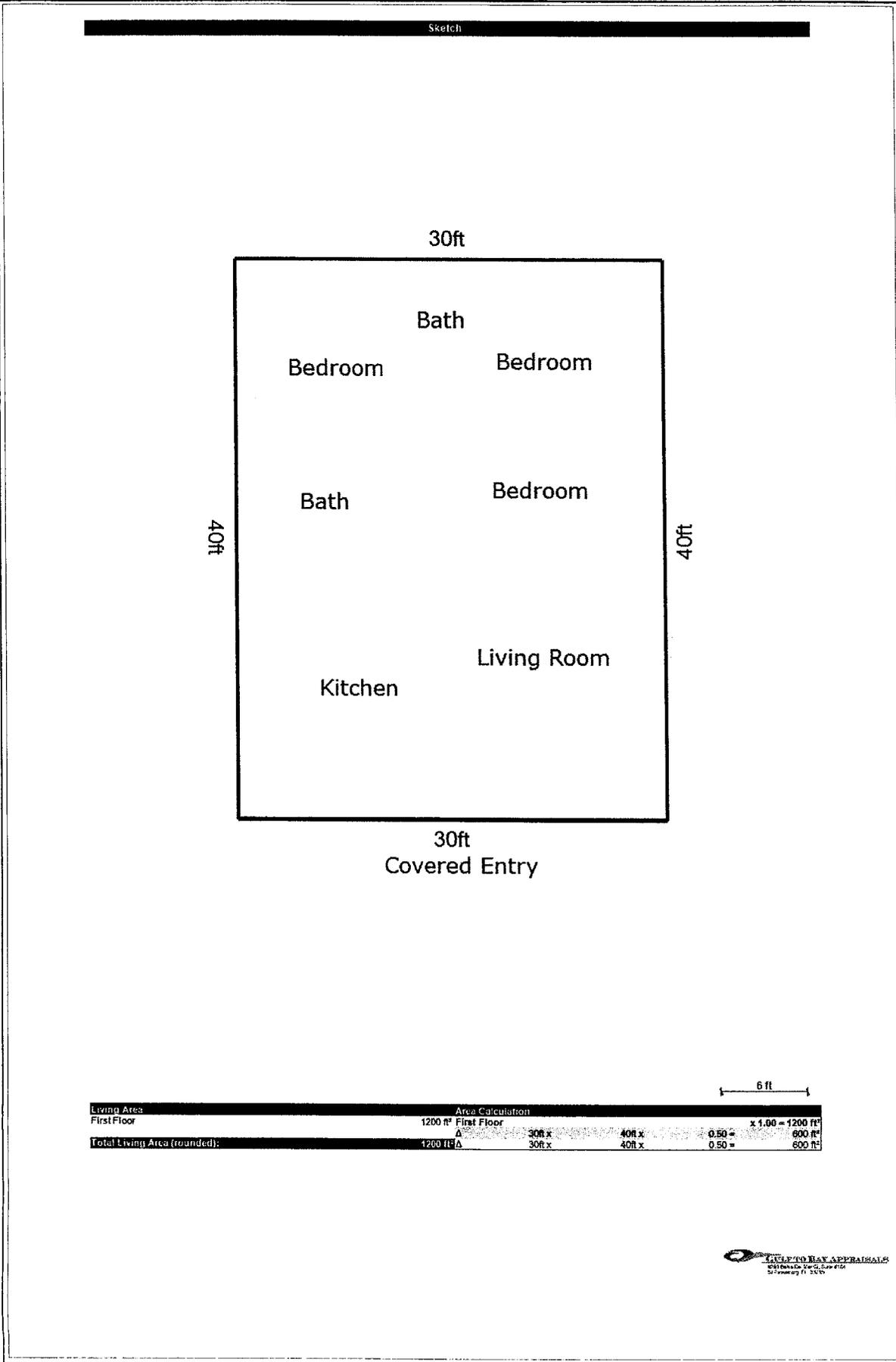


COMPARABLE SALE #3

4619 Fairfield Avenue S.
St Petersburg, FL 33711
Sale Date: 4/16/2012
Sale Price: \$ 59,900

FLOORPLAN SKETCH

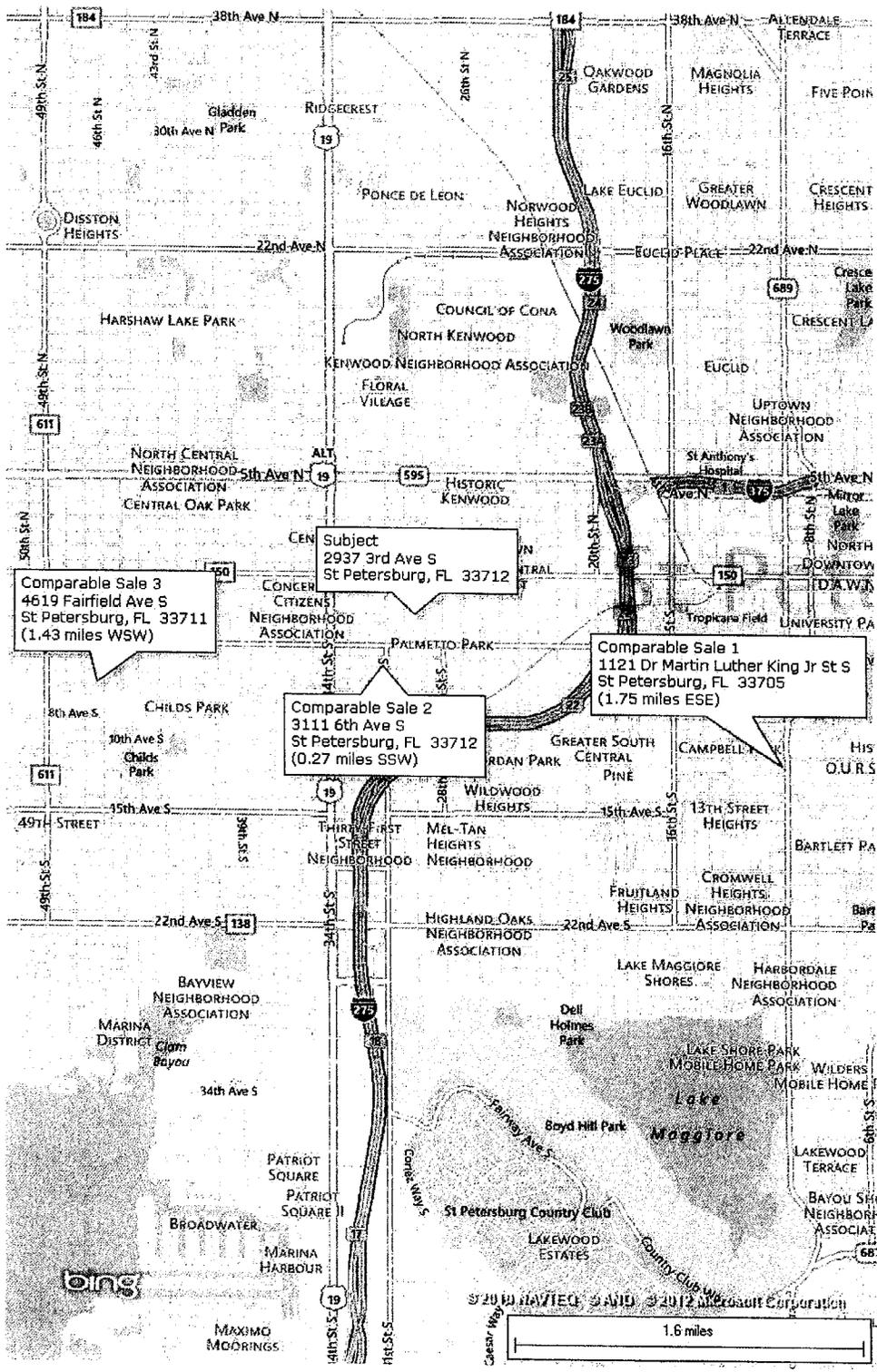
Borrower: The City of St. Petersburg	File No.: 8-12
Property Address: 2937 3rd Avenue South	Case No.:
City: St Petersburg	State: FL
Lender: New Millennial LC	Zip: 33712-1016



Living Area	Area Calculation			
First Floor	1200 ft ²	30ft x 40ft	0.50 =	800 ft ²
Total Living Area (rounded):	1200 ft ²	30ft x 40ft	0.50 =	800 ft ²

LOCATION MAP

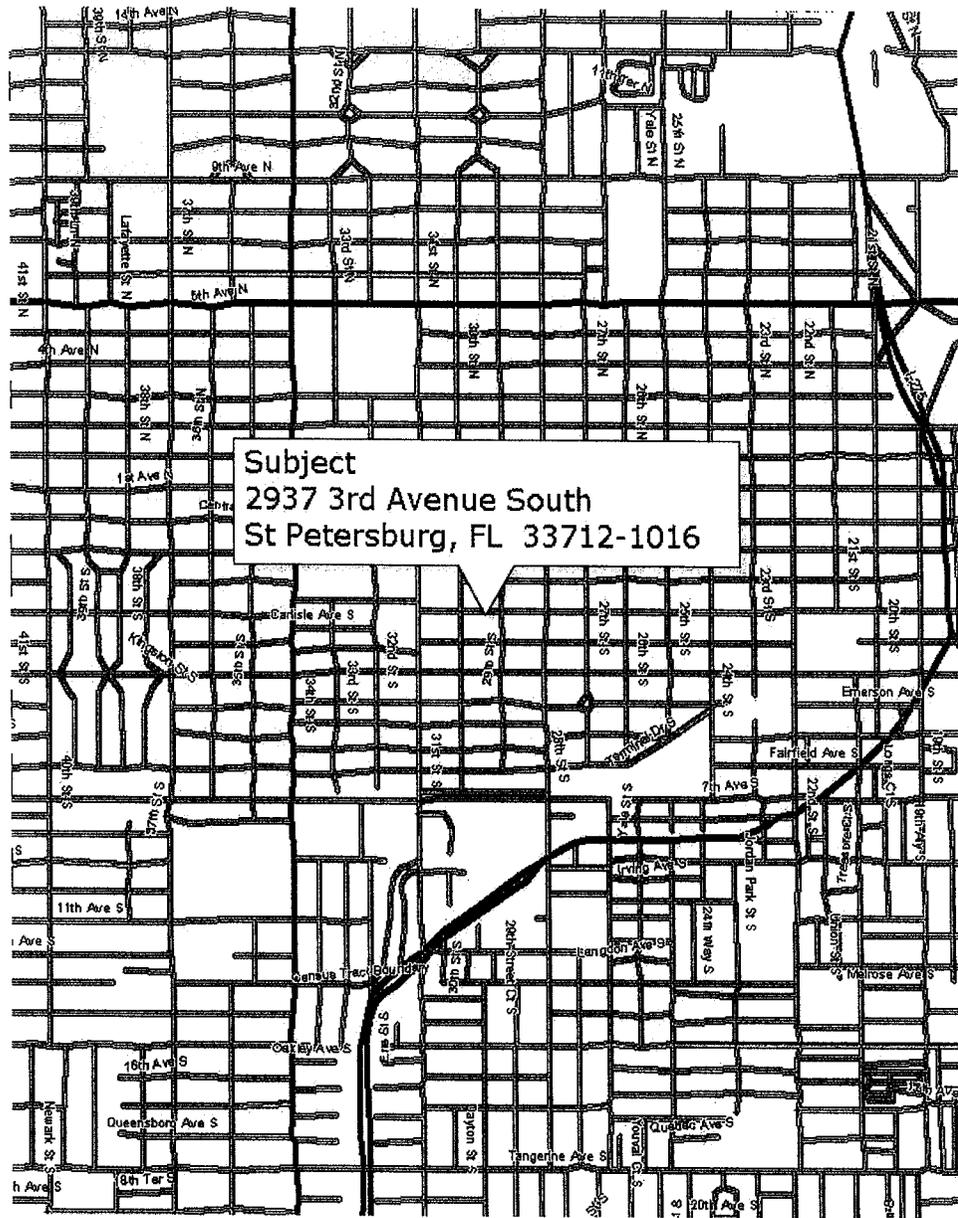
Borrower: The City of St. Petersburg	File No.: 8-12
Property Address: 2937 3rd Avenue South	Case No.:
City: St. Petersburg	State: FL
Lender: New Millennial LC	Zip: 33712-1016



FLOOD MAP

Borrower: The City of St. Petersburg
 Property Address: 2937 3rd Avenue South
 City: St Petersburg
 Lender: New Millennial LC

File No.: 8-12
 Case No.:
 State: FL
 Zip: 33712-1016



Subject
 2937 3rd Avenue South
 St Petersburg, FL 33712-1016

FloodMap Legend

Flood Zones

-  Areas inundated by 500-year flooding
-  Areas outside of the 100- and 500-year floodplains
-  Areas inundated by 100-year flooding
-  Areas inundated by 100-year flooding with velocity hazard
-  Floodway areas
-  Floodway areas with velocity hazard
-  Areas of undetermined but possible flood hazards
-  Areas not mapped on any published FIRIM

Flood Information

Community: 125148 - ST. PETERSBURG, CITY OF
 Property is not in a FEMA special flood hazard area.
 Map Number: 12103C0218G Map Date: 09/03/2003
 Panel: 0218G FIPS: 12103
 Zone: X

Neither Transamerica Flood Hazard Certification (TFHC) nor ACI make any representations or warranties to any party concerning the content, accuracy or completeness of this flood report, including any warranty of merchantability or fitness for a particular purpose. Neither TFHC nor ACI nor the seller of this flood report shall have any liability to any third party for any use or misuse of this flood report.

Attached documents for item Authorizing the Mayor or his designee to accept a Land and Water Conservation Fund Grant (“Grant”) from the U.S. Department of the Interior, National Parks Service, through the Florida Department of Environmental Protection (“Department”) for the Lake Ma

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

To: The Honorable Leslie Curran, Chair, and Members of City Council

Subject: A resolution authorizing the Mayor or his designee to accept a Land and Water Conservation Fund Grant (“Grant”) from the U.S. Department of the Interior, National Parks Service, through the Florida Department of Environmental Protection (“Department”) for the Lake Maggiore Park Improvements Project at a maximum reimbursement amount of \$200,000; to execute a Land and Water Conservation Fund Grant Agreement with the Department; and to execute all other documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$200,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the Lake Maggiore/Boyd Hill FY08 Project (11756); and providing an effective date.

Explanation: The U.S. Department of the Interior, National Parks Service, through the Florida Department of Environmental Protection (“Department”) has awarded a Land and Water Conservation Fund Grant in the maximum reimbursement amount of \$200,000 to the City of St. Petersburg (“City”) for the Lake Maggiore Park Improvements Project (“Project”). The Project elements will be made to the picnic park and include the replacement of the south boat ramp, a restroom facility, and swing set with ADA surfacing; construction of a large picnic shelter; and improvements to the access road, parking, and landscaping. The Grant requires the City to execute a Land and Water Conservation Fund Grant Agreement and a Site Dedication that dedicates the Project site and all land within the Project boundaries in perpetuity as an outdoor recreation site for the use and benefit of the public; and to provide a 50/50 match which is available in the Lake Maggiore/Boyd Hill FY08 Capital Improvements Project.

Recommendation: Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to accept a Land and Water Conservation Fund Grant (“Grant”) from the U.S. Department of the Interior, National Parks Service, through the Florida Department of Environmental Protection (“Department”) for the Lake Maggiore Park Improvements Project at a maximum reimbursement amount of \$200,000; to execute a Land and Water Conservation Fund Grant Agreement with the Department; and to execute all other documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$200,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the Lake Maggiore/Boyd Hill FY08 Project (11756); and providing an effective date.

Cost/Funding/Assessment Information: Revenues of up to \$200,000 are to be received from this grant. A supplemental appropriation in the amount of \$200,000 from the increase in the

unappropriated balance of the General Capital Improvement Fund (3001) resulting from these additional revenues to the Lake Maggiore/Boyd Hill FY08 Project (11756) will be necessary.

Attachment: Resolution

Approvals:

Administration: Sheryl Lee (for Denise Scott) Budget: Edahofshe

V.2

Resolution No. 2012-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A LAND AND WATER CONSERVATION FUND GRANT (“GRANT”) FROM THE U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARKS SERVICE, THROUGH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (“DEPARTMENT”) FOR THE LAKE MAGGIORE PARK IMPROVEMENTS PROJECT AT A MAXIMUM REIMBURSEMENT AMOUNT OF \$200,000 AND TO EXECUTE A LAND AND WATER CONSERVATION FUND GRANT AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS WITH THE DEPARTMENT; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$200,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001) RESULTING FROM THESE ADDITIONAL REVENUES TO THE LAKE MAGGIORE/BOYD HILL FY08 PROJECT (11756); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the U.S. Department of the Interior, National Parks Service, through the Florida Department of Environmental Protection (“Department”) has awarded a Land and Water Conservation Fund Grant in the maximum reimbursement amount of \$200,000 to the City of St. Petersburg (“City”) for the Lake Maggiore Park Improvements Project (“Project”); and

WHEREAS, the Project elements will be made to the picnic park and include the replacement of the south boat ramp, a restroom facility, and swing set with ADA surfacing; construction of a large picnic shelter; and improvements to the access road, parking, and landscaping; and

WHEREAS, this grant requires the City: (1) to execute a Land and Water Conservation Fund Grant Agreement and a site dedication that dedicates the Project site and all land within the Project boundaries in perpetuity as an outdoor recreation site for the use and benefit of the public; and (2) provide a 50/50 match, which is available in the Lake Maggiore/Boyd Hill FY08 Capital Improvements Project; and

WHEREAS, a supplemental appropriation of \$200,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from these additional revenues to the Lake Maggiore/Boyd Hill FY08 Project (11756) is required; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to accept a Land and Water Conservation Fund Grant ("Grant") from the U.S. Department of the Interior, National Parks Service, through the Florida Department of Environmental Protection ("Department") for the Lake Maggiore Park Improvements Project ("Project") at a maximum reimbursement amount of \$200,000 and to execute a Land and Water Conservation Fund Grant Agreement and all other necessary documents with the Department; and

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from these additional revenues, the following supplemental appropriation for FY 2013:

<u>General Capital Improvement Fund (3001)</u>	
Lake Maggiore/Boyd Hill FY08 (11756)	\$200,000

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: Marshall W.
Budget: Dennis M. Bruce

Administration: Shy K. McBee (for Clarence Scott)

Legal: 00165576.doc V.3

Attached documents for item Authorizing the Mayor or his designee to execute an annual Master Agreement and up to three one-year renewal options between the City of St. Petersburg and Advanced Engineering & Design, Inc., AECOM Technical Services, Inc., Black & Veatch Corporation, Br

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair, and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to execute an annual Master Agreement and up to three one-year renewal options between the City of St. Petersburg and Advanced Engineering & Design, Inc., AECOM Technical Services, Inc., Black & Veatch Corporation, Brown and Caldwell, Carollo Engineers, Inc., CDM Smith, CH2M Hill Engineers, Inc., George F. Young, Inc., Greeley and Hansen LLC, McKim & Creed, Inc., and URS Corporation Southern to furnish services with regard to Potable Water, Wastewater & Reclaimed Water Projects.

EXPLANATION: On October 2, 2012, the Consultant Selection Committee selected the firms of Advanced Engineering & Design, Inc., AECOM Technical Services, Inc., Black & Veatch Corporation, Brown and Caldwell, Carollo Engineers, Inc., CDM Smith, CH2M Hill Engineers, Inc., George F. Young, Inc., Greeley and Hansen LLC, McKim & Creed, Inc., and URS Corporation Southern to perform miscellaneous professional services with regard to Potable Water, Wastewater and Reclaimed Water Projects.

Engineering services will include evaluation and studies, preparation of specifications and design documents, bidding phase, construction phase, and other related services.

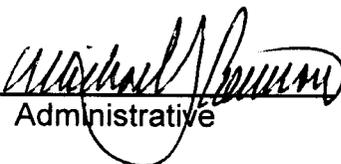
The consultants' services under this Agreement will be described in task orders. Each task order, after City Council approval and execution, shall become a supplement to and a part of the Agreement. These Agreements are based upon providing continuous services for one (1) year, with provisions for three (3) additional one (1)-year renewal periods, or until each authorized task order has been completed.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute an annual Master Agreement and up to three one-year renewal options with Advanced Engineering & Design, Inc., AECOM Technical Services, Inc., Black & Veatch Corporation, Brown and Caldwell, Carollo Engineers, Inc., CDM Smith, CH2M Hill Engineers, Inc., George F. Young, Inc., Greeley and Hansen LLC, McKim & Creed, Inc., and URS Corporation Southern to furnish services with regard to Potable Water, Wastewater & Reclaimed Water Projects.

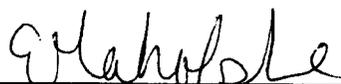
COST/FUNDING/ASSESSMENT INFORMATION: Funds for these services are generated from funded projects and programs, and user agencies, or will be appropriated at the time a task order is approved by City Council.

ATTACHMENTS: Resolution

APPROVALS:
hpk



Administrative
TBG



Budget

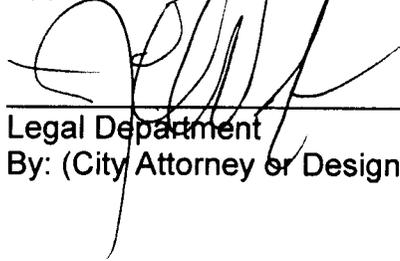
RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AN ANNUAL MASTER AGREEMENT AND UP TO THREE ONE-YEAR RENEWAL OPTIONS BETWEEN THE CITY OF ST. PETERSBURG AND ADVANCED ENGINEERING & DESIGN, INC., AECOM TECHNICAL SERVICES, INC., BLACK & VEATCH CORPORATION, BROWN AND CALDWELL, CAROLLO ENGINEERS, INC., CDM SMITH, CH2M HILL ENGINEERS, INC., GEORGE F. YOUNG, INC., GREELEY AND HANSEN LLC, MCKIM & CREED, INC., AND URS CORPORATION SOUTHERN TO FURNISH SERVICES WITH REGARD TO POTABLE WATER, WASTEWATER & RECLAIMED WATER PROJECTS; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to execute an annual Master Agreement and up to three one-year renewal options between the City of St. Petersburg and Advanced Engineering & Design, Inc., AECOM Technical Services, Inc., Black & Veatch Corporation, Brown and Caldwell, Carollo Engineers, Inc., CDM Smith, CH2M Hill Engineers, Inc., George F. Young, Inc., Greeley and Hansen LLC, McKim & Creed, Inc., and URS Corporation Southern to furnish services with regard to Potable Water, Wastewater & Reclaimed Water Projects.

This resolution shall become effective immediately upon its adoption.

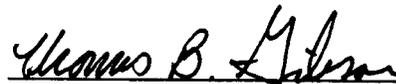
Approved by:



Legal Department

By: (City Attorney or Designee)

Approved by:



Thomas B. Gibson, P.E.

Engineering Director

Attached documents for item Approving a supplemental appropriation in the amount of \$36,064 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Federal Justice Forfeiture (140-2858) to purchase four LASER Mapping Systems for the Police Depar

St. Petersburg City Council
Consent Agenda
Meeting of November 19, 2012

TO: The Honorable Leslie Curran, Chair, and Members of City Council

SUBJECT: A resolution approving a supplemental appropriation in the amount of \$36,064 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Federal Justice Forfeiture (140-2858) to purchase four LASER Mapping Systems for the Police Department's Traffic Enforcement Section; authorizing the mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: The Administration requests an appropriation of \$36,064 from the Law Enforcement Fund to the Police Department to purchase a LASER Mapping System for the Department's Traffic Enforcement Section. The LASER Mapping System is designed to provide updated technology to more efficiently process crash scenes. The current system is outdated and requires Traffic Homicide Investigators to each carry their own sets of equipment in order to respond directly to a scene. Part of the equipment that is currently assigned involves a rolling wheel tape measure to complete the measurements of the scene. The measurements are then transcribed onto a note pad, and then a scale diagram is completed. Using this methodology, measuring a scene can take from an hour to several hours to several days. The four new LASER Mapping Systems will provide innovation, efficiency, and standardize service delivery for information needed from crash scenes.

During the static display for the CLEA Certification process earlier this year, the assessment team recommended that the department upgrade from the dated methodology being used to measure a crash scene to the LASER Mapping Systems. While there is no specific CALEA standard for LASER Mapping Systems, following the recommendation would greatly enhance efficiencies when processing a crash scene.

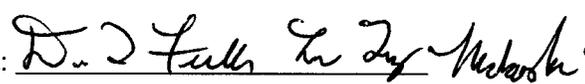
The four LASER Mapping Systems will include the hardware and an LTI Ultralyte laser that can double as a speed enforcement laser. The LASER Mapping Systems also include a TDS Recon handheld computer which can also store all the data points being mapped, while allowing the user to see the diagram as it is being mapped. Additionally, the systems include 3D animation of the crash scenes. The company that the LASER Mapping Systems will be purchased from will provide a full day of training for the use of the equipment and the software.

RECOMMENDATION: The administration recommends that City Council adopt the attached resolution approving a supplemental appropriation in the amount of \$36,064 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Federal Justice Forfeiture (140-2858) to purchase four LASER Mapping Systems for the Police Department's Traffic Enforcement Section ; authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING INFORMATION: Funds will be utilized to purchase the four LASER Mapping Systems after the approval of a supplemental appropriation in the amount of \$36,064 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Federal Justice Forfeiture (140-2858).

Approvals:

Administration: 

Budget: 
10-5-12

Legal: 00163492.doc v. 2

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$36,064 FROM THE UNAPPROPRIATED BALANCE OF THE LAW ENFORCEMENT FUND (1023), TO THE POLICE DEPARTMENT, FEDERAL JUSTICE FORFEITURE (140-2858) TO PURCHASE FOUR LASER MAPPING SYSTEMS FOR THE POLICE DEPARTMENT'S TRAFFIC ENFORCEMENT SECTION; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Administration has requested an appropriation of \$36,064 from the Law Enforcement Fund(1023) to the Police Department, Federal Justice Forfeiture (140-2858) to purchase four LASER Mapping Systems for the Department's Traffic Enforcement Section ; and

WHEREAS, the Police Department will use the funds to purchase four LASER Mapping Systems that will be used when processing crash scenes; and

WHEREAS, the LASER Mapping Systems will allow the officers an updated technology systems that will enhance and standardize the data from processed crash scenes; and

WHEREAS, the four LASER Mapping Systems software will provide innovation, efficiency, and timely service delivery for the information needed from crashes; and

WHEREAS, the LASER Mapping Systems software can store all the data points being mapped while allowing the officers to see the diagram as it is being mapped and crash scenes images can be produced in 3D animation; and

WHEREAS, the LASER Mapping Systems hardware can also be used for speed enforcement.; and

WHEREAS, the vendor will provide a full day of training for the use of the equipment and the software; and

WHEREAS, a supplemental appropriation in the total amount of \$36,064 from the unappropriated balance of the Law Enforcement Fund (1023) is required.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that there is hereby approved from the unappropriated balance of the Law Enforcement Fund (1023), the following supplemental appropriation for FY 2013:

Law Enforcement Fund (1023)

Police Department, Federal Justice Forfeiture (140-2858)

\$36,064;

and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall take effect immediately upon its adoption.

Approvals:

Legal:  Administration: 

Budget: 

Legal: 00163591.doc v. 2

Attached documents for item Approving the minutes of the City Council meetings held August 2, August 9 and August 16, 2012.

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of November 19, 2012

TO: City Council Chair & Members of City Council

SUBJECT: City Council Minutes

EXPLANATION: City Council minutes of August 2, August 9 and August 16, 2012 are submitted for your approval.

A RESOLUTION APPROVING THE
MINUTES OF THE CITY COUNCIL
MEETINGS HELD AUGUST 2, AUGUST 9
AND AUGUST 16, 2012 AND PROVIDING
AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the minutes of the City Council meetings held on August 2, August 9 and August 16, 2012 are hereby approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM
AND SUBSTANCE:

City Attorney or Designee

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, AUGUST 2, 2012, AT 8:32 A.M.

Chair Leslie Curran called the meeting to order with the following members present: Charles Gerdes, James R. Kennedy, William H. Dudley, Steven Kornell, Karl Nurse, Wengay M. Newton, Sr. and Jeff Danner. Mayor Bill Foster, City Development Senior Administrator Richard Mussett, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn, City Clerk Eva Andujar and Deputy City Clerk Cathy Davis were also in attendance.

Councilmember Danner moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council add a Committee of the Whole report to the agenda and approve the agenda as amended:

- MOVE CA-1 Renewing an agreement with Central Parking System of Florida, Inc. for parking facilities management services at an estimated annual cost of \$1,280,000. *[Moved to Reports as E-3]*
- ADD CB-7 Resolution of City Council approving the Evaluation Committee's ranking for a Construction Manager at Risk for the new pier as follows: (1) Skanska USA Building Inc., in association with Ward Construction Company ("Skanska"), (2) Batson-Cook Company in association with Horus Construction Managers, (3) PCL Construction Services, Inc., and (4) Manhattan Construction (Florida), Inc.; authorizing the Mayor or his designee to negotiate a Construction Manager at Risk Agreement ("CMAR Agreement") with Skanska (the first ranked firm), which agreement is subject to City Council approval; providing that administration may terminate negotiations with Skanska if the parties cannot reach an agreement on the material terms of a CMAR Agreement and report to City Council; and finding that the Evaluation Committee has completed its duties and is therefore dissolved. *[Moved to Reports as E-4] (Revised language & backup)*
- INFO E-2 New Police Headquarters Building Follow-Up. (Oral)
(a) Purchase of property for new Police Headquarters Building.
- ADD E-5 Police Update. (Oral) *[To be heard at 11:30 a.m.]*

8/2/12

- ADD G-1 Referring to the Public Services & Infrastructure Committee to request the City of St. Petersburg remove all static billboards on City property. (Councilmember Kornell)
- ADD G-2 Review of the Police Department Chase Policy. (Chair Curran)
- ADD G-3 Selection of Florida League of Cities Voting and Alternate Delegate. (Chair Curran)
- ADD H-1 Committee of the Whole. (7/30/12)
- ADD I-1 Resolution of the St. Petersburg City Council approving the termination of the City's account with Charles Schwab & Co., Inc., containing the assets of the City Beautiful Commission's Gizella Kopsick Palm Arboretum Nonexpendable Trust Fund; approving the creation of a custodial account for the Trust assets with Fidelity Investments, provided that Fidelity does not require the Finance Director's (or any other person's) personal social security number to create the account on behalf of the City; approving that, if Fidelity Investments should require such a personal social security number, that the custodial account for the trust assets shall instead be created with Morgan Stanley provided that Morgan Stanley does not require the Finance Director's (or any other person's) personal social security number to create the account on behalf of the City; approving the continuation of the exception to the City's investment policy permitting the trust assets to be managed by a private investment manager; and authorizing the Mayor or his designee to execute all documents necessary to effectuate these transactions.
- ADD I-2 Announcement of an Attorney-Client closed session, pursuant to Florida Statute 286.011(8), to be heard on Thursday, August 9, 2012 at 4:00 p.m., or as soon thereafter, as the same may begin, in conjunction with the lawsuit styled Anthony Catron, et al vs. City of St. Petersburg Case No. 8:09CV923-T-17EAJ.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

Arts & International Relations Manager Elizabeth Brincklow introduced Yamato Takechi, Ririko Manabe, Ritsuki Kubo and Kanae Inage, the four Takamatsu Student Ambassadors who are in St. Petersburg for a two week visit. They attended a Rays game, where they met then-Rays player Hideko Matsui, better known as "Godzilla" in Japan, toured the Dali Museum, had a Thanksgiving potluck dinner with their host families, etc. The students, Council and Mayor Foster provided comments. Councilmember Kennedy thanked the International Relations Committee for their efforts and the host families.

8/2/12

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Vince Cocks, 2950 63rd Avenue South, spoke in opposition to the Fire Readiness Fee.
2. Alphonso, McCloud, 4718 20th Avenue South, spoke concerning drug issues in his neighborhood and a problem with one individual. Mr. McCloud expressed a desire to obtain an injunction/restraining order against this individual.

In connection with a Committee of the Whole report presented by Chair Curran, City Attorney John Wolfe provided Council with an amended proposed Ordinance containing the petition question language per the Committee's recommendation. Councilmember Newton moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the city Council of the City of St. Petersburg, Florida, that Council accept the Committee of the Whole's recommendation and add a second question "Shall the City continue with The Lens Project in an amount not to exceed \$50 million.

Councilmember Kornell moved with the second of Councilmember Dudley that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that debate on this issue be closed and the question be called.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None. Roll call on Councilmember Newton's motion to add a second question. Ayes. Nurse. Newton. Nays. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Absent. None. (Motion failed.) Councilmember Kornell moved with the second of Councilmember Danner that the following resolution be adopted:

12-350 Approving the Committee of the Whole's recommendation to put the Petition question "Shall the City of St. Petersburg, Florida preserve and refurbish the existing iconic inverted pyramid structure currently located on Second Avenue NE in the Waterfront Park commonly known of as "The Pier"? on the November 6, 2012 General Election ballot.

Roll call. Ayes. Danner. Gerdes. Curran. Kornell. Nurse. Newton. Nays. Kennedy. Dudley. Absent. None.

The Clerk read the title of proposed Ordinance 37-H. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. Scott Wagman, 180 Beach Drive NE #1701, spoke against the proposed ordinance. Proposed alternative that on May 31, 2013 Council shut the Pier as scheduled, gut interior and paint it, allow non vehicular traffic and enjoy it as a park. Then during the next 1-3 years work on final details of whether The Lens with continual refinements and additional work is the right way to go. This will provide ample time for the public to understand and buy into the final Pier plan.
2. William Ballard, 1255 Brightwaters Boulevard, spoke in support of the proposed ordinance and urged Council to put the question "Should the project for a new Pier, based on the concept known as The Lens, be terminated even if the inverted pyramid is to be demolished?" on the ballot. He stated the City owes the citizens the opportunity to vote on The Lens because of misrepresentations have been made by the Architect and the City.
3. Hugh Tulloch, 555 5th Avenue NE, stated Council did a good thing Monday by deciding to put the petition question on the ballot and suggested a question concerning should the City stop work on The Lens be added. Times editorial articles have been overwhelming negative and most people don't want to pay for The Lens.
4. Carol Gray, 1204 Cherry, St. Petersburg, spoke in support of the proposed ordinance. She stated there was no public input or discussion when Council voted to demolish the Pier.
5. Shirley O'Sullivan, 701 Mirror Lake Drive North, she thanked everyone for their time on this process and stated saving the Pier is not an option. She read a letter from Peter Clark, President of Tampa Bay Watch, which stated that it is their position/belief "there is an opportunity to create an educational platform and other community and youth opportunities if The Lens is built" and provided a copy to the Clerk for the record.
6. Wayne "Skip" Fraser, 750 71st Terrace South, stated he thinks The Lens project is an expensive roll of the dice, it lacks functionality. The disconnect between the Task Force's recommendations and the directions given by the City to the international competitors, in his opinion, effectively shut out the views of the local citizens. A \$50 million price tag with another estimated \$25 million in bond issue costs is a very expensive endeavor for our citizens not to have a say. In addition to the petition question, there should also be a question on whether or not the City should cease moving forward with The Lens and explore alternatives designs for a new Pier not to exceed \$50 million.
7. Carter Karins, 700 Beach Drive NE, expressed concern that some members of Council have so little confidence in the validity of their position that they are unwilling to invite the voters to confirm their decision.

8. Ross Preville, 200 Central Avenue, representing the St. Petersburg Area Chamber of Commerce, spoke in opposition to the proposed ordinance. Stated many petitions were signed before the jury, semi finalists, etc. We elected Council and the Mayor to make difficult decisions because you are more informed than the average citizen. Asked Council to make an informed decision and do it for the right reason.
9. Pamella Settlegoode, 3741 Foster Hill Drive North, spoke in support of the proposed ordinance.
10. Erica Fulton, 3427 20th Street North, spoke in support of renovating the Pier. She asked if a question concerning The Lens is put on the ballot will the language include language indicating it's only the first project phase and that additional phases will result in a millage increase. (Became agitated and the Chair recessed the meeting.)

The meeting was recessed at 9:50 a.m.

The meeting was reconvened at 9:53 a.m. with all members present.

11. David Harris, 1019 15th Avenue North, spoke in opposition to the proposed ordinance and spoke to the process which was community based. He stated that project management by referendum will only lead to more uncertainty, sets a precedent which may be difficult to recover from and undermines Council's ability to act. Infrastructure projects, especially complex ones such as this, require time, planning and stability. The process has been followed in a thoughtful and thorough manner; as a design professional, asked Council to respect and continue with the process.
12. Bill Rain, 18136 Regents Square Drive, Tampa, representing Metro Bay Development, stated the process did not allow for creativity and limited them to the Pierhead, uplands were out of the question, etc. St. Petersburg has an iconic image which can be refurbished and stated their engineers will guarantee the restoration of the existing Pier. He provided the Clerk with a copy of their proposal on a CD.
13. Kenneth Kroger, 4530 W. Swann, is an architect and has been following the controversy for some time. He stated it's not a question of the quality of the design, it's a question of is Council listening to the public. He stated more than 20,000 individuals expressed their dislike of The Lens; this process needs to be put on the ballot.
14. Bud Risser, 1844 Brightwaters Boulevard NE, spoke in support of the proposed ordinance. He stated the City has committed to spending \$1 million a month this summer with no tangible results, the City expects to sign a binding contract in November for The Lens project with no detailed plans, Council was asked to commit to a bond issue for \$50 million plus \$30 million in finance costs for the first phase of the project long before you will have the environmental permits necessary and before demolition can begin, the \$74 million cost to renovate the Pier is a number fabricated

by staff. Before a decision is made, we should be working with real numbers. He stated a group of local credible business people have offered to restore the Pier at no cost to the City and they have been rebuffed. This decision will affect generations and yet Council is reluctant to put a real referendum on the ballot in the fall. Stop The Lens project now, get real numbers and a business plan, look at all alternatives and give the residents the opportunity to express their desires.

15. David Karins, 5959 Central Avenue, owner and President of Karins Engineering Group, spoke in opposition to The Lens. He stated \$50 million is the tip of the iceberg; it will be an ongoing expense to the City. They put a concept together which was cash positive for the City (copy provided by Mr. Bill Rain) over the long term and it's a misconception that there are no other alternatives.
16. Hugh W. Ruckdeschel, 3019 39th Avenue North, was on City Council in 1971 when the City Charter was amended to require any change on waterfront parkland, owned by the City, must be dealt with by Council referendum. Spoke in support of the referendum.
17. Hal Freedman, 1 Beach Drive SE, spoke in opposition to the referendum. Stated the petition and the wording of the proposed ordinance is a mistake without including cost. There's been a campaign of misinformation including information concerning the Ocean Team meeting; The Lens is not a phased project.
18. Lorraine Margeson, 439 Tennessee Avenue NE, spoke in support of the Pier referendum and asked Council to allow the people to vote, stop the current process, and not to submit the permit application(s), etc.
19. Anne Drake McMullen, 333 3rd Avenue North, representing the St. Petersburg Area Chamber of Commerce, spoke in opposition to a referendum. With the privilege of democracy comes the responsibility of due diligence. When we review the conclusions from the engineering studies, the findings from public forums, the results of the staff reports, the outcome of the Pier Advisory Task Force what conclusions would we reach if we listen with an open mind. She asked Council to make a worthy, educated decision and stated whatever your decision we will work with you.
20. Paul Boudreaux, 1000 North Shore Drive NE, spoke in support of the referendum but feels the question will fail. If it fails, it should not be looked at as an endorsement of The Lens.
21. Jillian Lusk, 6232 5th Avenue North, stated there is a lot of opposition and misinformation and suggested Council help to educate the public and make the hard decisions that must be made. She loves The Lens and has been excited about the concept from the beginning. She urged Council to think about future generations who want a Pier we can use. The process should continue to move forward and urged the Council not to vote on the ordinance before them.

22. Lee Allen, 8155 Elbow Lane North, stated the Pier referendum without a cost would be misleading/wrong and does not think the vote should be nonbinding. Stated The Lens or any other design should not be put on the ballot. We were told we were picking a design team, not just the design, and changes could and would be made through this process. Hopes nothing will be on the November ballot.
23. Christine Lovett, 4925 38th Way South, stated we do not know the final or hidden costs of The Lens. Talked about the detrimental effects of using white on The Lens. She commented on the 23,000 signed petitions and supports moving forward.
24. Holly Ghelfi, 1705 Bayou Grande Boulevard NE, representing St. Pete Young Professionals Council, spoke in opposition to the referendum and expressed concern that four years of public input, studies, analysis and investment by business and community leaders could be derailed by well funded petitions. City Council should follow through with The Lens process.
25. Kathleen Ford, 7477 18th Street NE, requested that Council put the precise language of the petitioners on the ballot and save us a lot of money by getting this issue clarified out there. She stated that on August 26, 2010 Council passed a resolution stating that it would demolish the inverted pyramid Pier. She stated there was an ordinance in place which stated the Pier would be refurbished. The Pier question language was specifically drafted to very closely follow the engineering reports that have already shown that the inverted pyramid structure and the castings that it is placed on are structurally sound. We know that could be done and we know, based on prior engineer studies and estimates that it can be done for under \$50 million. If you don't put this on the ballot, there are other options. She again requested Council put the Pier item on the ballot.
26. Dan Harvey, 1425 Central Avenue, stated if The Lens was something we all liked we would not be here today, but it's not what we like and the people would like to see something else. He asked Council to not build The Lens and stated the inverted pyramid should not be saved. Stated he has a plan encompassing the entire Pier area and would like someone to review it.
27. Emil Pavone, 1 Beach Drive SE #1304, stated what Council is doing is a wonderful democratic process; there is nothing more important than the will of the people. On an issue like this you really must give the people the opportunity to voice their opinion. He stated you can work out the ballot language and asked Council to slow down the process.
28. Gene Smith, 1023 Locust Street NE, stated that it is up to Council to reach a compromise on the ballot language; two questions including one on The Lens.

29. Chris Steinocher, 741 18th Avenue North, representing St. Petersburg Area Chamber of Commerce, stated that per their numerous letters and e-mails, they appreciate the process, participated in the process and understand the information being presented today. A budget, the funding source and a timeline have been identified. He asked Council to continue with the process; opposed to a referendum.
30. Joel Giles, 200 Central Avenue, suite 2300, St. Petersburg Area Chamber of Commerce, spoke in opposition to a referendum. He stated the petition is not legally sufficient per the State Constitution and the City Charter; the petition is fundamentally flawed (the question does not address cost, no budget associated with the question, don't even know if the Pier can be refurbished, etc., host of unanswered questions) and deals with aesthetics. This casts a pall of uncertainty over our business community, we don't know how we are going to proceed and we cannot afford 5-6 years of indecision over what our waterfront is going to look like.
31. Greg Holden, 523 23rd Avenue North, representing the Crescent Heights Neighborhood Association President and the St. Pete Young Professionals, spoke in opposition to the referendum. He stated he previously submitted a detailed letter on behalf of the Young Professionals asking Council to vote against a referendum and continue the process.
32. David Punzak, 1310 15th Avenue North, St. Petersburg Area Chamber of Commerce Chair, stated the Chamber supports the process. And, as was stated in their July 17 letter suggested the City continue with the process, stay within the allocated budget and establish/communicate the timeline to everyone. He spoke in opposition to the referendum.
33. Ed Montanari, 3345 Maple Street NE, former Pier Task Force Chair, reviewed common ground priorities. The level of detail the Task Force went into was incredible (114 pages of public input). The City has had a well thought out process and it needs to continue; opposes the referendum and supports The Lens.
34. Marty Normile, 615 14th Avenue NE, provided a historical perspective concerning Pier Park which was the subject of a referendum nearly 30 years that failed. Had it passed he did not think we would have been equipped to build it, it did not have financing plans nor final plans; it would have been compromised.
35. Tom Lambdon, 3536 Enterprise Road East, Safety Harbor, representing Voteonthepier.com, stated he believes the ballot language as originally written was simple and clear. He agreed with Councilmember Kornell that the question needs a price attached to it. It should say "not to exceed \$50 million." He stated there should be more than one question on the ballot; the other question should read "Do you support proceeding with The Lens at a price not to exceed \$50 million." Two questions, answers everybody's questions and everybody goes home. It's a worthy topic that's worthy of having the support of the citizens of the City behind whatever decision is

made. He requested Council recognize the validity and weight of the number, the sheer historic number of petitions.

36. Joe Reed, 705 16th Avenue NE, working with Tom Lambdon, we heard three major things: 1) restore the existing pier, 2) we don't want The Lens we want something else (go back to the Task Force recommendations and come up with a new design) and 3) a smaller group does not want to spend any money at all. I would like to see 3-4 questions. The second question could encompass The Lens or a new design so it could be done in two questions. If that isn't going to go, I'm happy with a single question. I do think it should contain cost. I think we could live with it, its nonbinding. I'm happy with one question; I don't particularly like the question that's proposed to be placed on the ballot. Tom will acknowledge or Kathleen acknowledge that this was done 20 months ago in response to tearing down the Pier. It could be rephrased a little better and create less confusion and I think it should be, but if that's difficult to do then it doesn't need to be done.

Councilmember Danner moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the city Council of the City of St. Petersburg, Florida, that proposed Ordinance 37-H, entitled:

PROPOSED ORDINANCE NO. 37-H

AN ORDINANCE OF THE CITY OF St PETERSBURG PROVIDING FOR FINDINGS; PROVIDING FOR THE CALLING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012 TO PRESENT TO THE VOTERS ONE OR MORE NONBINDING REFERENDUM QUESTIONS REGARDING THE ST. PETERSBURG MUNICIPAL PIER; PROVIDING FOR THE FORM OF THE TITLES AND THE QUESTIONS TO APPEAR ON THE BALLOT; PROVIDING FOR THE NONBINDING NATURE OF THE QUESTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading as amended.

Following Council discussion Mayor Foster stated he supports this petition process, but does not agree with the question (without a price tag the question is flawed). Mayor Foster confirmed the Pier will not be demolished until permits have been issued. Roll call. Ayes. Nurse. Newton. Nays. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Absent. None. (Motion failed.)

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The meeting was recessed at 12:20 p.m.

The meeting was reconvened at 1:25 p.m. with the following members present: Chair Curran and Councilmembers Danner, Gerdes, Dudley, Curran, Nurse and Newton. Absent. Councilmembers Kennedy and Kornell.

Councilmember Dudley moved with the second of Councilmember Danner that the following resolutions be adopted:

- 12-351 Awarding two-year blanket purchase agreements to BASF Corporation and Polydyne, Inc. for polymer for the Water Resources Department at a combined estimated annual cost of \$300,000.
- 12-352 Renewing blanket purchase agreements for lawn and turf equipment, parts and services with Wesco Turf, Inc and Ruckus Investments LC d/b/a Quality Mowers at an estimated annual cost of \$200,000.
- 12-353 Awarding a contract to American Roofing and Sheet Metal, Inc. in the amount of \$172,000 for the St. Petersburg Fire & Rescue Roofing Replacement Project; and approving a supplemental appropriation in the amount of \$150,000 from the unappropriated balance of the City Facilities Capital Improvements Fund (3031) to the Fire Headquarters Roof Replacement Project (13660). (Engineering Project No. 10231-217, Oracle No. 13660)
- 12-354 Awarding blanket purchase agreements for sod to Sunbelt Sod & Grading Company and Tom's Sod Service, Inc., at a combined estimated annual cost of \$170,000.
- 12-355 Renewing a blanket purchase agreement with St. Petersburg College, a sole source supplier, for police cadet training for the Police Department at an amount not to exceed \$138,000.
- 12-356 Approving a contract with the Pinellas County Supervisor of Elections for support services for the 2012 General Election. (*Referendum ordinance was not adopted, contract was not approved.*)

Roll call. Ayes. Danner. Gerdes. Dudley. Curran. Nurse. Newton. Nays. None. Absent. Kennedy. Kornell. Councilmembers Kennedy and Kornell were reported present.

In connection with a Police Update report and a new business item concerning a review of the Police Department Chase Policy, Police Chief Chuck Harmon provided Council with a copy of the Police Department's General Order concerning Pursuit of a Vehicle or Boat. Chief Harmon reviewed the pursuits for 2010 (total of 16) and 2012 (total of 16 through July 30,

2012, 7 by SPPD and 9 by the Violent Crime Task Force resulting in ten crashes; no injuries to Police Officers, 2 serious and 6 minor injuries to citizens, 1 fatality, 1 serious and 9 minor injuries to suspect(s), etc.) Mayor Foster stated the City's policy is a good one and what we should scrutinize is implementation of the policy. In response to questions from Councilmember Newton, Chief Harmon reviewed the July 23 and July 24 pursuits. City Attorney Wolfe reported that from 2000-2010 there have been four cases as a result of pursuits (one case was awarded \$5,000, one case was awarded \$10,000, one case had zero dollars awarded and one case was dismissed). The Chief reported a 15% reduction in violent crimes and stated the Pursuit Policy as written is a good policy, the issue is implementation. The Chief indicated we initiate pursuits in situations involving significant offences realizing we live in an urban area, etc. Mayor Foster stated his desire for the change in policy was to make it consistent with state statute, other jurisdictions and agencies. The Chief discussed the Career Offender Tracking & Apprehension (COTA), a monitoring list of juveniles (approximately 80) which changes on a monthly basis. Mayor Foster announced the City closed on a piece of property on 16 Street which abuts the New York Liquor store; we can now trespass anyone on the property that should not be there.

The Clerk read the title of proposed Ordinance 38-H and Chief Assistant City Attorney Mark Winn made a presentation and reviewed the additional amendments to the revised Ordinance concerning the RNC. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. Mike Pheneger, 4219 Hollow Trail Drive, Tampa, ACLU of Florida President, stated the City has done a decent job of making modifications to ensure the first amendment rights of individuals, but less protective of groups that wish to speak collectively. The ACLU's recommendation is that the City make it very clear that organized groups can demonstrate in the City without permits as long as they don't block streets or sidewalks and encourage the police to treat groups that engage in civil disobedience (like sitting in the street, etc.) for purposes of demonstrating a political point differently from groups who create activities which are illegal such as breaking/painting things.
2. Bruce Nissen, 253 Sunlit Cove East, stated the ordinance is overly broad.
3. Amos Miers, 1000 Central Avenue, spoke in opposition to the proposed ordinance which is overly aggressive and broad.
4. Tyler Mitchell, 349 Grey Eagle Court south, Apt. N, spoke in opposition to the proposed ordinance and provided two unsigned letters from individuals opposed to the ordinance.
5. John Feeney, 2701 Union street South, spoke in opposition to the proposed ordinance.

Chair Curran closed the public hearing. Police Major Melanie Bevan responded to questions from Council and stated this ordinance is meant to protect 90% of the protestors attending the

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RNC to peacefully protest. Mayor Foster commented on the benefits of being consistent with the City of Tampa. Councilmember Danner moved with the second of Councilmember Dudley that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 38-H, entitled:

PROPOSED ORDINANCE NO. 38-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, REGULATING ACTIVITIES IN THE CITY OF ST. PETERSBURG RELATED TO THE 2012 REPUBLICAN NATIONAL CONVENTION; DESIGNATING GEOGRAPHIC BOUNDARIES, DATES AND TIMES FOR AN EVENT ZONE; DESIGNATING A PUBLIC VIEWING AREA AND A PARADE ROUTE; TEMPORARILY SUSPENDING THE ISSUANCE OF CERTAIN PERMITS; PROVIDING FOR REASONABLE TIME, PLACE AND MANNER REGULATIONS CONCERNING MATERIALS AND OBJECTS THAT MAY BE POSSESSED, CARRIED OR USED IN THE CITY OF ST. PETERSBURG; PROVIDING FOR PROHIBITIONS CONCERNING MATERIALS AND OBJECTS THAT MAY BE POSSESSED, CARRIED OR USED IN THE EVENT ZONE; PROVIDING FOR PROHIBITIONS CONCERNING MATERIALS AND OBJECTS THAT MAY BE POSSESSED IN THE PUBLIC VIEWING AREA AND PARADE ROUTE; PROVIDING FOR A PROHIBITION ON PLACING OBJECTS IN THE RIGHT OF WAY; PROVIDING FOR A PROHIBITION ON RAPPELLING; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE; CREATING A TEMPORARY SECURITY FENCE PERMIT PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR TEMPORARY SUSPENSION OF ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading as amended.

Councilmember Gerdes moved with the second of Councilmember Kornell that the following substitute resolution be adopted:

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BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council defer Executive Action on proposed Ordinance 38-H to the August 9, 2012 Council meeting (as a Legal item).

Roll call. Ayes. Gerdes. Kennedy, Kornell. Nurse. Newton. Nays. Danner. Dudley. Curran. Absent. None.

In connection with an oral transportation update, Councilmember Danner announced two vacancies on the Metropolitan Planning Organization (MPO) Citizen Advisory Committee and asked the public if they are interested in serving to provide a bio/resume. Councilmember Danner moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive the oral update on the Pinellas Suncoast Transit Authority (PSTA), the Metropolitan Planning Organization (MPO) and the Tampa Bay Area Regional Transportation Authority (TBARTA) presented by Councilmember Danner.

Roll call. Ayes. Danner. Kennedy. Dudley. Kornell. Nurse. Newton. Nays. None. Absent. Gerdes. Curran.

In connection with a report item concerning a new Police Headquarters Building, Public Works Administrator Michael Connors made a PowerPoint presentation concerning current project options (new construction & renovation; new construction; new construction & adaptive re-use; adaptive re-use). Administration recommends proceeding with Option 3, New Construction and Adaptive Re-use which provides for approximately 111,000 sq. ft. of new construction; 16,000 sq. ft. of purchase/renovating existing for Police Department training purposes and limiting East and West Building improvements to \$2 million. Real Estate and Property Management Director Bruce Grimes made a presentation concerning the purchase of property from Ms. Pamela Carr for the new Police Headquarters Building. Councilmember Kennedy moved with the second of Councilmember Nurse that the following resolution be adopted:

12-357 Authorizing the Mayor or his designee to purchase the fee simple interest in property, as described herein, from Pamela Carr for \$600,000; and to pay closing related costs not to exceed \$10,000; and to execute all documents necessary to effectuate same.

Roll call. Ayes. Gerdes. Kennedy. Dudley. Kornell. Nurse. Nays. Danner. Curran. Newton. Absent. None.

In connection with a report item concerning Central Parking System of Florida, Inc., Purchasing & Material Management Director Louis Moore made a presentation.

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Councilmember Kennedy moved with the second of Councilmember Dudley that the following resolution be adopted:

12-358 Renewing an agreement with Central Parking System of Florida, Inc. for parking facilities management services at an estimated annual cost of \$1,280,000.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a report item concerning the Evaluation Committee's ranking for a Construction Manager at Risk for the new Pier, City Attorney John Wolfe made a presentation. Councilmember Nurse moved with the second of Councilmember Danner that the following resolution be adopted:

12-359 Resolution of City Council approving the Evaluation Committee's ranking for a Construction Manager at Risk for the new pier as follows: (1) Skanska USA Building Inc., in association with Ward Construction Company ("Skanska"), (2) Batson-Cook Company in association with Horus Construction Managers, (3) PCL Construction Services, Inc., and (4) Manhattan Construction (Florida), Inc.; authorizing the Mayor or his designee to negotiate a Construction Manager at Risk Agreement ("CMAR Agreement") with Skanska (the first ranked firm), which agreement is subject to City Council approval; providing that administration may terminate negotiations with Skanska if the parties cannot reach an agreement on the material terms of a CMAR Agreement and report to City Council; and finding that the Evaluation Committee has completed its duties and is therefore dissolved.

Public Works Administrator Michael Connors reviewed the benefits of a Construction Manager at Risk. Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Nays. Newton. Absent. None.

The Clerk read the titles of proposed Ordinances 40-H and 41-H. Downtown Enterprise Facilities Director David Metz and Urban Design & Historic Preservation Manager Rick MacAulay responded to questions from Council. Councilmember Kennedy moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Thursday, August 16, 2012, at 6:00 p.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinances 40-H and 41-H, entitled:

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PROPOSED ORDINANCE NO. 40-H

AN ORDINANCE APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN ROBERT N. LYNCH, AS BISHOP OF THE DIOCESE OF ST. PETERSBURG, CLEAR OCEAN INVESTMENTS II CORPORATION, AND THE CITY OF ST. PETERSBURG RELATING TO THE DEVELOPMENT OF PROPERTY GENERALLY LOCATED AT 6533 NINTH AVENUE NORTH WITHIN THE BOUNDARIES OF THE CITY; RECOGNIZING THAT THE SUBJECT AMENDMENT IS BETWEEN THE CITY, ROBERT N. LYNCH, AS BISHOP OF THE DIOCESE OF ST. PETERSBURG, AND HEARTLAND COMMUNITIES, LLC, WHICH HAS SUCCEEDED CLEAR OCEAN INVESTMENTS II CORPORATION AS DEVELOPER; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AMENDMENT TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 41-H

AN ORDINANCE REPEALING CITY OF ST. PETERSBURG ORDINANCE 19-H; AUTHORIZING IN ACCORDANCE WITH SECTION 1.02(C)(5)B., ST. PETERSBURG CITY CHARTER, THE RESTRICTIONS CONTAINED IN ASSURANCES ("GRANT ASSURANCES") WHICH ARE SET FORTH IN THE GRANT DOCUMENTS TO BE EXECUTED BY THE CITY, AS A REQUIREMENT FOR RECEIPT OF THE FEDERAL AVIATION ADMINISTRATION ("FAA") ("GRANTS") IN AN AMOUNT NOT TO EXCEED \$950,000 WHICH REQUIRE THAT THE CITY WILL NOT SELL, LEASE, ENCUMBER OR OTHERWISE TRANSFER OR DISPOSE OF ANY PART OF THE CITY'S RIGHT, TITLE, OR OTHER INTERESTS IN ALBERT WHITTED AIRPORT ("AIRPORT"), NOR CAUSE OR PERMIT ANY ACTIVITY OR ACTION ON THE

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AIRPORT WHICH WOULD INTERFERE WITH ITS USE FOR AIRPORT PURPOSES, FOR A PERIOD NOT TO EXCEED 20 YEARS FROM THE DATE OF ACCEPTANCE OF THE GRANTS; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR AND ACCEPT THE GRANTS IN AN AMOUNT NOT TO EXCEED \$950,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR EXPIRATION.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a new business item, Councilmember Kornell moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer to the Public Services & Infrastructure Committee a request that the City of St. Petersburg remove all static billboards on City property.

Roll call. Ayes. Gerdes. Kornell. Nurse. Nays. Danner. Kennedy. Dudley. Curran. Newton. Absent. None. (Motion failed.)

In connection with a new business item, Councilmember Kennedy moved with the second of Councilmember Danner that the following resolution be adopted:

12-360 Selecting Councilmember Dudley as the Voting Delegate and Councilmember Newton as the Alternate Voting Delegate to the Florida League of Cities Annual Conference in Hollywood, Florida.

Roll call. Ayes. Danner. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. Gerdes. Absent. None.

In connection with a Legal item, Chief Assistant City Attorney Mark Winn made a presentation. Councilmember Danner moved with the second of Councilmember Kennedy that the following resolution be adopted:

12-361 Resolution of the St. Petersburg City Council approving the termination of the City's account with Charles Schwab & Co., Inc., containing the assets of the City Beautiful Commission's Gizella Kopsick Palm Arboretum Nonexpendable Trust Fund; approving the creation of a custodial account for the Trust assets with Fidelity Investments, provided that Fidelity does not require the Finance Director's (or any other person's) personal social security number to create the account on behalf of the City; approving that, if Fidelity Investments should require such a personal social security number, that the custodial account for the trust assets shall instead be created with Morgan Stanley provided that Morgan Stanley does not require the Finance Director's (or any other person's) personal social security number to create the account on behalf of the City; approving the continuation of the exception to the City's investment policy permitting the trust assets to be managed by a private investment manager; and authorizing the Mayor or his designee to execute all documents necessary to effectuate these transactions.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

City Attorney John Wolfe announced the scheduling of an Attorney-Client session, to be heard on August 9, 2012, at 3:30, or as soon thereafter, in conjunction with the lawsuit styled Anthony Catron, et al vs. City of St. Petersburg Case No. 8:09CV923-T-17EAJ.

There being no further business, the meeting was adjourned at 6:17 p.m.

Leslie Curran, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Eva Andujar, City Clerk

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, AUGUST 9, 2012, AT 3:08 P.M.

Chair Leslie Curran called the meeting to order with the following members present: Karl Nurse, Wengay M. Newton, Sr., Jeff Danner, Charlie Gerdes, James R. Kennedy, William H. Dudley, and Steven Kornell. Absent: None. Mayor David Foster, City Administrator Tish Elston, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn, Assistant City Attorney Joseph Patner and Deputy City Clerk Cathy E. Davis were also in attendance.

Councilmember Kornell moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

- ADD C-5 Proclamation recognizing the Republican National Convention events presented to Matt Becker, COO and Rita Wesley, Deputy Director of Events and Volunteers.
- ADD E-3 Changing the start time of the August 16, 2012 City Council meeting from 3:00 p.m. to 2:30 p.m.
- ADD E-4 Announcement of an attorney-client session to be held on Thursday, August 16, 2012 at 2:30 p.m. or as soon thereafter as the same may be heard, pursuant to Florida Statute 286.011(8), in conjunction with the lawsuit styled City of St. Petersburg v. Wells Fargo, etc., al (formerly Wachovia Bank) Case No. 8:10-CV-693-T30-TBM.
- ADD E-5 Tampa Bay Rays Stadium Letter.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with an "On Top of Your Game Award" presentation, Councilmember Newton introduced Katelyn Greenleaf, Senior, Northside Christian School as the Times' All Pinellas County Girls Track Athlete of the Year. Ms. Greenleaf addressed the Mayor and Council and thanked them for the recognition.

In connection with an "On Top of Your Game Award" presentation, Councilmember Kennedy introduced the Canterbury High School Baseball Team, Head Coach Dave Smith and

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Coach Marc Sawyer and recognized the team for their accomplishment of making it to the State Semi-finals. Coach Dave Smith commented briefly regarding the 2012 Season and noted that the team was also awarded the "Good Sportsmanship" Award for the State of Florida. Coach Smith thanked the Mayor and Council for the recognition.

In connection with a presentation recognizing the 2012 St. Petersburg Student Ambassadors to Takamatsu, Japan, Mayor Foster introduced students Solomon Howard and Hayden Grant who addressed Council and provided a brief presentation of their trip to Takamatsu, Japan. They thanked the Mayor and Council for the opportunity to represent the City of St. Petersburg. Mayor Foster thanked Elizabeth Brincklow, Manager Arts and International Relations, and representatives of the International Relations Committee for their dedication to the students each year.

In connection with a proclamation recognizing the remaining crew members of the U.S.S. Honolulu (CL-48) Mayor Foster presented a proclamation recognizing August 23, 2012 as U.S.S. Honolulu (CL-48) Day. Mr. James Smith addressed Council and commented briefly regarding the crew's last reunion to be held in St. Petersburg and accepted the proclamation on behalf of his father.

In connection with a proclamation recognizing RNC events held in St. Petersburg Mayor Foster presented a proclamation to Rita Wesley, Deputy Director of Events and Volunteers. Ms. Wesley addressed Council and commented briefly regarding the recruiting and training of RNC volunteers.

Chair Curran announced the commencement of an Attorney/Client session, pursuant to Florida Statute 286.011(8), held in conjunction with the lawsuit styled Anthony Catron, et al vs. City of St. Petersburg Case No. 8:09CV923-T-17EAJ and announced those individuals who will be in attendance.

The meeting was closed at 4:08 p.m.

The meeting was reopened at 4:25 p.m. and the Attorney/Client session was terminated with the following members of Council present: Chair Leslie Curran and Councilmembers Jeff Danner, Charlie Gerdes, James R. Kennedy, William Dudley, Steve Kornell, Karl Nurse and Wengay Newton.

Councilmember Kennedy moved with the second of Councilmember Gerdes that the following resolution be adopted:

12-362 Approving a settlement in the amount of \$125,000 in the case of Anthony Catron, et al vs. City of St. Petersburg Case No. 8:09CV923-T-17EAJ.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

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In connection with a Legal item, Chief Assistant City Attorney Mark Winn and Police Major Melanie Bevan made a brief presentation. Councilmember Danner moved with the second of Councilmember Gerdes that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 38-H, entitled:

PROPOSED ORDINANCE NO. 38-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, REGULATING ACTIVITIES IN THE CITY OF ST. PETERSBURG RELATED TO THE 2012 REPUBLICAN NATIONAL CONVENTION; DESIGNATING GEOGRAPHIC BOUNDARIES, DATES AND TIMES FOR AN EVENT ZONE; DESIGNATING A PUBLIC VIEWING AREA AND A PARADE ROUTE; TEMPORARILY SUSPENDING THE ISSUANCE OF CERTAIN PERMITS; PROVIDING FOR REASONABLE TIME, PLACE AND MANNER REGULATIONS CONCERNING MATERIALS AND OBJECTS THAT MAY BE POSSESSED, CARRIED OR USED IN THE CITY OF ST. PETERSBURG; PROVIDING FOR PROHIBITIONS CONCERNING MATERIALS AND OBJECTS THAT MAY BE POSSESSED, CARRIED OR USED IN THE EVENT ZONE; PROVIDING FOR PROHIBITIONS CONCERNING MATERIALS AND OBJECTS THAT MAY BE POSSESSED IN THE PUBLIC VIEWING AREA AND PARADE ROUTE; PROVIDING FOR A PROHIBITION ON PLACING OBJECTS IN THE RIGHT OF WAY; PROVIDING FOR A PROHIBITION ON RAPPELLING; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE; CREATING A TEMPORARY SECURITY FENCE PERMIT PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR TEMPORARY SUSPENSION OF ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

be adopted, as amended, following second and final reading on August 2, 2012 and executive action on August 9, 2012.

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Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Nurse. Nays. Newton. Kornell. Absent. None.

In connection with a Legal item changing the start time of the August 16, 2012 City Council meeting from 3:00 p.m. to 2:30 p.m. with the Attorney/Client Session to be the first item of business, Councilmember Kennedy moved with the second of Councilmember Dudley that the following resolution be adopted:

12-363 Rescheduling the start time of the August 16, 2012 Council Meeting from 3:00 p.m. to 2:30 p.m.

Roll call. Ayes. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None Absent. Danner.

In connection with a Legal item regarding a letter of correspondence from Chris Eastman, President, Cityscape, LLC regarding the Tampa Bay Rays Stadium, City Attorney John Wolfe gave a brief presentation and asked that Legal be given a week to bring back a resolution containing assurances as it relates to the Tampa Bay Rays Stadium Use Agreement and that an invitation be extended to Chris Eastman, President, Cityscape, LLC to make the presentation before Council. Councilmember Newton moved with the second of Councilmember Nurse that following resolution be adopted:

12-364 Requesting Legal draft a resolution containing assurances as it relates to the Tampa Bay Rays Stadium Use Agreement.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

There being no further business, the meeting was adjourned at 5:44 p.m.

Leslie Curran, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Cathy E. Davis, Deputy City Clerk

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, AUGUST 16, 2012, AT 2:32 P.M.

Chair Leslie Curran called the meeting to order with the following members present: Karl Nurse. Wengay M. Newton, Sr., Jeff Danner, Charles Gerdes, William H. Dudley, Steven Kornell. Absent: James R. Kennedy. Mayor David Foster, City Administrator Tish Elston, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn, Assistant City Attorney Jeanne Hoffmann and Assistant City Attorney Jacqueline Kovilaritch, Deputy City Clerk Cathy E. Davis and Deputy City Clerk Amelia Preston were also in attendance.

Councilmember Kennedy was reported present at 2:45 p.m.

Councilmember Nurse moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

- MOVE C-16 Approving a supplemental appropriation in the amount of \$13,500 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Federal Justice Forfeiture (140-2858) to purchase 45 sets of rifle SAPI plates; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction. [Moved to Reports as E-5]
- INFO D-1 Ordinance amending Sections 22-22 (j) (1), 22-22 (j) (12), and 22-22 (l) (2) of the St. Petersburg City Code concerning the minimum number of disciplinary suspension days an employee must receive in order to qualify for a Civil Service Board Appeal; the number of days following an appeal hearing by which the Board must submit its written order; and the number of days following the Board's order by which the Mayor must implement the order. [Correct backup]
- INFO E-4 Summer Youth Intern Program & Workforce Readiness Training Program Report. (Vice-Chair Newton)
- INFO G-1 Budget, Finance & Taxation Committee. (8/9/12)
(a) Resolution authorizing the Chair of the Budget, Finance & Taxation Committee to execute a Letter Agreement approving Laura Tatem to serve as the Audit Manager to provide auditing services.

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- INFO G-2 Public Services & Infrastructure Committee. (8/9/12)
(a) An Ordinance amending Section 21-87 of the City Code to add new Subsections (12) and (26); naming the Perry Bayview Community Playground and the Westminster Community Playground; creating a new Section 21-87(C); and adding a previously named property to the Code as Section 21-87 (C)(1).
- INFO G-3 Arts Funding Committee. (8/9/12)
- INFO H-1 Resolution authorizing the Mayor or his designee to execute a five-year Fire Protection Services Agreement with the Pinellas County Fire Protection Authority for the provision of fire protection and suppression services to the South Pasadena Fire Control District, contingent upon the City and County mutually agreeing to negotiated changes to the Fire Protection Services Agreement.
- ADD H-2 An Attorney-Client session to be heard at 2:30 p.m. or as soon thereafter as the same may be heard, pursuant to Florida Statute 286.011(8), in conjunction with the lawsuit styled City of St. Petersburg v. Wells Fargo, etc., et al (formerly Wachovia Bank) Case No. 8:10-CV-693-T30-TBM.
- ADD H-3 Resolution in response to the Tampa Bay Rays Stadium Letter.
- ADD H-4 Settlement of Claims arising out of the accident of Harold Fleming, Jr.

Roll call. Ayes. Kennedy. Dudley. Kornell. Nurse. Newton. Danner. Polson. Nays. None. Absent. Curran.

Chair Curran announced the commencement of an Attorney-Client session, pursuant to Florida Statute 286.011(8), held in conjunction with the lawsuit styled City of St. Petersburg vs. Wells Fargo, etc., et al (formerly Wachovia Bank) Case No. 8:10-CV-693-T30-TBM and announced those individuals who will be in attendance.

The meeting was closed at 2:38 p.m.

The meeting was reopened at 3:20 p.m. and the Attorney/Client session was terminated with the following members of Council present: Chair Leslie Curran and Councilmembers Jeff Danner, Charlie Gerdes, James R. Kennedy, William Dudley, Steve Kornell, Karl Nurse and Wengay Newton.

Councilmember Danner moved with the second of Councilmember Kennedy that the following resolution be adopted:

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- 12-365 Approving a transfer of \$150,000 from the unappropriated balance of the General Fund to the Legal Department to provide for External Legal Services with Smith, Moore, Leatherwood LLP.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Attorney Jim Holloway, 4114 San Juan Street, Tampa, representing Money Partners, LLC, Holloway Law Fire and Hillsborough Title, addressed Council concerning foreclosed property at 8701 10th Street North. Mr. Holloway stated during a lien search of property it was discovered that there had been a data entry spelling error in connection with the name on the lien documents filed with the Clerk of the Circuit Court for Pinellas County. When a search for liens against the property was conducted liens on the property were not found by the new owner who purchased and rehabilitated the property and who now wants to sell to a new owner. Mr. Holloway stated the liens on the property are special assessment liens in the amount of \$4,875.19 and asked Council for consideration in negotiating the liens. There was no action taken by Council; Administration will come back with a report and recommendation.
2. Matt Florell, 114 17th Avenue North, addressed Council and encouraged them to vote in favor of Agenda Item (F-1.) Referring to the Public Safety & Infrastructure Committee the option of using Open Source Software within the City to save money.

Councilmember Danner moved with the second of Councilmember Kornell that the following resolutions be adopted:

- 12-366 Renewing a blanket purchase agreement with Bulk Express Transport, Inc. for yard waste transport services for the Sanitation Department at an estimated annual cost of \$240,000
- 12-367 Renewing blanket purchase agreements with Acushnet Company, Nike USA, Inc., and Callaway Golf Sales Company for golf supplies for resale for the Golf Courses Department at an estimated annual amount of \$150,000.
- 12-368 Accepting a proposal from the Florida Department of Management Services, a sole source supplier, for communications services through the State's CentraNet (CNET) SUNCOM program for the ICS Department at an estimated annual cost of \$105,000.
- 12-369 Renewing blanket purchase agreements with Great Bay Distributors, Inc., Van Snax Distributors, Inc. and three other suppliers for food and beverages for resale at an estimated annual amount of \$105,000.

- 12-370 Renewing blanket purchase agreements with Allied Electronics, Inc. and Mayer Electric Supply Company, Inc. for electronic parts at an estimated annual amount of \$100,000.
- 12-371 Approving the plat of St. Petersburg Housing Authority Headquarters Subdivision generally located at 2001 Gandy Boulevard North. (City File 11-20000008)
- 12-372 Authorizing the Mayor or his designee to execute a Lease Agreement with Bay Point Little League, Inc., a Florida non-profit corporation, for the use of a concession stand/restroom building located within a portion of City-owned Lake Vista Park for a period of three (3) years, at an aggregate rent of \$36.00; and to waive the reserve for replacement requirement.
- 12-373 Authorizing the Mayor or his designee to execute a License Agreement with 909 Entertainment, Inc., a Florida for profit corporation, for use of an entire City-owned block of unimproved parcels located between 22nd Street South and 23rd Street South bounded by 7th Avenue South and Fairfield Avenue South, St. Petersburg, Florida, to provide staging and parking for the public while hosting two (2) community events featuring classic cars and motorcycles, for a use fee of \$500.00 for each event day.
- 12-374 Authorizing the Mayor or his designee to accept an Historic Preservation, Community Education Project Grant ("Grant") from the Florida Department of State, Division of Historical Resources ("Department") for the Pinellas Pioneer Settlement Educational Sign Project at a maximum reimbursement amount of \$10,000; to execute an Historic Preservation Grant Award Agreement with the Department; and to execute all other documents necessary to effectuate the grant; approving a supplemental appropriation in the amount of \$10,000 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues to the Boyd Hill Nature Preserve (190.2389), Pinellas Pioneer Settlement Educational Sign Project (TBD).
- 12-375 Amending City Council Resolution No. 2010-570, as amended, to change the proposed funding source of the City's loan to Campbell Landings, LLC from the Home Investment Partnership Program ("HOME") Fund (1113) to the Community Housing Donation Fund ("CHDF") (1117); rescinding an unencumbered appropriation in the amount of \$120,000 in the HOME Fund (1113) for the Campbell Landings Project (13239); rescinding unencumbered appropriations in the amount of \$107,753 in the CHDF Fund (1117) for the LHTF Admin 07/08 Project (11713) and \$12,247 for the LHTF Admin 08/09 Project (12165); approving a supplemental appropriation in the amount of \$120,000 from the increase in the HOME Fund (1113) resulting from the above rescission, to the Home Rehabilitation FY 10/11 Project (12817); approving a supplemental appropriation in the amount of \$120,000 from the increase in CHDF Fund (1117) resulting from the above rescissions to the Campbell Landings Project (13239);

providing that all other provisions of Resolution No. 2010-570, as amended, not amended herein shall remain in full force and effect; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction.

- 12-376 Authorizing the Mayor or his designee to accept a grant from the U.S. Department of Housing and Urban Development ("HUD") in the amount of \$54,584 ("Grant") for the City's Emergency Solutions Grant ("ESG") and to execute a Grant agreement and all other documents necessary to effectuate acceptance of the Grant; and approving a supplemental appropriation in the amount of \$54,584 from the increase in the unappropriated balance of the Fund 1112 Emergency Shelter Grant Fund ("ESG") resulting from these additional revenues.
- 12-377 Authorizing the Mayor or his designee to execute a sub-grant agreement between the City and Catholic Charities Diocese of St. Petersburg, Inc. ("Catholic Charities"), and a subgrant agreement between the City and Daystar Life Center, Inc. ("Daystar") for the purpose of implementing the Emergency Solutions Grant ("ESG") Program, from which the City will allocate no more than \$30,490.20 to Catholic Charities and no more than \$20,000 to Daystar to provide financial assistance for homeless prevention, rapid re-housing, housing relocation and stabilization services for homeless persons or those at risk of becoming homeless in the City; and \$4,093.80 to the City to administer the ESG Program; and authorizing the Mayor or his designee to execute all other documents necessary to effectuate this transaction.
- 12-378 Authorizing the Mayor or his designee to execute an agreement between the City of St. Petersburg, Florida and the School Board of Pinellas County, Florida, to provide school buses and drivers for City-sponsored field trips and to Before and Afterschool programs from August 24, 2012 through August 23, 2013, and all other documents necessary to effectuate this transaction.
- 12-379 Confirming the appointment of William C. Johnson as a regular member to the Health Facilities Authority to serve the remainder of a four-year term ending December 31, 2013.
- 12-380 Authorizing the Mayor or his designee to accept an America's Promise Alliance and ING Foundation grant in the amount of \$2,500 ("Grant") for recognition as one of the 100 Best Communities for Young People to fund local youth-related programs or services or to be used for a local event to celebrate the recognition as one of the 100 Best Communities for Young People and to execute all documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$2,500 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues to America's Promise Award Activities (13665).

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Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a report item concerning approval of a supplemental appropriation in the amount of \$13,500 from the unappropriated balance of the Law Enforcement Fund, to the Police Department, Federal Justice Forfeiture Fund for the purchase 45 sets of rifle SAPI Plates, Police Major Sotolongo made a brief presentation. Councilmember Newton moved with the second of Councilmember Danner that the following resolution be adopted:

12-381 Approving a supplemental appropriation in the amount of \$13,500 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Federal Justice Forfeiture (140-2858) to purchase 45 sets of rifle SAPI Plates.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

The Clerk read the titles of proposed Ordinances 42-H and 082-HL. Councilmember Nurse moved with the second of Councilmember Danner that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Thursday, September 6, 2012 at 9:00 a.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinance 42-H and 082-HL, entitled:

PROPOSED ORDINANCE NO. 42-H

AN ORDINANCE AMENDING SECTIONS 22-22(j) (1), 22-22j) (12), AND 22-22(1) (2) OF THE ST. PETERSBURG CITY CODE CONCERNING THE MINIMUM NUMBER OF DISCIPLINARY SUSPENSION DAYS AN EMPLOYEE MUST RECEIVE IN ORDER TO QUALIFY FOR A CIVIL SERVICE BOARD APPEAL; THE NUMBER OF DAYS FOLLOWING AN APPEAL HEARING BY WHICH THE BOARD MUST SUBMIT ITS WRITTEN ORDER; THE NUMBER OF DAYS FOLLOWING THE BOARD'S ORDER BY WHICH THE MAYOR MUST IMPLEMENT THE ORDER; AND PROVIDING AN EFFECTIVE DATE.

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PROPOSED ORDINANCE NO. 082-HL

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE MAURICE AND THELMA ROTHMAN RESIDENCE (LOCATED AT 1018 PARK STREET NORTH) AS A LOCAL LANDMARK AND ADDING THE PROPERTY TO THE LOCAL REGISTER PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None. (Note: Ordinance No. 082-HL was correctly re-assigned Ordinance No. 083-HL)

In connection with an oral Tampa Bay Regional Planning Council report, Councilmember Newton made a presentation and commented briefly regarding Governor Rick Scott's action to veto funding for the Tampa Bay Regional Planning Council. Councilmember Newton presented City Attorney Mark Winn with several resolutions from other cities in opposition and asked Legal bring back a draft resolution in opposition for Council's consideration. Councilmember Newton moved with the second of Councilmember Danner that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive the oral Tampa Bay Regional Planning Council report presented by Councilmember Newton.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with an oral WorkNet Pinellas report, Councilmember Newton made a presentation. Councilmember Newton moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive the oral WorkNet Pinellas report presented by Councilmember Newton.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Newton. Nays. None. Absent. Nurse.

In connection with a Summer Youth Intern Program & Workforce Readiness Training Program report, Councilmember Newton made a presentation and introduced Mr. Ludell Hill

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of the Pinellas County Urban League who commented briefly regarding the Workforce Readiness Training Program and introduced several program participants who addressed Council and commented briefly regarding their experiences with the program. In connection the Summer Youth Intern Program, Mr. Curtis Anderson, representing Boley, Inc. along with several representatives, addressed Council and commented briefly regarding the program and introduced several program participants who provided comments regarding the program.

In connection with an oral Tampa Bay Estuary Program, Councilmember Kornell made a presentation. Councilmember Kornell moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive the oral Tampa Bay Estuary Program as presented by Councilmember Kornell.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a new business item, Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

12-382 Referring to the Public Services & Infrastructure Committee for discussion the option of using Open Source Software within the City as a mechanism to save money.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a new business item, Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

12-383 Referring to the Public Services & Infrastructure Committee for discussion the use of "phone trees" within the City's telephone system and how telephone calls to City Departments are answered.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a Budget, Finance & Taxation Committee report, Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

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12-384 Approving a resolution authorizing the Chair of the Budget, Finance & Taxation Committee to execute a Letter of Agreement approving Laura Tatem to serve as the Audit Manager to provide auditing services.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None. Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the August 9, 2012 Budget, Finance & Taxation Committee report presented by Councilmember Kennedy.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a Public Services and Infrastructure Committee report, Councilmember Dudley moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Thursday, September 6, 2012 at 9:00 a.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinance 43-H entitled:

PROPOSED ORDINANCE NO. 43-H

AN ORDINANCE AMENDING SECTION 21-87 OF THE CITY CODE TO ADD NEW SUBSECTIONS (12) AND (26); NAMING THE PERRY BAYVIEW COMMUNITY PLAYGROUND AND THE WESTMINSTER COMMUNITY PLAYGROUND; CREATING A NEW SECTION 21-87(C); ADDING A PREVIOUSLY NAMED PROPERTY TO THE CODE AS SECTION 21-87(C)(1); AND PROVIDING AN EFFECTIVE DATE.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None. Councilmember Dudley moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the August 9, 2012 Public Services and Infrastructure Committee report presented by Councilmember Dudley.

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Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with an Arts Funding Committee report, Councilmember Curran moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the August 9, 2012 Arts Funding Committee report presented by Chair Curran.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a Legal item, Assistant City Attorney Jeanne Hoffman and Chief Steven Knight made a presentation. Councilmember Nurse moved with the second of Councilmember Newton that the following resolution be adopted:

12-385 Authorizing the Mayor or his designee to execute a five-year Fire Protection Services Agreement with Pinellas County Fire Protection Authority for the provision of Fire Protection and Suppression Services to the South Pasadena Fire Control District, contingent upon mutual agreement with negotiated changes to the Fire Protection Services Agreement.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a Legal item, Assistant City Attorney Joe Patner made a presentation. Councilmember Gerdes moved with the second of Councilmember Danner that the following resolution be adopted:

12-386 Approving the settlement of a claim by the estate of Harold Fleming, Jr., and Joan Butler in the amount of \$200,000.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with a Legal item, City Attorney John Wolfe made a presentation. Councilmember Danner moved with the second of Councilmember Kornell that the following resolution be adopted and that an invitation be extended to the Tampa Bay Rays to attend the presentation.

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12-387 Accepting a request by Cityscape LLC to appear before City Council to present a proposal regarding a potential site for a new stadium for the Tampa Bay Rays within the City of St. Petersburg in response to Cityscape LLC's letter dated August 8, 2012 to the Honorable Mayor Bill Foster; providing for conditions with respect to the presentation; providing that if the conditions in this resolution are followed no action will be instituted by the City against Cityscape LLC regarding Cityscape LLC's proposal presented to City Council or Cityscape conversations or responses to questions permitted pursuant to this resolution.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Kornell. Nurse. Newton. Nays. Curran. Absent. None.

In connection with public hearings confirming preliminary assessments, the Chair asked if there were any persons present wishing to be heard. There was no response. Councilmember Newton moved with the second of Councilmember Kennedy that the following resolutions be adopted:

12-388 Confirming and approving preliminary assessment rolls for Lot Clearing No. 1506 and providing for an interest rate on unpaid assessments.

12-389 Assessing the costs of securing listed on Securing Building No. 1167 ("SEC 1167") as liens against the respective real property on which the costs were incurred; providing that said liens have a priority as established by City Code Section 8-270; providing for an interest rate on unpaid balances; and authorizing the Mayor or his designee to execute and record notices(s) on lien(s) in the public records of the County.

12-390 Assessing the costs of demolition listed on Building Demolition No. 395 ("DMO 395") as liens against the respective real property on which the costs were incurred; providing that said liens have a priority as established by City Code Section 8-270; providing for an interest rate on unpaid balances; and authorizing the Mayor or his designee to execute and record notice(s) of liens(s) in the public record of the County.

Roll call. Ayes. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. Danner.

The Clerk read the title of proposed Ordinance 1039-V. Philip Lazzara, Zoning Official, made presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Danner moved with the second of Councilmember Kennedy that the following resolution be adopted;

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 1039-V, entitled:

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PROPOSED ORDINANCE NO. 1039-V

AN ORDINANCE APPROVING A VACATION OF THE WESTERN 180 FEET OF A 14 FOOT WIDE EAST-WEST ALLEY IN THE BLOCK BOUND BY 34TH STREET SOUTH, 3RD AVENUE SOUTH, 33RD STREET SOUTH AND CARLISLE AVENUE SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

The Clerk read the title of proposed Ordinance 39-H. Planning & Economic Development Director Dave Goodwin made presentation. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. Jim Longstreth, 2925 8th Avenue North, commented regarding the increase in City fees and suggested that the mileage rate be raised instead. Spoke in opposition to the proposed ordinance.
2. Maureen Stafford, 1215 Beach Drive NE, commented regarding the proposed fee increase in connection with Historic Landmark Designations.
3. William Heyen, 2420 7th Avenue North, spoke in opposition to the proposed ordinance.

Councilmember Danner moved with the second of Councilmember Kornell that the following resolution be adopted;

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 39-H, entitled:

PROPOSED ORDINANCE NO. 39-H

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 12 RELATING TO FEES CHARGED FOR DEVELOPMENT REVIEW SERVICES, CONSTRUCTION SERVICES, FIRE DEPARTMENT SERVICES AND OTHER SERVICE FEES; AMENDING CHAPTER 28 RELATING TO PUBLIC VEHICLE CERTIFICATE AND PUBLIC DRIVER

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FEES TO BE CONSISTENT WITH CHAPTER 12;
AMENDING CHAPTER 20 RELATING TO FIRE
ALARM RENEWAL FEES; AND PROVIDING AN
EFFECTIVE DATE.

be adopted on second and final reading as amended.

Roll call. Ayes. Danner. Kennedy. Curran. Kornell. Nurse. Nays. Gerdes. Dudley. Newton.
Absent. None.

The Clerk read the title of proposed Ordinance 40-H. Urban Design & Historic Preservation Manager Rick MacAulay made a presentation. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. James Schatmann - 6800 16th Avenue North, Vice President Crossroads Neighborhood Association, Spoke in support of the proposed ordinance.
2. Darren Azdell - Principal Outsidein Architecture, LLC, representing the Diocese of St. Petersburg, spoke in support of the proposed ordinance.

Councilmember Gerdes moved with the second of Councilmember Danner that the following resolution be adopted;

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 40-H, entitled:

PROPOSED ORDINANCE NO. 40-H

AN ORDINANCE APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN ROBERT N. LYNCH, AS BISHOP OF THE DIOCESE OF ST. PETERSBURG, CLEAR OCEAN INVESTMENTS II CORPORATION, AND THE CITY OF ST. PETERSBURG RELATING TO THE DEVELOPMENT OF PROPERTY GENERALLY LOCATED AT 6533 NINTH AVENUE NORTH WITHIN THE BOUNDARIES OF THE CITY; RECOGNIZING THAT THE SUBJECT AMENDMENT IS BETWEEN THE CITY, ROBERT N. LYNCH, AS BISHOP OF THE DIOCESE OF ST. PETERSBURG, AND HEARTLAND COMMUNITIES, LLC, WHICH HAS SUCCEEDED CLEAR OCEAN INVESTMENTS II CORPORATION AS DEVELOPER; AUTHORIZING THE MAYOR OR

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HIS DESIGNEE TO EXECUTE THE AMENDMENT TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

The Clerk read the title of proposed Ordinance 41-H. Richard Lesniak, Airport Manager, made a presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Danner moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 41-H, entitled:

PROPOSED ORDINANCE NO. 41-H

AN ORDINANCE REPEALING CITY OF ST. PETERSBURG ORDINANCE 19-H; AUTHORIZING IN ACCORDANCE WITH SECTION 1.02(C)(5)B., ST. PETERSBURG CITY CHARTER, THE RESTRICTIONS CONTAINED IN ASSURANCES ("GRANT ASSURANCES") WHICH ARE SET FORTH IN THE GRANT DOCUMENTS TO BE EXECUTED BY THE CITY, AS A REQUIREMENT FOR RECEIPT OF THE FEDERAL AVIATION ADMINISTRATION ("FAA") ("GRANTS") IN AN AMOUNT NOT TO EXCEED \$950,000 WHICH REQUIRE THAT THE CITY WILL NOT SELL, LEASE, ENCUMBER OR OTHERWISE TRANSFER OR DISPOSE OF ANY PART OF THE CITY'S RIGHT, TITLE, OR OTHER INTERESTS IN ALBERT WHITTED AIRPORT ("AIRPORT"), NOR CAUSE OR PERMIT ANY ACTIVITY OR ACTION ON THE AIRPORT WHICH WOULD INTERFERE WITH ITS USE FOR AIRPORT PURPOSES, FOR A PERIOD NOT TO EXCEED 20 YEARS FROM THE DATE OF ACCEPTANCE OF THE GRANTS; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR AND ACCEPT THE GRANTS IN AN AMOUNT NOT TO EXCEED \$950,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL

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DOCUMENTS NECESSARY TO EFFECTUATE THIS
ORDINANCE; PROVIDING AN EFFECTIVE DATE;
AND PROVIDING FOR EXPIRATION.

be adopted on second and final reading.

Roll call. Ayes. Danner. Kennedy. Dudley. Curran. Kornell. Newton. Nays. None. Absent. Gerdes. Nurse.

The Clerk read the title of proposed Ordinance 35-H. Dave Goodwin, Planning & Economic Development Director, made a presentation. The Chair asked if there were any persons present wishing to be heard and the following person(s) came forward:

1. Richard Engwall – 262 SW Lincoln Circle North, President, Blossom Montessori School for the Deaf, spoke in support of the proposed ordinance and commented regarding the generosity of Clear Channel Communications and the benefit of digital billboards to the deaf community and non-profits.
2. Paul Dickens – 2270 7th Avenue North, commented Clear Channel Communications has been a good partner to Historic Kenwood Neighborhood Association and spoke in support of the proposed ordinance.
3. Jay Marshall – 255 8th Avenue NE, representing Historic Old Northeast Neighborhood Association, stated his opposition to the proposed ordinance.
4. Jeremiah Rohr – 2267 6th Avenue North, spoke in support of the proposed ordinance.
5. Michele Pliner – 535 12th Avenue NE, representing St. Petersburg Young Professionals, spoke in support of the proposed ordinance.
6. Eric Hartman – 535 12th Avenue NE, Apt.#2, representing St. Petersburg Young Professionals, spoke in support of the proposed ordinance.
7. Andrew Hayes – 2210 Central Avenue, President Grand Central Business District Association, commented regarding the blight of static billboards and spoke in support of the removal of 80 static billboards.
8. Jim Longstreth – 2925 8th Avenue North, spoke in support of the proposed ordinance.
9. Travis Jarman – 4971 61st Avenue South, stated his opposition to all billboards erected within the city and suggested that an expert sign litigation attorney review the proposed ordinance prior to adoption.

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10. Barbara Heck – 106 Giralda Boulevard NE, spoke in opposition to the proposed ordinance and urged Council to review the City of Clearwater’s sign ordinance.
11. Judy Landon – 4231 18th Street North, representing Harris Park Neighborhood Association, spoke against the proposed ordinance.
12. Anne Drake McMullen – 333 3rd Avenue North, representing St. Petersburg Chamber of Commerce, spoke in support and encouraged Council to approve the proposed ordinance.
13. Arthur O’Hara – 4140 49th Street North, representing R’Club Child Care, Inc., spoke in support of the proposed ordinance.
14. Brian Longstreth – 4505 5th Avenue North, spoke in support of proposed ordinance.
15. William Heyen – 2420 7th Avenue North, spoke in support of proposed ordinance.
16. Maureen Stafford – 1215 Beach Drive NE., spoke in opposition to the proposed ordinance.
17. Manuel Sykes – 2901 54th Avenue South, spoke in support of the proposal from Clear Channel.
18. Emily Worden – 5672 Kiwanis Place NE, representing St. Petersburg Young Professionals, spoke in support of the proposed ordinance.
19. Joel Giles – 200 Central Avenue, Suite 2300, representing St. Petersburg Area Chamber of Commerce, spoke in support of the proposed ordinance.
20. Mike Gulley – 542 Lewis Boulevard SE, spoke in support of the proposed ordinance.
21. Irma Wehle – 1935 Bonita Way South, spoke against the proposed ordinance.
22. Chris Steinocher – 741 18th Avenue North, representing St. Petersburg Area Chamber of Commerce, spoke in support of the proposed ordinance.
23. Todd Pressman – 334 East Lake Road, representing Clear Channel Communications, spoke in support of the proposed ordinance.
24. Mike Barbaro – 104 2nd Street, spoke in support of the proposed ordinance.
25. Laurie MacDonald – 102 Wildwood Lane North, spoke against the proposed ordinance.

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26. David Hoover – 163 87th Avenue North, stated he was opposed to all billboards in the City and asked Council to look at the City of Clearwater ordinance.
27. Ed Montanari – 3345 Maple Street NE, spoke in support of the proposed ordinance.
28. Cathy Wilson – 1182 24th Avenue North, spoke against the proposed ordinance.
29. Rick Smith – 934 7th Street North, spoke in support of the proposed ordinance.
30. James Schattman – 6800 16th Avenue North, representing Crossroads Neighborhood Association, spoke against the proposed ordinance.
31. Tee Lassiter – 963 27th Avenue South, spoke in support of the proposed ordinance.
32. Tom O’Neill – 5555 Ulmerton Road, representing Clear Channel Outdoor, commented regarding the proposal from Clear Channel Outdoor.

Councilmember Danner moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 35-H, entitled:

PROPOSED ORDINANCE NO. 35-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING THE SIGN CODE; PROVIDING FOR ALLOWING OFF-PREMISE DIGITAL SIGNS IN CONJUNCTION WITH AN AGREEMENT REMOVING NONCONFORMING OFF-PREMISE SIGNS; PROVIDING FOR LIMITATIONS ON SIZE; PROVIDING STANDARDS FOR LIGHTING; PROVIDING STANDARDS FOR MESSAGES; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading as amended.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None. Councilmember Danner moved with the second of Councilmember Newton that the following resolutions be adopted as amended:

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12-391 Approving the Billboard Relocation and Reconstruction Agreement between the City of St. Petersburg and Clear Channel Outdoor, Inc. ("CC Outdoor") Providing for CC's Outdoor's permanent removal of eighty three (83) static off-premise signs as a condition to CC Outdoor reconstructing or replacing a certain six (6) of CC Outdoor's remaining off-premise signs with digital or electronic off-premise signs; and authorizing the Mayor or Mayor's designee to execute the Agreement.

Roll call. Ayes. Danner. Gerdes. Kennedy. Dudley. Curran. Kornell. Nurse. Newton. Nays. None. Absent. None.

In connection with continuation of the Open Forum portion of the agenda, the following person(s) came forward:

3. Tee Lassiter - 963 27th Avenue South, representing "Success Unlimited" Women & Youth Business Center, Inc., invited Mayor and Council to attend the Annual Lawfest Workshop & Community Fair to be held Saturday, October 13, 2012 at John Hopkins Middle School, 701 16th Street South from 10:00 a.m. to 2:00 p.m.

There being no further business, the meeting was adjourned at 10:44 p.m.

Leslie Curran, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Cathy E. Davis, Acting City Clerk

Attached documents for item City Beautiful

Attached documents for item Civil Service Board

Attached documents for item Code Enforcement Board

Attached documents for item Commission on Aging

Attached documents for item Community Preservation Commission

Attached documents for item International Relations Committee

Attached documents for item Planning & Visioning Commission

Attached documents for item Social Services Allocations Committee