

COUNCIL MEETING

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

CITY OF ST. PETERSBURG

February 7, 2013
8:30 AM

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. Public Hearings and Quasi-Judicial Proceedings - 9:00 A.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. [Ordinance 66-H amending the St. Petersburg City Code, Chapter 16 \(Land Development Regulations\) providing for additional residential density, intensity \(floor-area-ratio\) and building height for property located within an activity Center and designated with CRT-1 \(Corridor Residential Traditional\) and CCT-1 \(Corridor Commercial Traditional\) zoning. \(City File LDR-2012-04\)](#)
2. [Ordinance 1046-V approving the partial street vacations of 2nd Avenue South and 5th Street South abutting the southern and western sides of 116 - 5th Street South \(Lots 11-14, Block 38, Revised Map of the City of St. Petersburg\), being more specifically described as the northern 35 feet \(MOL\) of 2nd Avenue South, the eastern 35 feet \(MOL\) of 5th Street South and the associated portion of the intersection \(City File 12-33000018\), and providing for an exception to certain conditions in the City Code.](#)
3. [Resolution authorizing the removal of the existing hexagon block sidewalk located within a portion of the 2nd Street North right-of-way between 3rd Avenue North and 4th Avenue](#)

North. This request is related to the applicant's proposal to develop the southern half of the block with a new 8-story, 309-unit multi-family project.

E. Reports

1. Police Update. (Oral)
2. Resolution to allocate \$500,000 in the General Fund Contingency.
3. Update on Pinellas Suncoast Transit Authority (PSTA), Metropolitan Planning Organization (MPO) and Tampa Bay Area Regional Transportation Authority (TBARTA). (Councilmember Danner) (Oral)
4. Accepting a proposal from Federal Property Registration Corporation to create a foreclosure registry and collect registration fees for the Codes Compliance Assistance Department.
5. Approving the purchase of 13 replacement vehicles from Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. for the Police Department at a total cost of \$243,686.30.
6. Authorizing the Mayor or his designee to execute an agreement between the City of St. Petersburg, Florida and the Early Learning Coalition of Pinellas County, Inc., to provide the school readiness program for qualified families for one year commencing April 1, 2013, and ending March 31, 2014.
7. Authorizing the Mayor or his designee to enter into a Cooperative Funding Agreement with the Southwest Florida Water Management District for the City of St. Petersburg Phase Toilet Replacement Program Phase 13 in the amount of \$150,000.
8. Approving all programs/projects as approved by the Chief of Police as a part of the FY2013 Law Enforcement Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all of the documents necessary to effectuate these awards; and authorizing a supplemental appropriation in the amount of \$42,347.40 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Local Law Enforcement State Trust (140-2857) to fully fund the awards.
9. Approving a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law enforcement Fund (1023) to the Police Department, Local Law enforcement state fund (140-2857) to pay monetary awards to citizens for criminal tips pertaining to the illegal gun bounty program; and authorizing the Mayor or is designee to execute all documents necessary to effectuate this transaction.
10. Tampa Bay Regional Planning Council. (Councilmember Newton) (Oral)

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

Setting February 21, 2013 as the public hearing date for the following proposed Ordinance:

1. Ordinance amending Chapter 27, Division 3 of Article V of the St. Petersburg City, relating to the Industrial Pretreatment Program.

G. New Business

1. [Requesting to have all CRA/Agenda Review and Administrative Updates meetings be televised live. \(Councilmember Newton\)](#)
2. [Referring to the Committee of the Whole, or alternatively to the Budget, Finance & Taxation Committee for discussion the proposed Eleventh Amendment Use Agreement between the City of St. Petersburg and the Tampa Bay Rays. \(Councilmember Gerdes\)](#)

H. Council Committee Reports

1. [Youth Services Committee. \(1/24/13\)](#)
2. [Budget, Finance & Taxation Committee. \(1/31/13\)](#)
 - (a) Resolution authorizing the Mayor or his designee to execute a Mortgage Assumption Agreement, a Mortgage Modification Agreement, and an Agency Agreement between the City of St. Petersburg and St. Petersburg Free Clinic, Inc. ("Free Clinic") to allow the Free Clinic to assume the operation of the property located at 423 - 437 11th Avenue South, St. Petersburg, Florida previously operated by ASAP Homeless Services, Inc.; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this Resolution.
3. [Public Services & Infrastructure Committee. \(1/31/13\)](#)
4. [Housing Services Committee. \(1/31/13\)](#)

I. Legal

1. [Authorizing the City Attorney to use interns paid by a law school or university and approving they be covered by the City's self-insurance program.](#)

J. Open Forum

1. [Open Forum](#)

K. Adjournment

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

**Consent Agenda A
February 7, 2013**

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. [Approving the purchase of two replacement fire apparatus for the Fire Department from The Sutphen Corporation at a total cost of \\$763,915.48.](#)
2. [Accepting a proposal from Federal Property Registration Corporation to create a foreclosure registry and collect registration fees for the Codes Compliance Assistance Department. \[MOVED to Reports as E-4\]](#)

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda B February 7, 2013

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 annual service agreement for I/CAD and I/LEADS applications with Intergraph, Inc., a sole source supplier, at a cost of \\$286,044.92.](#)
2. [Approving the purchase of 13 replacement vehicles from Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. for the Police Department at a total cost of \\$243,686.30. \[MOVED to Reports as E-5\]](#)
3. [Renewing a blanket purchase agreement with Rowland, Inc. for unscheduled utility infrastructure repairs for the Water Resources Department at an estimated annual cost of \\$100,000.](#)

(City Development)

4. [Authorizing the Mayor or his designee to sell the surplus, improved City-owned property located at 2901 Fairfield Avenue South, St. Petersburg, to Christopher J. Cantrelle for \\$50,000, subject to the City's affordable housing program requirements.](#)
5. [Authorizing the Mayor or his designee to execute a First Amendment to Lease Agreement with VK, Inc., a Florida profit corporation, for the use of facilities located at 421 Eighth Avenue S.E., St. Petersburg \("Premises"\), within Albert Whitted Airport for a period of five \(5\) years at a rental rate of \\$1,027 per month, with the right to request extensions for two \(2\) additional five \(5\) year terms, subject to approval by City Council; and authorizing VK, Inc. to sublease variable space within the Premises to Aristiz, Inc. for the operation of an aircraft upholstery fabrication and repair service. \(Requires affirmative vote of at least six \(6\) members of City Council.\)](#)

(Leisure & Community Services)

6. [Authorizing the Mayor or his designee to execute an agreement between the City of St. Petersburg, Florida and the Early Learning Coalition of Pinellas County, Inc., to provide the school readiness program for qualified families for one year commencing April 1, 2013, and ending March 31, 2014. \[MOVED to Reports as E-6\]](#)
7. [Authorizing the Mayor or his designee to accept a grant of \\$96,539 from the Florida Housing Finance Corporation \(FHFC\) for FY 2012-2013 to fund the State Housing Initiatives Partnership \("SHIP"\) Program for the purpose of providing affordable housing opportunities for low- and moderate-income persons; authorizing the submission of the 2012-2013 SHIP Funding Strategies Summary Certification form to FHFC; authorizing](#)

the Mayor or his designee to execute a grant agreement with FHFC and all other documents necessary to effectuate this transaction; and approving a supplemental appropriation in the amount of \$96,539 from the increase in the unappropriated balance of the SHIP Fund (1019), resulting in these additional revenues to the SHIP Program, Housing and Community Development Department (082) Division (1089).

(Public Works)

8. Authorizing the Mayor or his designee to enter into a Cooperative Funding Agreement with the Southwest Florida Water Management District for the City of St. Petersburg Phase Toilet Replacement Program Phase 13 in the amount of \$150,000. [MOVED to Reports as E-7]

(Appointments)

9. Confirming the appointment of Vito D. Sheeley as a regular member to the International Relations Committee to serve a three-year term ending December 31, 2015.

(Miscellaneous)

10. Approving all programs/projects as approved by the Chief of Police as a part of the FY2013 Law Enforcement Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all of the documents necessary to effectuate these awards; and authorizing a supplemental appropriation in the amount of \$42,347.40 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Local Law Enforcement State Trust (140-2857) to fully fund the awards. [MOVED to Reports as E-8]
11. Approving a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law enforcement Fund (1023) to the Police Department, Local Law enforcement state fund (140-2857) to pay monetary awards to citizens for criminal tips pertaining to the illegal gun bounty program; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this transaction. [MOVED to Reports as E-9]
12. Authorizing the Mayor or his designee to accept \$47,604 from Pinellas County as the City's share of the FY2009 JAG ARRA Edward Byrne Memorial Justice Assistance Grant earmarked for the Countywide Prison Transport Service to fund special project overtime, and to execute all documents necessary to effectuate this transaction.
13. Authorizing the Mayor to execute a 5-year renewal of the existing Interlocal Agreement by and among Pinellas County Law Enforcement Agencies for information sharing.

MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

Budget, Finance & Taxation Committee

Thursday, January 31, 2013, 8:00 a.m., Room 100

Public Services & Infrastructure Committee

Thursday, January 31, 2013, 9:15 a.m., Room 100

Housing Services Committee

Thursday, January 31, 2013, 10:30 a.m., Room 100

CRA/Agenda Review & Administrative Updates

Thursday, January 31, 2013, 1:30 p.m., Room 100

City Council Workshop - Bayfront Restated Lease

Thursday, February 7, 2013, 2:00 p.m., Room 100

Budget, Finance & Taxation Committee

Thursday, February 14, 2013, 8:00 a.m., Room 100

Public Services & Infrastructure Committee

Thursday, February 14, 2013, 9:15 a.m., Room 100

CRA/Agenda Review & Administrative Updates

Thursday, February 14, 2013, 1:30 p.m., Room 100

City Council Meeting

Thursday, February 14, 2013, 3:00 p.m., Council Chambers

CITY OF ST. PETERSBURG

Board and Commission Vacancies



Arts Advisory Committee

1 Regular Member
(Term expires 9/30/15)

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

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

Planning & Visioning Commission

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

Social Services Allocation 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 66-H amending the St. Petersburg City Code, Chapter 16 (Land Development Regulations) providing for additional residential density, intensity (floor-area-ratio) and building height for property located within an activity Center and designated wi

ST. PETERSBURG CITY COUNCIL

Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair, and Members of City Council

SUBJECT: **City File LDR 2012-04:** Proposed amendments to the St. Petersburg City Code, Chapter 16 (Land Development Regulations), providing for additional residential density, intensity (floor-area-ratio) and building height for property located within an activity center and designated with CRT-1 (Corridor Residential Traditional) and CCT-1 (Corridor Commercial Traditional) zoning.

REQUEST: Second reading and public hearing of the attached ordinance ___ amending Sections 16.20.060 and 16.20.080 of the City Code regarding the maximum allowable residential density, nonresidential intensity and building height.

RECOMMENDATION:

Administration:

The Administration recommends APPROVAL.

Development Review Commission (DRC):

The DRC conducted a public hearing on December 5, 2012 to consider the applicant's request, and voted unanimously (7 to 0) to approve the amendment based on consistency with the Comprehensive Plan and to forward the recommendation onto the City Council.

City Council Action:

On January 24, 2013, the City Council conducted the first reading for the proposed ordinance and set the second reading and public hearing for February 7, 2013.

Recommended City Council Action:

1. CONDUCT the second reading and public hearing of the proposed ordinance; and
2. ADOPT the ordinance.

Attachments:

Ordinance
DRC Staff Report

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING CHAPTER 16 OF THE CITY CODE; PROVIDING FOR ADDITIONAL RESIDENTIAL DENSITY, INTENSITY (FLOOR-AREA-RATIO) AND BUILDING HEIGHT FOR PROPERTY LOCATED WITHIN AN ACTIVITY CENTER AND DESIGNATED WITH CRT-1 (CORRIDOR RESIDENTIAL TRADITIONAL) AND CCT-1 (CORRIDOR COMMERCIAL TRADITIONAL) ZONING; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Section 16.20.060.5 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.060.5. - Development potential.

Development potential is slightly different within the districts to respect the character of the neighborhoods. Achieving maximum development potential will depend upon market forces, such as minimum desirable unit size, and development standards, such as minimum lot size, parking requirements, height restrictions, and building setbacks.

Minimum Lot Size, Maximum Density and Maximum Intensity

	CRT-1	CRT-2
Minimum lot area (square ft.)	4,500	4,500
Maximum residential density (units per acre)	Residential density	40
	<u>Residential density within activity center</u>	<u>40</u>
	Workforce housing density bonus	6
Maximum nonresidential intensity (floor area ratio)	Nonresidential intensity	1.5
	<u>Nonresidential intensity within activity center</u>	<u>1.5</u>
	Workforce housing intensity bonus	0.2
Maximum impervious surface (site area ratio)	0.75	0.95
<p>Workforce housing density and intensity bonus: All units associated with this bonus shall be utilized in the creation of workforce housing units as prescribed in the City's workforce housing program and shall meet all requirements of the program. Refer to technical standards regarding measurement of lot dimensions, calculation of maximum residential</p>		

density, nonresidential floor area and impervious surface.

Section Two. Section 16.20.060.6 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.060.6. - Building envelope: Maximum height and minimum setbacks.

Maximum Building Height (All Districts)

Building Height	Top of roof peak	
	CRT-1	CRT-2
Primary building	36 ft.	48 ft.
<u>Primary building within activity center</u>	<u>48 ft.</u>	<u>48ft.</u>
Refer to technical standards regarding measurement of building height and height encroachments.		

Minimum Building Setbacks

Building Setbacks		CRT-1	CRT-2
Front yard	Stoop	7 ft.	0 ft.
	Open porch	10 ft.	0 ft.
	Building	15 ft.	0 ft.
Interior side yard		5 ft.	0 ft.
Street side yard		10 ft.	0 ft.
Rear yard	With alley	5 ft.	0 ft.
	No alley	7.5 ft.	7.5 ft.
Additional criteria may affect setback requirements including design standards and building or fire codes. Refer to technical standards for yard types, and setback encroachments. Enclosing porches in the front yard setback is regulated by the general development standards.			

Minimum Building Setbacks for SE Uses

Building Setbacks SE Uses	CRT-1	CRT-2
All yards	35 ft.	35 ft.
Refer to technical standards for yard types.		

Section Three. Section 16.20.080.5 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.080.5. - Development potential.

Development potential is slightly different within the districts to respect the character of the neighborhoods. Achieving maximum development potential will depend upon market forces, such as minimum desirable unit size, and development standards, such as minimum lot size, parking requirements, height restrictions, and building setbacks.

Minimum Lot Size, Maximum Density and Maximum Intensity

		CCT-1	CCT-2
Minimum lot area (square ft.)		4,500	4,500
Maximum residential density (units per acre)	Residential density	24	40
	<u>Residential density within activity center</u>	<u>36</u>	<u>40</u>
	Workforce housing density bonus	6	6
	Hotel density (rooms per acre)	45	N/A
Maximum nonresidential intensity (floor area ratio)	Nonresidential intensity	1.0	1.5
	<u>Nonresidential intensity within activity center</u>	<u>1.5</u>	<u>1.5</u>
	Workforce housing intensity bonus	0.2	0.2
Maximum impervious surface (site area ratio)		0.95	0.95
<p>Workforce housing density and intensity bonus: All units associated with this bonus shall be utilized in the creation of workforce housing units as prescribed in the City's workforce housing program and shall meet all requirements of the program.</p> <p>Refer to technical standards regarding measurement of lot dimensions, calculation of maximum residential density, nonresidential floor area and impervious surface.</p>			

Section Four. Section 16.20.080.6 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.080.6. - Building envelope: Maximum height and minimum setbacks.

Maximum Building Height (All Districts)

Building Height		CCT-1	CCT-2
All <u>Primary</u> buildings		42 ft.	60 ft.
<u>Primary building within activity center</u>	<u>Small lot (< one acre in size)</u>	<u>48 ft.</u>	<u>60 ft.</u>
	<u>Medium lot (between one and two acres in size)</u>	<u>60 ft.</u>	<u>60 ft.</u>
	<u>Large lot (> two acres in size)</u>	<u>84 ft.</u>	<u>60 ft.</u>
Refer to technical standards regarding measurement of building height and height encroachments.			

Minimum Building Setbacks

Building Setbacks	CCT-1	CCT-2	
	Building height in	Building height in	Building height in

		setback up to 42 ft.	setback up to 42 ft.	setback 42 ft. to 60 ft.
Front yard		0 ft. from the property line or 10 ft. from the curb, whichever is greater	0 ft. from the property line or 10 ft. from the curb, whichever is greater	10 ft. from the property line or 10 ft. from the curb, whichever is greater
Interior side yard		0 ft.	0 ft.	0 ft.
Street side yard		0 ft. from the property line or 5 ft. from the curb, whichever is greater	0 ft. from the property line or 5 ft. from the curb, whichever is greater	10 ft. from the property line or 10 ft. from the curb, whichever is greater
Rear yard	With alley	0 ft.	0 ft.	0 ft.
	No alley	10 ft.	10 ft.	10 ft.
<p>For measurements from the curb, if there is no curb, the measurement shall be from the edge of the street pavement. Additional criteria may affect setback requirements including design standards and building or fire codes. Refer to technical standards for yard types and setback encroachments.</p>				

Section Five. Words which are underlined shall be added and words which are ~~struck through~~ shall be deleted from the existing City Code.

Section Six. Severability. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is judicially determined to be unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provision of this ordinance.

Section Seven. Effective Date. In the event 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)



PUBLIC HEARING

Staff Report to the St. Petersburg Development Review Commission
 Prepared by the Planning and Economic Development Department,
 Urban Planning & Historic Preservation Division

For Public Hearing on December 5, 2012
 at 2:00 p.m. in the City Council Chambers, City Hall,
 175 Fifth Street North, St. Petersburg, Florida.

<u>Subject:</u>	City File LDR 2012-04: Amendment to the Land Development Regulations (LDRs), Chapter 16, City Code of Ordinances.
<u>Request:</u>	This is a private application requesting to amend the City's Land Development Regulations (LDRs), City Code Chapter 16, regarding residential density for property located within an activity center. It is requested that the Development Review Commission (DRC) hold a public hearing, deliberate and recommend approval of the LDR amendments presented here, based on consistency with the Comprehensive Plan.
<u>Authority:</u>	Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the Land Development Regulation Commission (LDRC), is responsible for reviewing and making a recommendation to the City Council on all proposed LDR amendments.
<u>Background:</u>	<p>On October 12, 2012 City staff received a formal request from Buddy Sauter & Associates asking that the City amend the CRT-1 (Corridor Residential Traditional-1) and CCT-1 (Corridor Commercial Traditional-1) zoning district regulations to increase the maximum residential density for property located within an activity center.</p> <p>While such a City Code amendment is not considered "site specific," it should be noted that the applicant initiated this proposal to benefit the property located in the southern half of the block bounded by 5th Avenue South and 6th Avenue South, between Dr. ML King Jr. Street and 10th Street South. The property is located within the Intown activity center. Beneficial Development 11, LLC has indicated an interest in constructing apartments on the property.</p>

<p><u>Analysis:</u></p>	<p>Since the 1980s the City's adopted Comprehensive Plan and Future Land Use Map have addressed and identified four activity centers: Gateway, Tyrone, Central Plaza and Intown. It has long been the goal of the City to concentrate growth and facilitate compact urban development within these areas.</p> <p>Table 1 (attached) lists the zoning districts that are found within the City's four activity centers. The City Code allows a greater residential density and intensity (or floor-area-ratio) within an activity center for property designated with CCS (Corridor Commercial Suburban), EC (Employment Center), IC (Institutional Center), RC (Retail Center) and CRS-2 (Corridor Residential Suburban-2) zoning. However, the greater density and intensity is not provided within the activity centers for properties zoned CRT-1 and CCT-1. Thus, as previously stated, the applicant's request is to amend the CRT-1 and CCT-1 zoning district regulations to increase the maximum residential density for property located within an activity center and, as can be discerned from Table 1, this would include the Central Plaza and Intown activity centers. Maps depicting the boundaries of the Central Plaza and Intown activity centers are also attached.</p> <p>The applicant's request to increase the residential density is consistent with the City's goals and objectives of concentrating growth in the Central Plaza and Intown activity centers and the live/work theme encouraged within these areas. Moreover, the amendment creates an opportunity to provide more housing to meet the needs of current and future employers in the Central Plaza and Intown activity centers which in turn supports mass transit, whether that be PSTA bus service, Bus Rapid Transit (BRT) or possibly light rail in the future.</p> <p>Arguably, the changes to the CRT-1 and CCT-1 regulations proposed here should have been included in the update of the land development regulations (LDRs) that became effective in September 2007, subsequent to the implementation of the St. Pete Vision 2020 Plan and the City-wide rezoning.</p> <p>The specific amendments to the CRT-1 and CCT-1 zoning district regulations recommended by City staff are provided in Table 2 (attached). For both zoning districts, a multiplier of 1.5 times the base density of 24 units per acre was used to obtain the proposed residential density of 36 units per acre within an activity center. A multiplier of 1.5 times the base nonresidential intensity (or floor-area-ratio) of 1.0 was also used to obtain the proposed nonresidential intensity of 1.5 within an activity center. The 1.5 multiplier is consistent with the activity center increase permitted in the CCS, EC, IC, RC and CRS-2 zoning districts.</p> <p>Table 2 also identifies the proposed maximum building height on property designated CRT-1 and CCT-1 within activity centers less than an acre, between one and two acres, and greater than two acres in size. The proposed building heights are consistent with the heights permitted in the CCS zoning districts within activity centers.</p>
<p><u>Housing Affordability Impact Statement:</u></p>	<p>The proposed amendments could have a positive impact on housing affordability, availability and accessibility by providing additional density for market and workforce housing. A Housing Affordability Impact Statement is attached.</p>
<p><u>Compliance with the Comprehensive Plan:</u></p>	<p>The requested amendment is appropriate for the higher density development that is intended for the Central Plaza and Intown activity centers, consistent with the following objective and policies:</p>

	<p>Objective LU2 The Future Land Use Element shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.</p> <p>Policy LU2.1 To facilitate compact urban development the City shall adopt the following activity centers as part of this Land Use Plan: Gateway, Intown, Tyrone and Central Plaza.</p> <p>Policy LU2.3 To attract large scale quality development and assure the proper coordination, programming and timing of City services in the activity centers the City shall continue to develop, evaluate and implement appropriate activity center development incentives.</p>
<u>Recommendation:</u>	The Planning and Economic Development Department finds that the proposed amendments to Section 16.20.060.5, Section 16.20.060.6, Section 16.20.080.5 and Section 16.20.080.6, Chapter 16, City Code of Ordinances, are consistent with the Comprehensive Plan and recommends APPROVAL .
<u>Attachments:</u>	<p>Table 1: Activity Center Zoning Designations</p> <p>Table 2: Proposed City Code Amendments</p> <p>Central Plaza Activity Center Map</p> <p>Intown Activity Center Map</p> <p>Housing Affordability Impact Statement</p>

Table 1

ACTIVITY CENTER ZONING DESIGNATIONS

Zoning District	Intown Activity Center	Gateway Activity Center	Tyrone Activity Center	Central Plaza Activity Center
CCS-1		X	X	X
CCS-2	X	X		X
CCT-1	X			
CCT-2	X			
CRS-2		X		
CRT-1	X			X
CRT-2	X			
DC-C	X			
DC-1	X			
DC-2	X			
DC-3	X			
EC		X		
IC	X			
IS		X		
IT	X			
NSM-1		X	X	
NSM-2	X	X		
RC-1			X	
RC-2		X	X	

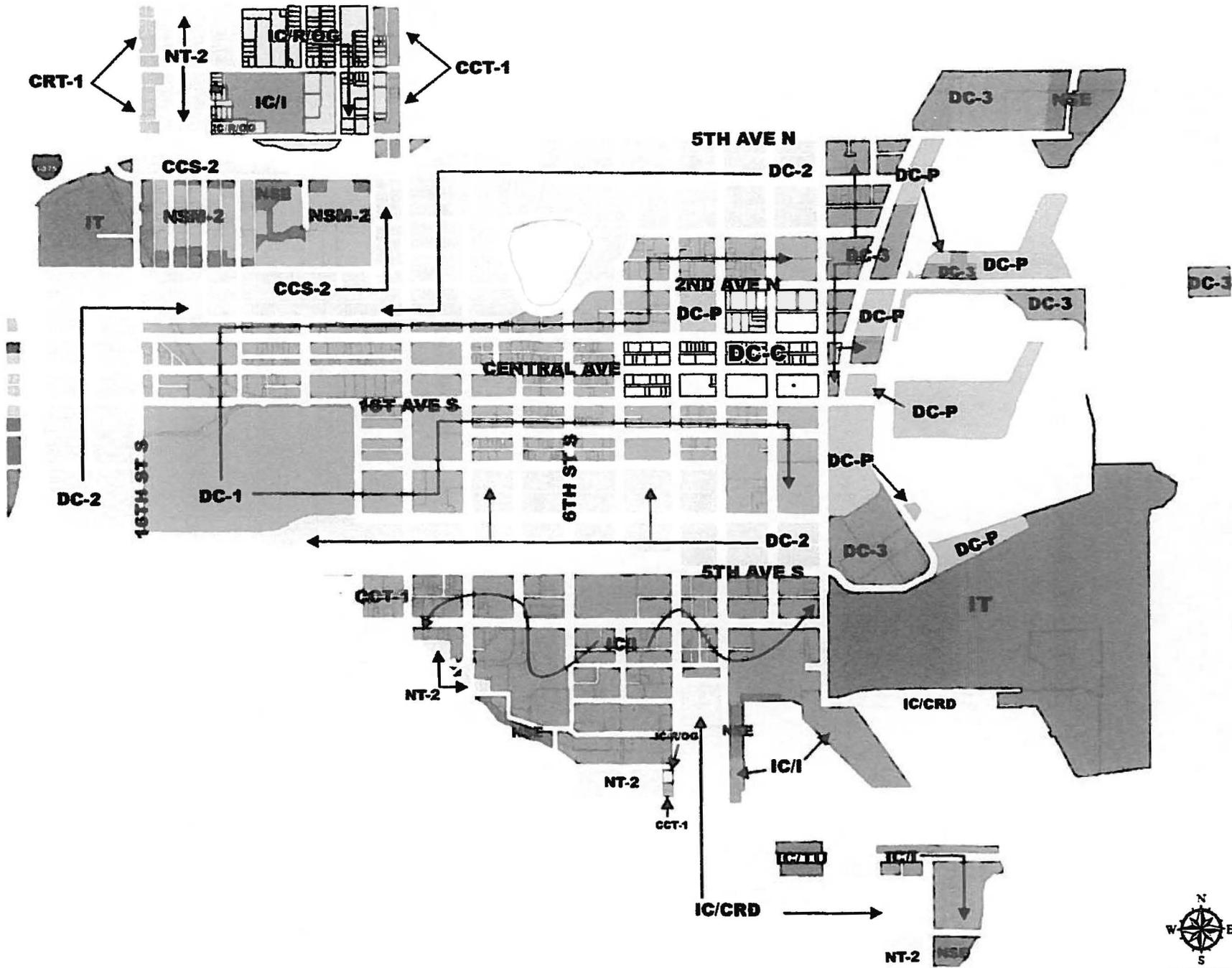
Note: Only CCT-1 and CRT-1 are affected by the proposed changes.

Table 2

**PROPOSED AMENDMENTS TO THE CRT-1 AND CCT-1
ZONING DISTRICT REGULATIONS**

City Code Section	Zoning District	Language to be Added (<u>underlined</u>)
16.20.060.5	CRT-1	<u>Residential Density Within Activity Center</u> <u>36 upa</u>
		<u>Nonresidential Intensity Within Activity Center</u> <u>1.5 f.a.r.</u>
16.20.080.5	CCT-1	<u>Residential Density Within Activity Center</u> <u>36 upa</u>
		<u>Nonresidential Intensity Within Activity Center</u> <u>1.5 f.a.r.</u>
16.20.060.6	CRT-1	<u>Building Height, Primary Building Within Activity Center</u> <u>48'</u>
16.20.080.6	CCT-1	<u>Building Height, Primary Building Within Activity Center</u>
		<u>Small Lot (< one acre in size)</u> <u>48'</u>
		<u>Medium Lot (between one and two acres in size)</u> <u>60'</u>
		<u>Large Lot (> two acres in size)</u> <u>84'</u>

Intown Activity Center Zoning



Central Plaza Activity Center Zoning

5TH AVE N

CCS-2

4TH AVE N

34TH ST N

3RD AVE N

1ST AVE N

CENTRAL AVE

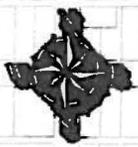
1ST AVE S

CCS-1

CRT-1

31ST ST S

5TH AVE S



**City of St. Petersburg
Housing Affordability Impact Statement**

Each year, the City of St. Petersburg receives approximately \$2 million dollars in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that *increase the cost of housing construction, or of housing redevelopment*, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1– June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

I. Initiating Department: Planning and Economic Development

II. Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2012-04).

III. Impact Analysis:

A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

No X (No further explanation required.)
Yes _____ Explanation:

If Yes, the **per unit cost increase** associated with this proposed policy change is estimated to be: \$_____.

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

No X (No further explanation required.)
Yes _____ Explanation:

IV: Certification

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community's ability to provide affordable housing, please explain below:

CHECK ONE:

- The proposed regulation, policy, procedure, or comprehensive plan amendment will not result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

Richard W. McArdley For Dave Goodwin
Department Director (signature)

11/26/12
Date

OR

The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance *will increase housing costs* in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

Department Director (signature)

Date

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development

Tampa Bay Times

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF Pinellas

} S.S.

Before the undersigned authority personally appeared **B. Harr** 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: ST. PETERSBURG NOTICE OF PUBLIC HEARING - ORDINANCES 66-H & 1046-V** was published in said newspaper in the issues of *Neighborhood Times St Petersburg*, 1/27/2013.

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.

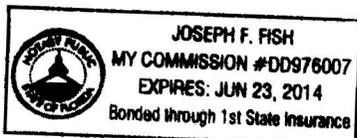
Signature of Affiant

Sworn to and subscribed before me
this 29th day of **January** A.D.2013

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. 66-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING CHAPTER 16 OF THE CITY CODE; PROVIDING FOR ADDITIONAL RESIDENTIAL DENSITY, INTENSITY (FLOOR-AREA-RATIO) AND BUILDING HEIGHT FOR PROPERTY LOCATED WITHIN AN ACTIVITY CENTER AND DESIGNATED WITH CRT-1 (CORRIDOR RESIDENTIAL TRADITIONAL) AND CCT-1 (CORRIDOR COMMERCIAL TRADITIONAL) ZONING; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO 1046-V

AN ORDINANCE APPROVING THE PARTIAL STREET VACATIONS OF 2ND AVENUE SOUTH AND 5TH STREET SOUTH ABUTTING THE SOUTHERN AND WESTERN SIDES OF 116 - 5TH STREET SOUTH (LOTS 11 - 14, BLOCK 38, REVISED MAP OF THE CITY OF ST. PETERSBURG), AND THE ASSOCIATED PORTION OF THE INTERSECTION; PROVIDING AN EXCEPTION TO CERTAIN CONDITIONS IN THE CITY CODE; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

Date: February 7, 2013 Time: 9:00 a.m.

City Council Chamber
City Hall, 175 5th Street North

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

1/27/2013

895209-C

D-1



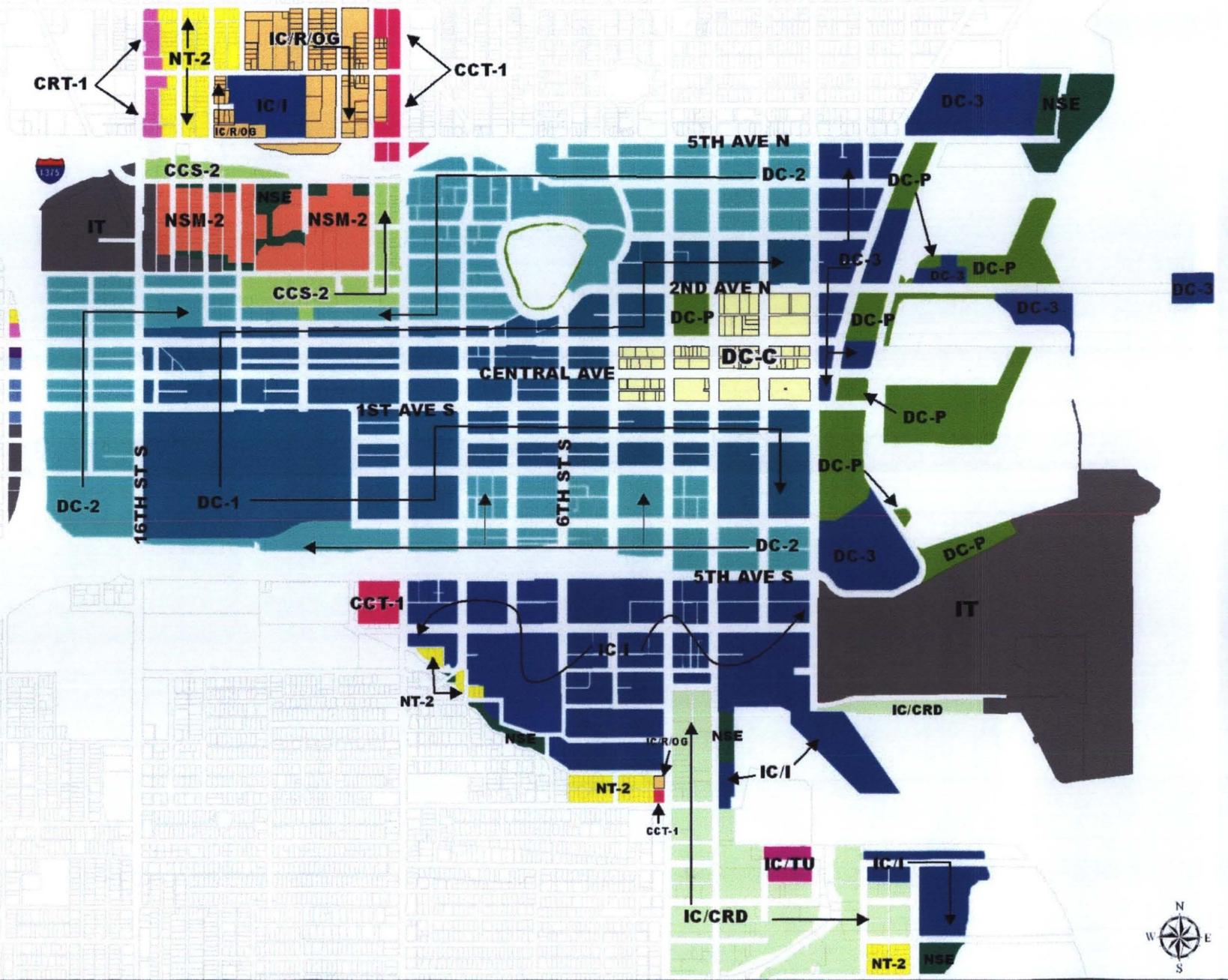
LDR 2012-04

Text Amendment to Land Development Regulations

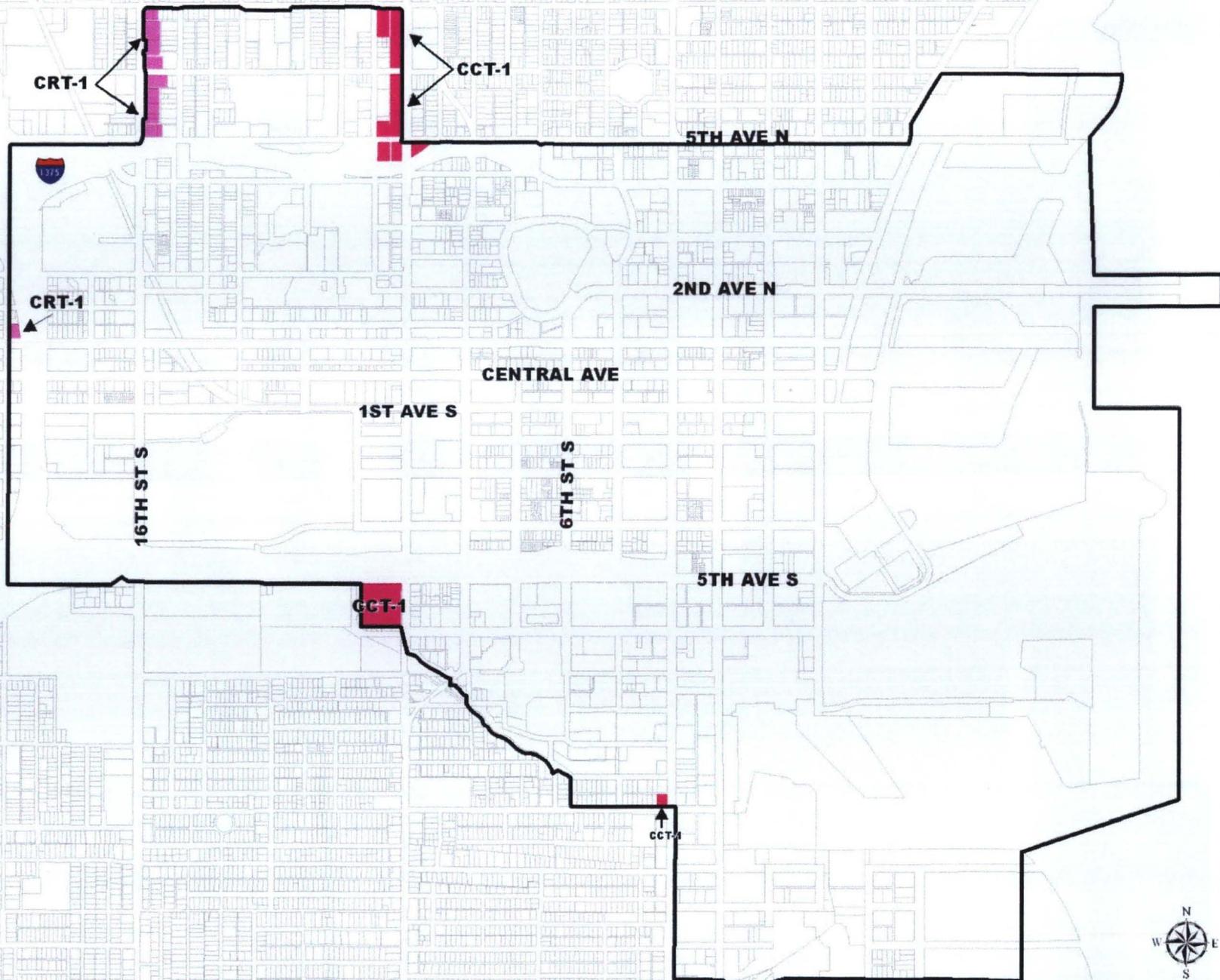
D-1

Zoning District	Intown Activity Center	Gateway Activity Center	Tyrone Activity Center	Central Plaza Activity Center
CCS-1		X	X	X
CCS-2	X	X		X
CCT-1	X			
CCT-2	X			
CRS-2		X		
CRT-1	X			X
CRT-2	X			
DC-C	X			
DC-1	X			
DC-2	X			
DC-3	X			
EC		X		
IC	X			
IS		X		
IT	X			
NSM-1		X	X	
NSM-2	X	X		
RC-1			X	
RC-2		X	X	

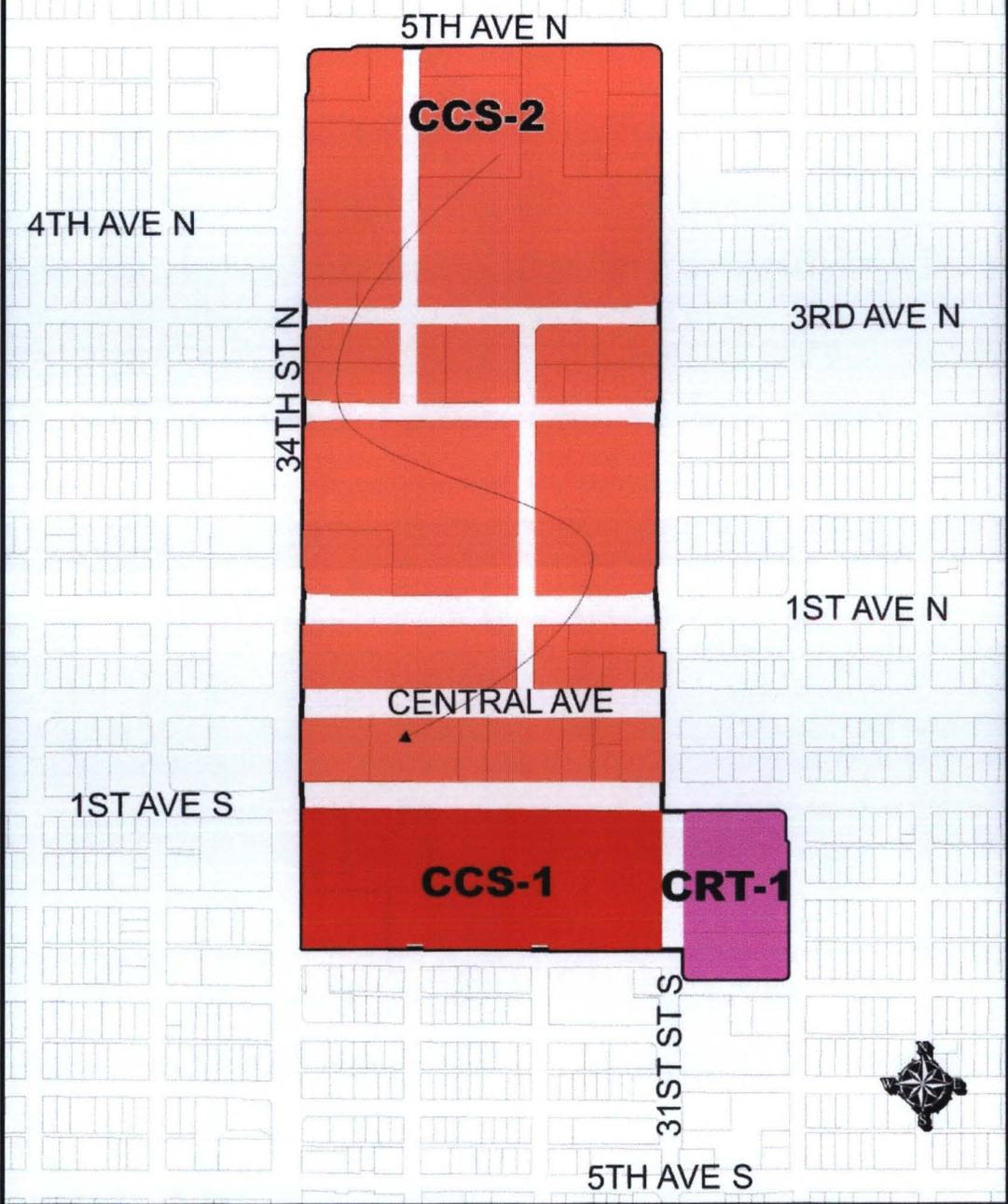
Intown Activity Center Zoning



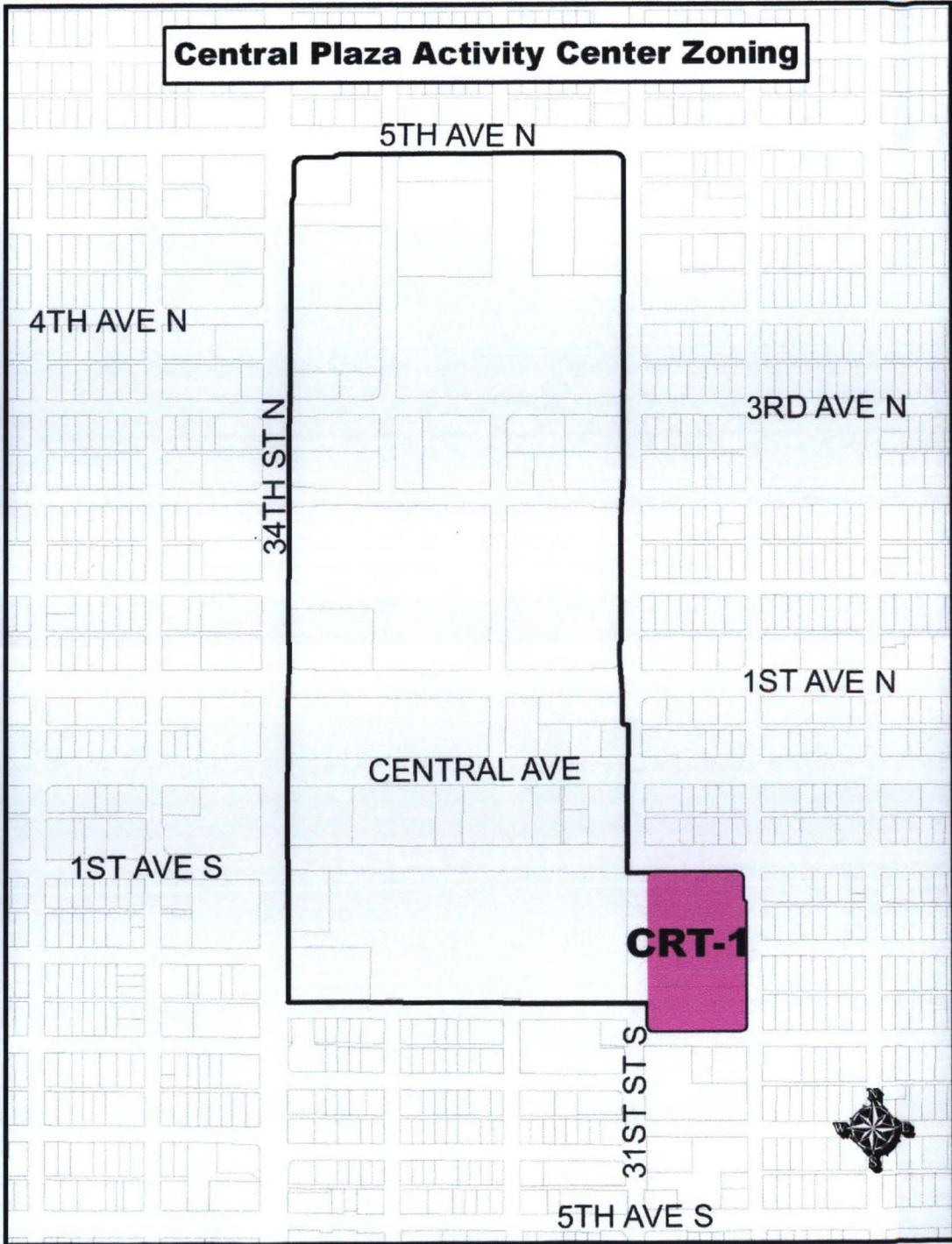
Intown Activity Center Zoning



Central Plaza Activity Center Zoning



Central Plaza Activity Center Zoning



City Code Section	Zoning District	Language to be Added	
16.20.060.5	CRT-1	Residential Density Within Activity Center Nonresidential Intensity Within Activity Center	36 upa 1.5 f.a.r.
16.20.080.5	CCT-1	Residential Density Within Activity Center Nonresidential Intensity Within Activity Center	36 upa 1.5 f.a.r.
16.20.060.6	CRT-1	Building Height, Within Activity Center	48'
16.20.080.6	CCT-1	Building Height, Within Small (< one acre in size) Medium (between one and two acres in size) Large (> two acres in size)	48' 60' 84'





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.

①

CITY OF ST. PETERSBURG, PUBLIC HEARING

D-1

NAME: GENE SMITH

ADDRESS: 1023 LOCUST ST NW

REPRESENTING: _____

AGENDA ITEM NO.: D-1

FOR: _____ AGAINST: _____

FEB 07 2013

3 MINUTE TIME LIMIT

Attached documents for item Ordinance 1046-V approving the partial street vacations of 2nd Avenue South and 5th Street South abutting the southern and western sides of 116 - 5th Street South (Lots 11-14, Block 38, Revised Map of the City of St. Petersburg), being more specifically d



SAINT PETERSBURG CITY COUNCIL

Meeting of February 7, 2013

TO: The Honorable Chair, Karl Nurse and Members of City Council

SUBJECT: Ordinance _____ approving the partial street vacations of 2nd Avenue South and 5th Street South abutting the southern and western sides of 116 - 5th Street South (Lots 11 - 14, Block 38, Revised Map of the City of St. Petersburg), being more specifically described as the northern 35 feet (MOL) of 2nd Avenue South, the eastern 35 feet (MOL) of 5th Street South and the associated portion of the intersection (City File No.: 12-33000018) and providing for an exception to certain conditions of the City Code.

RECOMMENDATION: The Administration and the Development Review Commission recommend **APPROVAL**.

RECOMMENDED CITY COUNCIL ACTION:

- 1) Conduct the public hearing; and
- 2) Approve the proposed ordinance.

The Request: The request is to vacate the on-street parking spaces within the public rights-of-way abutting the southern and western sides of the historic St. Petersburg YMCA (a locally designated landmark) located at 116 – 5th Street South. This application was initiated by the City Council at the suggestion of the Administration (Resolution No. 2012-540). The goal is to facilitate successful adaptive reuse of this significant, endangered downtown historic resource by creating a dedicated supply of privately-controlled parking. The right-of-way proposed for vacation is depicted on the attached maps.

Background: The existing building was completed in 1927 and later designated as a local historic landmark in 1991. Upon relocation of the club to a new facility in 2001, the subject property was sold to developers intending to create offices or condominiums. Most of the interior walls in the basement and 2nd thru 4th floors were removed in 2005. Due to issues including the decline of the market, the project did not proceed. The building has remained vacant and unused.

Previous and current owners have made several attempts to restore and adaptively reuse the building without success. Based upon conversations with owners and prospective buyers, Staff believes that the absence of a meaningful supply of privately-

controlled parking is one of the primary issues which is hindering a successful rehabilitation and adaptive reuse project. Prospective buyers and lenders appear to be reluctant to take such a substantial financial risk for a conversion project that has no significant supply of dedicated parking.

The owner has apparently received one offer to buy the property, provided the existing building can be demolished and the site can be redeveloped with a drive-through bank. As a result of that purchase offer, the owner has submitted an application to the City for approval to demolish the building. Staff intends to recommend denial of the demolition application. The demolition application was originally scheduled for consideration by the Community Preservation Commission (CPC) on November 16, 2012. However, the owner/applicant elected to defer consideration of the demolition request in part to allow the DRC and City Council to make a decision on this City-initiated street vacation request.

Given the Staff's findings set forth in the attached report to the DRC, which indicate that the requested vacation would be consistent with the applicable criteria in the Code, the Administration is recommending approval of this application, subject to the suggested special conditions. Due to the substantial amount of complex work that will be required to restore the building, the Administration is suggesting a condition which would provide a greater period of time than normally permitted for the owner to complete the required conditions before the approval becomes void.

Agency Review & Comments: The application was routed for review and comment by affected City Departments and outside utility agencies. The Engineering Department and the Transportation Planning Department expressed no objection, provided that certain types of easement were provided. These issues are addressed by the suggested conditions in the ordinance.

Public Notice & Public Comments: The City provided a public notice in advance of the DRC hearing. Staff received the attached letters of support from both the Council of Neighborhood Associations (CONA) and St. Petersburg Preservation, Inc (SPPI).

DRC Action: The Development Review Commission (DRC) considered the application during the public hearing on December 5, 2012. The DRC voted unanimously to recommend approval of the vacation to the City Council.

RECOMMENDATION:

The Administration recommends **APPROVAL** of the right-of-way vacation, subject to the following conditions:

1. This vacation shall not become effective until all required conditions have been completed and the ordinance has been recorded.
2. Section 16.70.050.1.1.F of the Land Development Regulations requires conditions of a vacation ordinance to be completed within two years of City Council approval, however, approval of this vacation shall be valid for an initial period of five (5) years and at the conclusion of the initial approval shall then be eligible for one-year extensions. Requests for one-year extensions shall be subject to review and approval by the City pursuant to the applicable criteria and

procedures in the City Code. All required conditions must be completed or this approval shall become void.

3. Prior to recording the vacation ordinance, the existing landmark structure on the subject property shall be restored and approved for occupancy by the City.
4. Prior to recording the vacation ordinance, the following easements shall be recorded over the area to be vacated. All easements shall be subject to final approval by the City prior to recording:
 - a. The area of the public sidewalk including the road curb (more or less the northern 20-feet of 2nd Avenue South and the eastern 20-feet of 5th Street South) shall be retained as a Public Sidewalk and Utility Easement.
 - b. The entire width of the parking spaces and roadway pavement to be vacated shall be retained as Public Utility and Drainage Easement.
 - c. The design of the on-street parking areas shall be maintained substantially as currently existing and in conformance with the City's design requirements for on-street parking spaces. Any proposed changes to the existing design shall require approval of a permit from the City. Fencing or otherwise enclosing the area to be vacated shall be prohibited.
 - d. All existing hexagon block, granite curb and bricks within the area to be vacated shall be preserved unless otherwise approved by the City. Any such materials which are approved for removal shall remain the property of the City of St. Petersburg. The property owner shall be responsible for returning such material at their sole expense and per the method prescribed by the City.

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE PARTIAL STREET VACATIONS OF 2ND AVENUE SOUTH AND 5TH STREET SOUTH ABUTTING THE SOUTHERN AND WESTERN SIDES OF 116 - 5TH STREET SOUTH (LOTS 11 - 14, BLOCK 38, REVISED MAP OF THE CITY OF ST. PETERSBURG), AND THE ASSOCIATED PORTION OF THE INTERSECTION; PROVIDING AN EXCEPTION TO CERTAIN CONDITIONS IN THE CITY CODE; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The following right-of-way is hereby vacated as recommended by the Administration and the Development Review Commission:

Portions of 2nd Avenue South and 5th Street South contiguous to the southern and western sides of the property located at 116 - 5th Street South, being more specifically described as:

Beginning at the Southeast corner of Lot 14, Block 38 of Revised Map of the City of St. Petersburg as recorded in Plat Book 1, Page 49 of the public records of Hillsborough County of which Pinellas County was formerly a part; Thence the following courses and Distances: South, 20 feet; S39°48'20"W, 19.53 feet; West, 147.50 feet,; To a curve, having a radius of 35 feet, an arc length of 54.98 feet, a chord length of 49.50 feet, and a chord bearing N45°00'00"W; North, 100 feet; East, 35 feet to the Northwest corner of Lot 11, Block 38 of said Plat Book 1, page 49; South, 100 feet, coincident with the West lot line of said Lot 11 to the Southwest corner of said Lot 11; East, 160 feet, coincident with the South boundary line of said Block 38 to the Point of Beginning.

SECTION 2. The above-mentioned right-of-way is not needed for public use or travel.

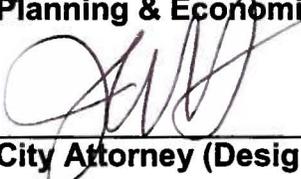
SECTION 3. The vacation is subject to and conditional upon the following:

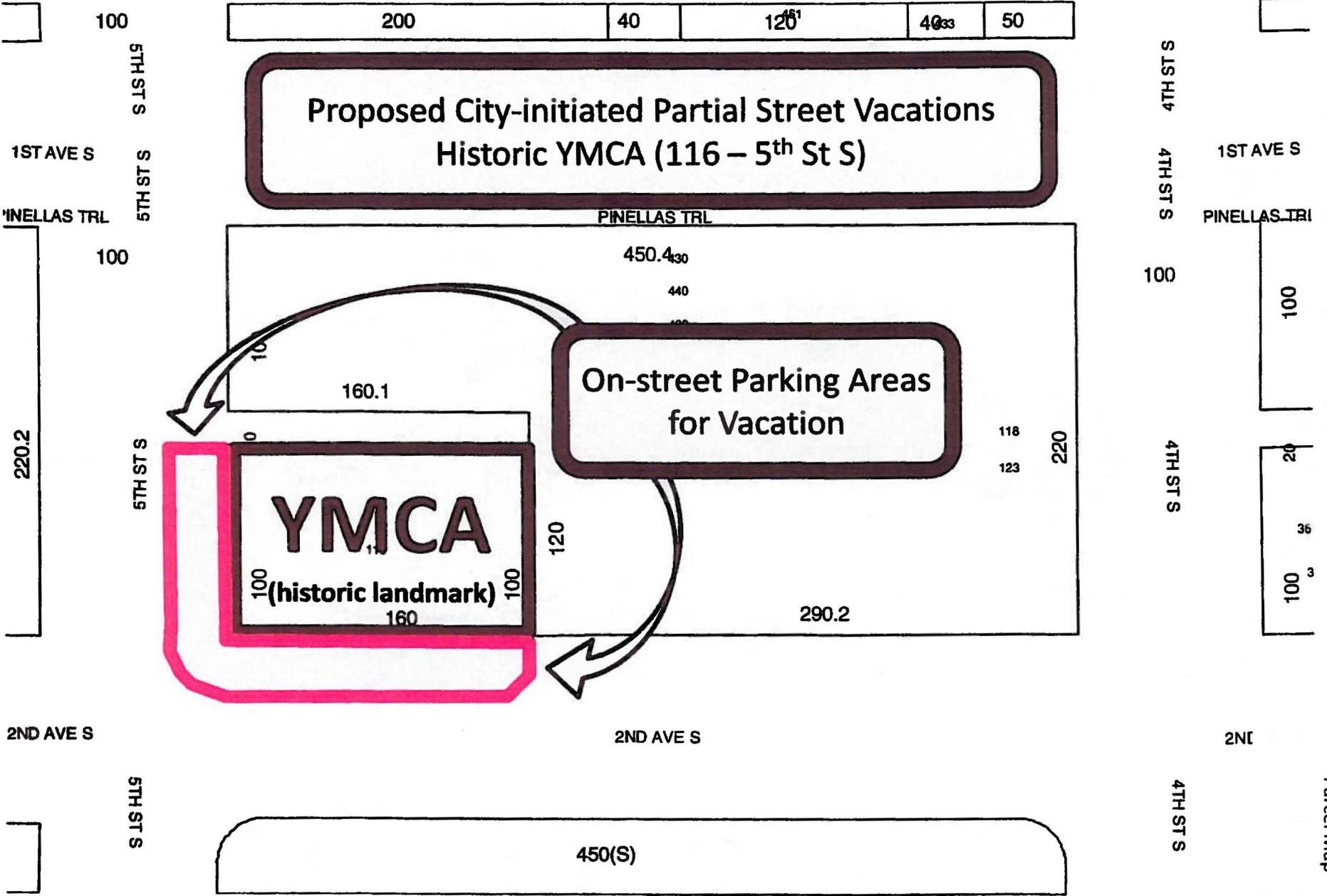
1. This vacation shall not become effective until all required conditions have been completed and the ordinance has been recorded.
2. Section 16.70.050.1.1.F of the Land Development Regulations requires conditions of a vacation ordinance to be completed within two years of City Council approval, however, approval of this vacation shall be valid for an initial period of five (5) years and the initial approval shall then be eligible for one-year extensions. Requests for one-year extensions shall be subject to review and approval by the City pursuant to the applicable criteria and procedures in the City Code. All required conditions must be completed or this approval shall become void.

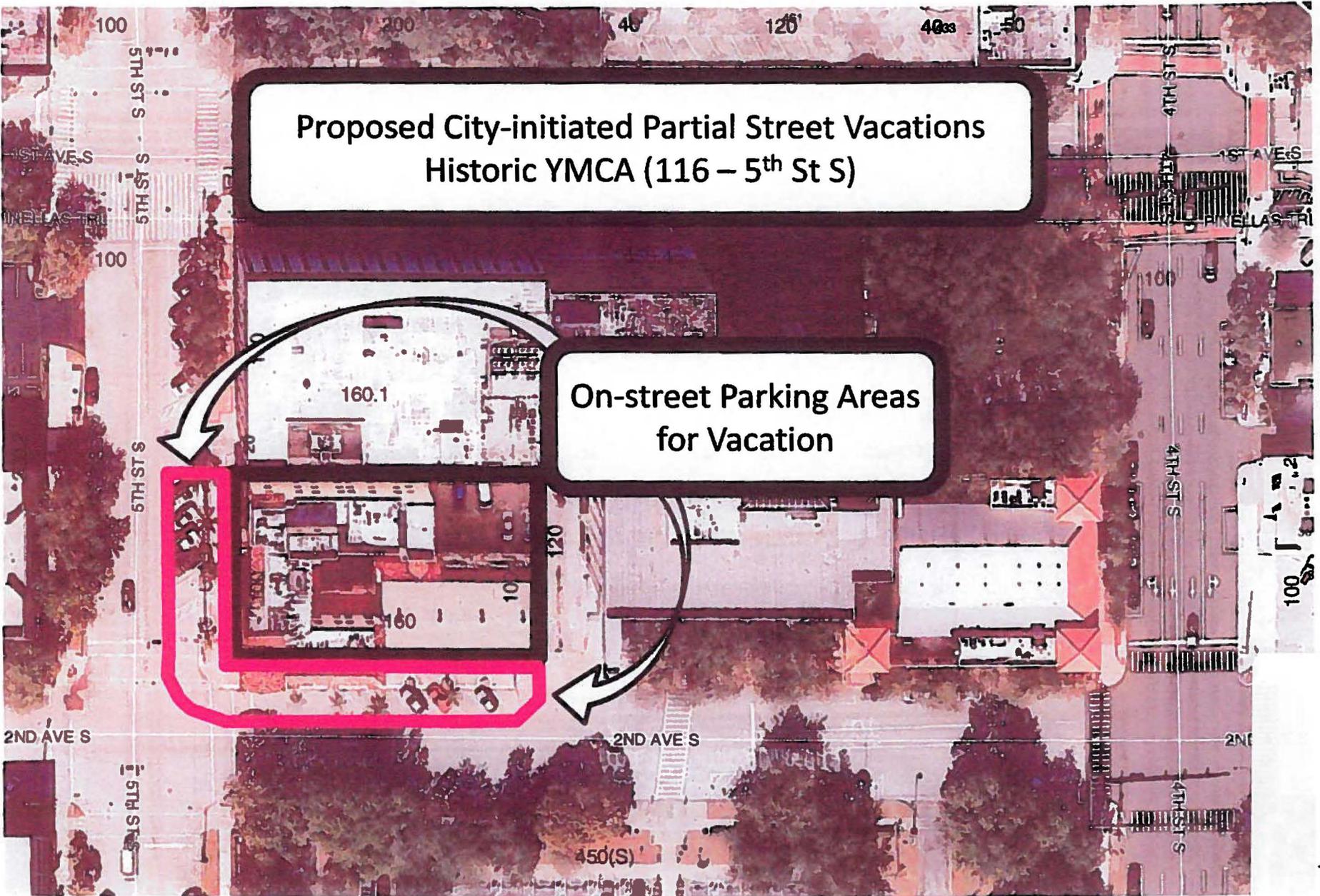
3. Prior to recording the vacation ordinance, the existing landmark structure on the subject property shall be restored and approved for occupancy by the City.
4. Prior to recording the vacation ordinance, the following easements shall be recorded over the area to be vacated. All easements shall be subject to final approval by the City prior to recording:
 - a. The area of the public sidewalk including the road curb (more or less the northern 20-feet of 2nd Avenue South and the eastern 20-feet of 5th Street South) shall be retained as a Public Sidewalk and Utility Easement.
 - b. The entire width of the parking spaces and roadway pavement to be vacated shall be retained as Public Utility and Drainage Easement.
 - c. The design of the on-street parking areas shall be maintained substantially as currently existing and in conformance with the City's design requirements for on-street parking spaces. Any proposed changes to the existing design shall require approval of a permit from the City. Fencing or otherwise enclosing the area to be vacated shall be prohibited.
 - d. All existing hexagon block, granite curb and bricks within the area to be vacated shall be preserved unless otherwise approved by the City. Any such materials which are approved for removal shall remain the property of the City of St. Petersburg. The property owner shall be responsible for returning such material at their sole expense and per the method prescribed by the City.

SECTION 4. 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 AND SUBSTANCE:

	12-28-12
Planning & Economic Development	Date
	12/28/12
City Attorney (Designee)	Date





DISCUSSION AND RECOMMENDATION:

Request

The request is to vacate the on-street parking spaces within the public rights-of-way abutting the southern and western sides of the historic St. Petersburg YMCA (a locally designated landmark) located at 116 – 5th Street South. This application was initiated by the City Council at the suggestion of the Administration. The staff report to the City Council and Resolution No. 2012-540 are attached to this report. The goal of this vacation application is to facilitate successful adaptive reuse of this significant, endangered downtown historic resource by creating a dedicated supply of privately-controlled parking. The area of the right-of-way proposed for vacation is depicted on the attached maps.

Background

The goal of the YMCA was to improve the mind, body, and spirit of the American youth. It served as place for young men to stay when they arrived in town, where they could register to be placed for work among local businesses, and a place for educational, business, and Bible classes. The YMCA offered summer school, summer camp, and a band.

The existing building was completed in 1927 as the St. Petersburg YMCA and contains approximately 59,516 square feet of space incorporated into a four-story structure with a fifth-story open-air tower. The YMCA facility offered a gymnasium, running track, indoor pool, lobbies, club rooms, cafeteria and 54 dormitory rooms. Public areas were located on the first and second floors. The dormitory rooms existed on the third and fourth floors. The property was designated as a local historic landmark in 1991. Although the residential program ceased in 1989, the gym remained open until the entire club relocated to a new facility in 2001. The property was sold to developers intending to create offices or condominiums. The current owner placed it back on the market again in 2006 due the decline of the condominium market. Most of the interior walls in the basement and 2nd thru 4th floors were removed in 2005. The building has remained vacant and unused.

Previous and current owners have made several attempts to restore and adaptively reuse the building without success. City Staff has been contacted by a number of prospective buyers to discuss other potential conversion projects. In addition to issues related to meeting current building and fire codes, the need for parking was routinely discussed during these conversations with various developers. The City Administration would support variances to the normally applicable parking requirements to allow the building to be adaptively reused. However, the parking-related problems facing the subject property may depend less upon the City's regulatory requirements and more upon the perceptions and operational requirements of prospective buyers and lenders, who are apparently reluctant to take such a substantial financial risk for a conversion project that has no significant supply of dedicated parking.

The owner has apparently received one offer to buy the property, provided the existing building can be demolished and the site can be redeveloped with a drive-through bank. As a result of that purchase offer, the owner has submitted an application to the City for approval to demolish the building. Staff intends to recommend denial of the demolition application. The demolition application was originally scheduled for consideration by the Community Preservation Commission (CPC) on November 16, 2012. However, the owner/applicant elected to defer consideration of the demolition request until the DRC and City Council were able to decide if this City-initiated street vacation request can be approved.

Analysis

Staff's review finds that the applicant's request is consistent with the criteria in the Land Development Regulations (LDR's) and the direction provided in the City's Comprehensive Plan. As such, the Administration is recommending **approval** of this application.

Section 16.40.140.2.1E of the LDR's contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. Easements for public utilities including stormwater drainage and pedestrian easements may be retained or required to be dedicated as requested by the various departments or utility companies.

Various easements would be necessary to protect existing utilities, stormwater drainage, public access through the existing sidewalks, and the overhead airspace which creates public view corridors. Staff has suggested a special condition of approval regarding these requirements.

2. The vacation shall not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record as shown from the testimony and evidence at the public hearing.

The proposed vacation, if approved, will allow the on-street parking areas along the southern and western sides to be directly controlled by the ownership of the abutting historic landmark. Staff does not anticipate a substantial detrimental effect upon access to any other lot of record. Existing vehicular travel lanes would not be impacted. Public pedestrian access through the associated portions of sidewalk can be protected by an easement.

3. The vacation shall not adversely impact the existing roadway network, such as to create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.

The subject right-of-way was dedicated in 1889 as part of the plat known as The Revised Map of the City of St. Petersburg, which covered the majority of the existing downtown. Requests to vacate right-of-way in the downtown (partially or entirely) have been approved throughout the City's history, especially in the downtown, as land that was originally subdivided into many small lots, each with different owners and separate buildings, was reassembled for redevelopment with larger, unified projects. There have been well over 100 applications to vacate right-of-way or easements in the downtown area. Recent research conducted by Staff found at least 80 such requests since 1992. Some of the cases approved throughout the downtown include:

- ◆ Florencia condominium. The north 15 feet of 1st Avenue North between Beach Drive Northeast and 1st Street for the colonnade;
- ◆ Cloisters condominium. The southern 12 feet of 3rd Avenue Northeast and the western 12.5 feet of Beach Drive Northeast;
- ◆ St. Petersburg Yacht Club. The entire 100 foot width of 1st Avenue Northeast, between Beach Drive Northeast and Bayshore Drive Northeast;

- ◆ Downtown Publix and associated retail center. The entire 100 foot width of 3rd Avenue South, between 2nd and 3rd Streets South;
- ◆ McNulty Parking Garage and Condominium. Portions of 1st Avenue South, 2nd Avenue South, and 2nd Street South;
- ◆ Florida National Bank. The entire 20-foot wide alley in the block bound by Central Avenue and 1st Avenue South, between 7th and 8th Streets South;
- ◆ University of South Florida St. Petersburg campus. The entire 80 foot width of 7th Avenue South between Asbury Street South and 3rd Street South, as well as the entire 100 foot width of 2nd Street South between 6th Avenue South and Bayboro Harbor.
- ◆ All Children's Hospital medical complex. The entire 100 foot width of 5th Street South between 5th Avenue South and 6th Avenue South, as well as the 20 foot wide alley between 5th Street South and 6th Street South.
- ◆ BayWalk downtown retail & entertainment complex. Various portions of the rights-of-way within and surrounding the BayWalk and Muvico block have been vacated to allow for construction of those projects, including the east-west alley through the block, portions of 2nd & 3rd Avenues North, portions of 1st & 2nd Streets North and the sidewalk along the northern side of 2nd Avenue North.

In this case, the proposed vacation would eliminate the existing on-street parking spaces from the City's overall supply of publicly available parking. The vacation would not create a dead-end and is not anticipated to substantially alter utilized travel patterns.

4. The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.

The portions of right-of-way proposed for vacation contain the existing public sidewalks and public on-street parking spaces. Public access through the existing sidewalks along the southern and western sides of the landmark structure should be retained through a recorded easement. Easements should also be retained to protect utilities, drainage and the public view corridor. If this application is approved, the primary impact to the general public will be the net loss of 10 on-street parking spaces and a loading zone.

There is currently enough land area in the northeastern portion of the site to accommodate up to approximately nine (9) off-street parking spaces. The area proposed for vacation currently contains 10 striped on-street parking spaces. If the existing loading zone were eliminated, an additional two spaces could be created for a total of 12 on-street spaces. The number of parking spaces needed to make an adaptive reuse project viable in the eyes of the development community would vary by the proposed use(s). However, it can be stated that the currently available nine (9) spaces would be inadequate for almost any reasonable restoration project. If the vacation is approved and the loading zone were restriped for a total of 12 spaces, the supply of privately-controlled parking would increase from nine (9) to 21, or by 130%. Whereas this net reduction to the overall supply of public parking would be relatively small, the resulting increase in parking supply available exclusively to the abutting landmark site would be proportionately

significant. City Staff, including the Transportation Planning & Parking Management Department, have determined that the impacts to 2nd Avenue South and 5th Street South appear to be manageable.

5. The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.

The City's Comprehensive Plan and Land Development Regulations emphasize the need for flexibility in dealing with historic buildings and provide a policy basis for the vacation.

Comprehensive Plan

Future Land Use Element – Objective LU26:

The City's LDRs shall continue to support the adaptive reuse of existing and historic buildings in order to maximize the use of existing infrastructure, preserve natural areas from being harvested for the production of construction materials, minimize the vehicle miles traveled for transporting new construction materials over long distances, preserve existing natural carbon sinks within the City, and encourage the use of alternative transportation options.

Future Land Use Element – Policy LU26.1

The City shall, on an ongoing basis, examine existing adaptive reuse standards and revise or eliminate land-use provisions that act as regulatory barriers to the continued use of existing infrastructure and historic buildings.

Historic Preservation Element – Policy HP3.4

All City departments that provide or can create programs or incentives to assist in the rehabilitation and preservation of historic properties will provide assistance on an on-going and case-by-case basis.

Historic Preservation Element – Policy HP3.5

The City will continue to review its land use and Land Development Regulations and consider initiating amendments to such regulations to remove unnecessary disincentives to the reuse and redevelopment of historic landmarks. The City will solicit input from appropriate local and state organizations and interest groups.

Historic Preservation Element – Policy HP3.

The Building Official shall be encouraged to interpret and apply the existing building code to facilitate and encourage the preservation, rehabilitation and renovation of historic properties.

Land Development Regulations (LDRs)

Section 16.30.020 - Adaptive Reuse of Historic Buildings (Purpose Statement):

The purpose this Section is to encourage the retention and productive reuse of structures that have historic, architectural, or cultural value to the City instead of seeing their underutilization or demolition because their original use has become functionally obsolete. Often, historically significant structures are abandoned or demolished because it is too difficult to meet current zoning standards and building code requirements. This Section recognizes the importance of these significant buildings and provides a process by which these buildings can be reused and retained while minimizing any secondary impacts to the surrounding properties. This section allows flexibility in the proposed use, dimensional setbacks, design criteria and parking

requirements in a way that significantly reduces the conflicts created by changing the use of an existing building.

While these sections of the Comprehensive Plan and the LDRs do not provide specific direction regarding vacating right-of-way adjacent to historic resources, this application is consistent with the emphasis on regulatory flexibility as a strategy to facilitate reuse of historic properties while minimizing secondary impacts to surrounding properties.

Comments from Agencies and the Public

The application was routed for review and comment by affected City Departments and outside utility agencies. As of the date of this report, no comments have been received. All comments will be included in the material presented to the City Council prior to the public hearing. In addition, the City provided a public notice in advance of the DRC hearing. No public inquiries or comments have been received as of the date of this report.

Summary

This application was initiated by the City Council at the suggestion of the Administration. The goal is to facilitate successful adaptive reuse of an important, endangered local landmark which represents a historically significant, community-oriented use and an excellent example of the Mediterranean architectural style. This is an unusual type of vacation request which would not typically be supported. However, given the unique circumstances in this particular case, Staff finds that the proposed vacation would be appropriate. Staff's findings and recommendation are subject to the adoption of the suggested special conditions of approval set forth at the end of this report.

RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed partial street vacations. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. The approval of this vacation shall be valid for an initial period of at least five (5) years, during which all other conditions must be completed or this approval shall become void. The duration of the initial approval shall be eligible for one-year extensions, subject to review and approval by the City pursuant to the applicable criteria and procedures.
2. Prior to recording the vacation ordinance, the existing landmark structure shall be restored and approved for occupancy by the City.
3. Prior to recording the vacation ordinance, the following easements shall be recorded over the area to be vacated. All easements shall be subject to final approval by the City prior to recording:
 - a. A public utility and drainage easement; and
 - b. A public sidewalk easement over the abutting portions of the existing public sidewalks.

REPORT PREPARED BY:



PHILIP T. LAZZARA, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Economic Development Department

Nov 28, 2012

DATE

Attachment "D"

Letters of Support
(2 pages)



The Council of Neighborhood Associations of South Pinellas County
P.O. Box 13693 St. Petersburg, Florida 33733

December 4, 2012

Members of Development Review Commission,

The Council of Neighborhood Associations concurs with the DRC staff report for the landmarked downtown YMCA, and in particular with Recommendation 2 which requires restoration of the structure prior to recording of the vacation ordinance

Sincerely,

J. Michael Gulley
President,
Council of Neighborhood Associations

From: peter belmont <peterbelmont@earthlink.net>
To: <devrev@stpete.org>
CC: Philip Lazzara <Philip.Lazzara@stpete.org>, Will Michaels <wmichaels2@ta...>
Date: 12/5/2012 11:55 AM
Subject: Re: Dec. 5 DRC agenda

AGENDA ITEM #3 CASE NO. 12-33000018 F-1

Commission Members:

I am providing these comments on behalf of St. Petersburg Preservation (SPP) reference the above numbered agenda item, a partial street vacation related to the historic YMCA property. Please accept these comments and include them in your record as I am out of town and will not be present for the Commission meeting. SPP supports the application for partial street vacation with the condition that renovation of the historic YMCA be required.

The 1927 historic YMCA building is a designated local landmark and a significant piece of St. Petersburg's sense of place or what makes the city special to residents and visitors alike. The line of people waiting to see the building on the recent building tour sponsored by SPP also shows it is a much loved building.

SPP has met with city staff and the building owners to review ways to address the lack of parking associated with the building. The proposed partial street vacation is a reasonable approach to meet some of the parking demand for a renovated YMCA building. Reonvation and reuse of the building would be a postive outcome for downtown St. Petersburg. SPP believes that preservation works and preservation of our city's historic buildings results in positive economic benefit.

Peter Belmont
President
P.O. Box 838
St. Petersburg, FL 33731



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 5TH 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

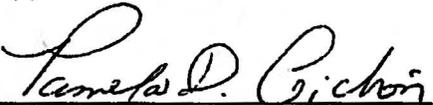
WHEREAS, the vacation of the subject right-of-way, should it be approved, will be conditioned upon, and not take effect until, completion of the restoration and adaptive reuse of the YMCA consistent with all applicable standards and regulations; and

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)

ORDINANCE NO. 1046-V

REVISED

AN ORDINANCE APPROVING THE PARTIAL STREET VACATIONS OF 2ND AVENUE SOUTH AND 5TH STREET SOUTH ABUTTING THE SOUTHERN AND WESTERN SIDES OF 116 - 5TH STREET SOUTH (LOTS 11 - 14, BLOCK 38, REVISED MAP OF THE CITY OF ST. PETERSBURG), AND THE ASSOCIATED PORTION OF THE INTERSECTION; PROVIDING AN EXCEPTION TO CERTAIN CONDITIONS IN THE CITY CODE; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The following right-of-way is hereby vacated as recommended by the Administration and the Development Review Commission:

Portions of 2nd Avenue South and 5th Street South contiguous to the southern and western sides of the property located at 116 - 5th Street South, being more specifically described as:

Beginning at the Southeast corner of Lot 14, Block 38 of Revised Map of the City of St. Petersburg as recorded in Plat Book 1, Page 49 of the public records of Hillsborough County of which Pinellas County was formerly a part; Thence the following courses and Distances: South, 20 feet; S39°48'20"W, 19.53 feet; West, 147.50 feet; To a curve, having a radius of 35 feet, an arc length of 54.98 feet, a chord length of 49.50 feet, and a chord bearing N45°00'00"W; North, 100 feet; East, 35 feet to the Northwest corner of Lot 11, Block 38 of said Plat Book 1, page 49; South, 100 feet, coincident with the West lot line of said Lot 11 to the Southwest corner of said Lot 11; East, 160 feet, coincident with the South boundary line of said Block 38 to the Point of Beginning.

SECTION 2. The above-mentioned right-of-way is not needed for public use or travel.

SECTION 3. The vacation is subject to and conditional upon the following:

1. This vacation shall not become effective until all required conditions have been completed and the ordinance has been recorded.
2. Section 16.70.050.1.1.F of the Land Development Regulations requires conditions of a vacation ordinance to be completed within two years of City Council approval, however, approval of this vacation shall be valid for an initial period of five (5) years and the initial approval shall then be eligible for one-year extensions. Requests for one-year extensions shall be subject to review and approval by the City pursuant to the applicable criteria and procedures in the City Code. All required conditions must be completed or this approval shall become void.

3. Prior to recording the vacation ordinance, the existing landmark structure on the subject property shall be restored and approved for occupancy by the City.
4. Prior to recording the vacation ordinance, the following easements shall be recorded over the area to be vacated. All easements shall be subject to final approval by the City prior to recording:
 - a. The area of the public sidewalk including the road curb (more or less the northern 20-feet of 2nd Avenue South and the eastern 20-feet of 5th Street South) shall be retained as a Public Sidewalk and Utility Easement.
 - b. The entire width of the parking spaces and roadway pavement to be vacated shall be retained as Public Utility and Drainage Easement.
 - c. The design of the on-street parking areas shall be maintained substantially as currently existing and in conformance with the City's design requirements for on-street parking spaces. Any proposed changes to the existing design shall require approval of a permit from the City. Fencing or otherwise enclosing the area to be vacated shall be prohibited.
 - d. All existing hexagon block, granite curb and bricks within the area to be vacated shall be preserved unless otherwise approved by the City. Any such materials which are approved for removal shall remain the property of the City of St. Petersburg. The property owner shall be responsible for returning such material at their sole expense and per the method prescribed by the City.

SECTION 4. If at any time the existing historic YMCA building abutting this vacated area no longer exists or is no longer designated as historic pursuant to City ordinances, then the property owner shall rededicate the entire portion of the vacated right of way to the City for right of way purposes. Such rededication shall occur prior to the property owner filing any application requesting approval of another building on the property abutting the vacated area. Such rededication shall not require replatting.

SECTION 5. 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 AND SUBSTANCE:

Planning & Economic Development

Date

City Attorney (Designee)

Date



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.

①

CITY OF ST. PETERSBURG, PUBLIC HEARING

D2.

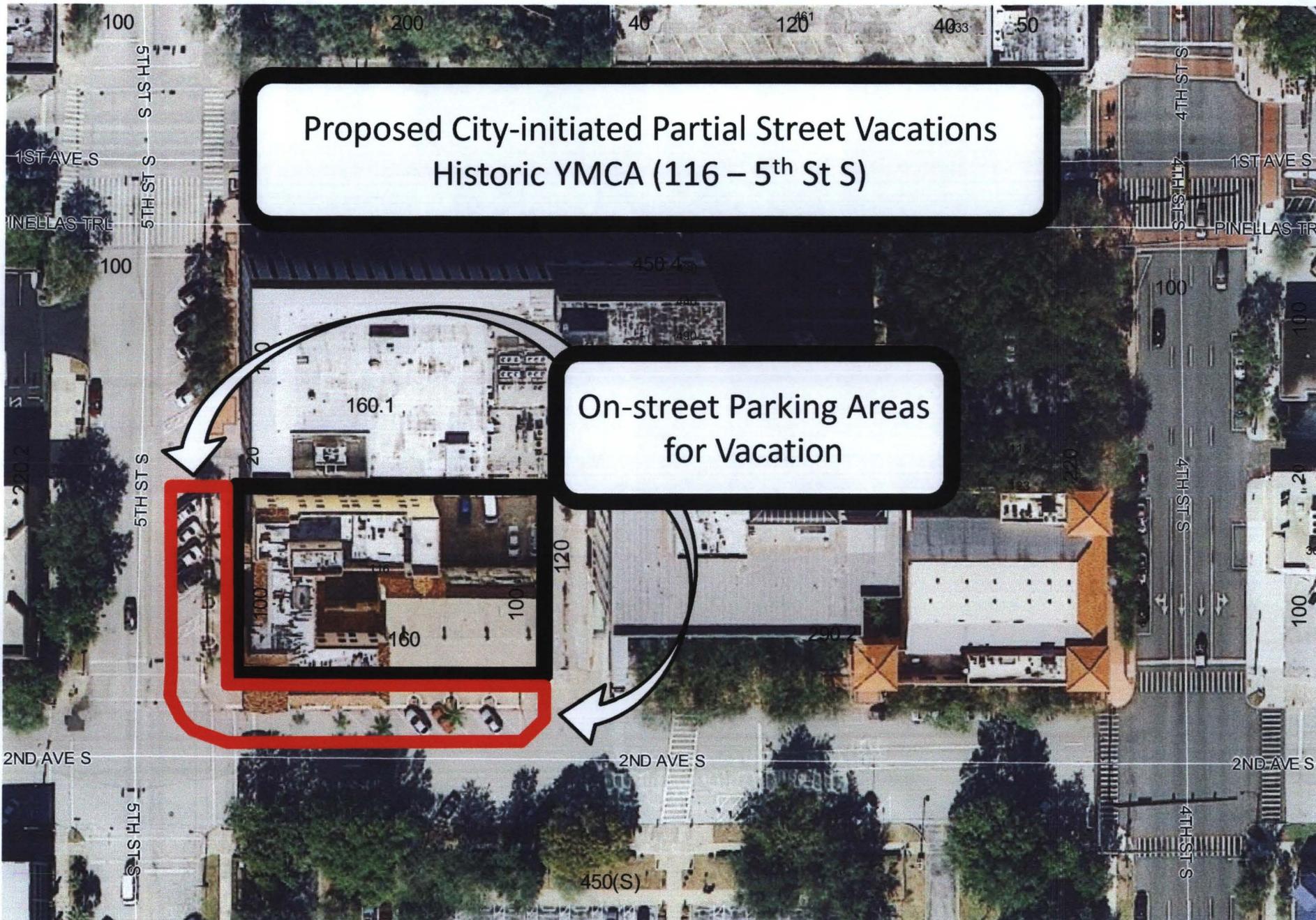
NAME: Kai WARREN
ADDRESS: 691 10th Ave S
REPRESENTING: myself
AGENDA ITEM NO.: PUBLIC HEARING ITEM # 2
FOR: ✓ AGAINST: _____

FEB 07 2013

3 MINUTE TIME LIMIT

Proposed City-initiated Partial Street Vacations
Historic YMCA (116 – 5th St S)

On-street Parking Areas
for Vacation



490 2nd Avenue South, St. Petersburg, Florida, United States
Address is approximate



458 2nd Avenue South, St. Petersburg, Florida, United States
Address is approximate



« Photos





183 5th Street South, St. Petersburg, Florida, United States
Address is approximate



Photos



City Council initiated this application on Nov 19, 2012 by Resolution 2012-540

Copies of the associated background material and the Resolution are provided as Att "E"

The goal of the vacation is to facilitate adaptive reuse of the historic St. Petersburg YMCA, which is a significant, endangered downtown historic resource, by creating a dedicated supply of privately-controlled parking.

The areas proposed for vacation are depicted on the map Atts "A" & "B"

The original building was completed in 1927, designated as a local landmark in 1991

YMCA built a new facility and relocated in 2001; original building was sold to developers

In preparation to convert the building to residential condominiums, most of the interior walls were demolished in 2005

Due to the decline of the real estate market in 2006, the owners did not complete the restoration project and listed the property for sale

The building remains vacant and unused

There have been several attempts by previous and current owners to restore the building

Staff has met with numerous prospective developers interested in the site

In addition to the substantial requirements associated with current building and fire codes, parking was usually a major point of discussion

The parking problem is not the result of City requirements - the City would support variances if that would help the project move forward

Instead, the parking problem is in the eyes of the prospective buyers and lenders, who are apparently reluctant to take such a substantial risk on a project that – from an operational perspective – cannot provide a meaningful supply of dedicated parking

This is an unusual type of request and Staff would not normally recommend approval

However, given the unique circumstances – Staff finds that this particular application can be supported

HIGHLIGHTS OF FINDINGS IN THE STAFF REPORT....

STAFF REPORT FINDINGS.....

- 1)
- 2)
- 3)
- 4)

5) Other factors

direction provided by the Comp Plan is found within several sections of the FLUE and HPE...

FLUE Obj LU26 – support adaptive reuse of historic buildings

FLUE Pol LU26.1 – examine current standards for encouraging adaptive reuse and revise as needed to eliminate reg barriers

HPE Pol HP3.4 – City departments will provide [staff] assistance with preservation and rehab projects

HPE Pol HP3.5 – <similar to LU26.1>

HPE Pol HP3 – encourage application of the building code to facilitate preservation/rehab/renovation of historic props

This application is consistent with the emphasis in the Comp Plan and LDRs on regulatory flexibility as a strategy to facilitate adaptive reuse of historic properties, while minimizing secondary impacts to surroundings

We have received letters of support for this application from both CONA and SPPI. The Transportation Planning Department has reviewed the proposal and has no objection.

Staff is recommending approval of the application, subject to compliance with the suggested COA's

The DRC considered this request during the public hearing on Dec 5, 2012.

The DRC voted unanimously to recommend approval of the application to the City Council.

Attached documents for item Resolution authorizing the removal of the existing hexagon block sidewalk located within a portion of the 2nd Street North right-of-way between 3rd Avenue North and 4th Avenue North. This request is related to the applicant's proposal to develop the south



SAINT PETERSBURG CITY COUNCIL

Meeting of February 7, 2013

TO: The Honorable Karl Nurse, City Council Chair, and Members of City Council

FROM: Corey Malyszka, Urban Design and Development Coordinator

SUBJECT: Resolution ____ authorizing the removal of the existing hexagon block sidewalk located within a portion of the 2nd Street North right-of-way between 3rd Avenue North and 4th Avenue North. This request is related to the applicant's proposal to develop the southern half of the block with a new, 8-story, 309-unit multi-family project.

INTRODUCTION:

The original Hexagon Block Sidewalk Replacement policy (Resolution No. 2005-382) that was adopted by resolution of City Council evolved from recommendations from the Public Service and Infrastructure Committee (PSI). Therefore, the applicant's request to be exempt from the hexagon block sidewalk replacement policy was forwarded to the PSI committee for a recommendation. At the December 20, 2012, PSI committee meeting, the committee discussed the removal of the hexagon block and possibly incorporating some of the existing hexagon block into the design of the new sidewalk. Following the discussion, the PSI committee approved a recommendation, by a 4-0 vote, to exempt the project from the hexagon block sidewalk replacement requirement, subject to some of the existing hexagon blocks being incorporated in the design of the new sidewalk.

Exemption from the hexagon block sidewalk replacement policy requires approval by resolution of City Council, subject to any conditions.

REQUEST:

The applicant requests an exemption to the Hexagon Block Sidewalk Replacement policy in order to redevelop the southern half of the block bound by 4th Avenue North, 3rd Street North, 3rd Avenue North and 2nd Street North with an 8-story, 309-unit multi-family project, located within the Downtown National Register Historic District. The most recent Hexagon Block Sidewalk Replacement policy was adopted by City Council on July 7, 2005 (Attachment A). The purpose of the policy is to insure that repairs and replacement of hexagon block sidewalks are

accomplished at no cost to abutting property owners and that hexagon block sidewalks are preserved in specific areas of the City. The sidewalks proposed for reconstruction are the sidewalks in the southern half of the block along the 2nd Street North, 3rd Street North and 3rd Avenue North rights-of-way.

On May 2, 2012, Staff administratively approved a site plan to construct a 324-unit multi-family development (case number 12-31000014). As part of the site redevelopment, all sidewalks abutting the proposed development (approximately 800 linear feet) will be widened to 24 feet narrowing to seven (7) feet when abutting at grade tree planters. The modifications to the width of the sidewalks are a requirement of City Code. A ninety-two linear foot (92) portion of the existing sidewalk in the 2nd Street North right-of-way is constructed with hexagon block. The applicant originally proposed to reconstruct the hexagon block sidewalk in the 2nd Street North right-of-way with concrete and brick pavers to allow a consistent sidewalk pattern for the entire project. After the recommendation made by the PSI committee, the applicant has modified the design of the sidewalks by incorporating some of the existing hexagon block into the new concrete and brick sidewalks (Attachment C). The applicant's justification to be exempted from the Hexagon Block Sidewalk Replacement policy is attached to this report (Attachment B).

HEXAGON BLOCK SIDEWALK REPLACEMENT POLICY:

The original hexagon block policy resolution adopted by Council evolved from recommendations by the Public Safety, Public Service and Infrastructure Committee and the Policy and Planning Committee. The main issues were that repair and replacement costs should not be the burden of the abutting property owner and establishing districts where hexagon block sidewalks should be preserved.

The Hexagon Block Sidewalk Replacement policy adopted by Resolution 2003-715, established the following:

- The repair and/or replacement of the hexagon block sidewalks shall be at no cost to abutting property owners in certain areas.
- Transferring funds to accomplish the projected repair and replacement cost.
- Hexagon block sidewalks shall be preserved in the Roser Park, Old Southeast, Uptown, Kenwood and Old Northeast historic district.

The Hexagon Block Sidewalk Replacement policy was amended by Resolution 2004-762, and added the following additional areas where hexagon block sidewalks are to be preserved:

- In addition to the historic districts referenced by Resolution 2003-715, the Downtown National Register Historic District and local and national districts when they receive official designation as areas where hexagon block sidewalks shall be required to be preserved.

The Hexagon Block Sidewalk Replacement policy was further revised by Resolution 2005-382, and added the following additional areas where hexagon block sidewalks are to be preserved:

- Local and national districts when they receive official designation or have applied for local or national designation and the application has been determined by the Historic Preservation Commission as complete, provided that hexagon block sidewalks are considered contributory element of the proposed or approved district.
- Sidewalks abutting local landmarks.

ANALYSIS:

The applicant has provided a written narrative describing the rationale for the proposal to remove the hexagon block sidewalk (Attachment B). Staff discusses the reasoning provided by the applicant and additional findings below.

The applicant requests approval to remove the existing hexagon block sidewalk along 2nd Street North primarily due to the following:

- Quantity of hexagon blocks: The quantity of blocks makes up approximately 7 percent of the project's total sidewalk area,
- Quality of hexagon blocks: A significant portion of the blocks are in poor condition, being cracked, chipped or broken.
- Aesthetic of the streetscape: The reinstallation of the hexagon blocks does not meet City Code, and as a practical matter, it will not be possible to restore the existing block area because of the significant damage to the blocks.

As an alternate, the applicant proposes to incorporate some of the existing hexagon block within the new concrete and brick sidewalks. The applicant will return any remaining in-tact hexagon blocks to the City for future use.

In reviewing the application and justification provided by the applicant and noted above, the preservation of the remnant remaining blocks would create an inconsistent streetscape. The applicant would be required to remove a significant portion of the blocks due to their poor condition. The City also requires that the sidewalks be widened to a minimum of 10 feet. The existing hexagon block sidewalk is approximately six (6) feet wide and 92 feet in length. The proposed sidewalks will range in width from seven (7) feet to 24 feet and the total length of sidewalk is approximately 800 feet. Preserving the remnant remaining hexagon blocks would create an inconsistent, aesthetically unappealing streetscape that would not meet the intent of the policy. The applicant has provided a site plan, that illustrates the new sidewalks with concrete and brick with some of the hexagon block being incorporated (Attachment C).

The existing section of hexagon block sidewalk is not part of a larger continuous network of hexagon block sidewalks. This is a remnant section of hexagon block which abutted a single-family residence and a 19-unit assisted living facility. The neighborhood character has substantially changed; newer developments, such as: the Huntington Townhomes, Baywalk, Synovus Bank and Hotel Indigo, which surround the subject property, have been improved with

concrete sidewalks. It can be argued that the changed context of the subject area would be consistent with the requested improvements to the sidewalks. Lastly, in support of the request, staff notes that there is not a continuous network of hexagon block sidewalks in the area. This fact, along with the aforementioned change to the development pattern, has changed the character of the immediate area. This change of character, combined with the condition of the hexagon block, the aesthetics of the streetscape including the integration of hexagon blocks into the revised sidewalk design allows staff to recommend approval of the applicant's request.

ADDITIONAL COMMENTS:

The City's Engineering Department is aware of the applicant's request and has stated no objection.

RECOMMENDATION:

The Administration recommends APPROVAL, of the attached resolution permitting the developer, Mill Creek Residential Trust, LLC, to remove the hexagon block sidewalk from the 2nd Street North right-of-way, subject to the following conditions:

1. Viable hexagon blocks removed from the ninety-two (92) linear feet of the 2nd Street North right-of-way shall be integrated into the project.
2. The hexagon blocks shall be installed in a manner consistent with the attached site plan on Attachment C.
3. Any unused hexagon blocks shall be returned to the City.
4. All necessary permits shall be acquired prior to any work in the right-of-way.

RESOLUTION NO. 2013-___

A RESOLUTION APPROVING AN EXEMPTION TO THE HEXAGON BLOCK SIDEWALK PRESERVATION POLICY AUTHORIZING THE REMOVAL OF EXISTING HEXAGON BLOCKS WITHIN A PORTION OF 2ND STREET NORTH RIGHT-OF-WAY BETWEEN 3RD AVENUE NORTH AND 4TH AVENUE NORTH SUBJECT TO CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg ("City") adopted Resolution No. 2003-715 which set forth a city wide hexagon block preservation policy designed to prevent existing hexagon sidewalks from being removed and reconstructed with concrete or other materials within designated preservation districts; and

WHEREAS, Resolution No. 2004-762 restated and expanded the city wide hexagon block preservation policy as to the preservation districts to include the Downtown National Register Historic District; and

WHEREAS, pursuant to the City's policy, hexagon block sidewalks shall be preserved and the City and property owner shall not have discretion to install any other sidewalk material other than hexagon blocks where hexagon blocks currently exist; and

WHEREAS, Mill Creek Residential Trust, LLC ("Mill Creek") has requested the ability to remove ninety-two (92) linear feet of the existing sidewalk in the 2nd Avenue North right-of-way which is constructed with hexagon block; and

WHEREAS, the sidewalk is located within the Downtown National Registered District; and

WHEREAS, the request was presented to the Public Safety and Infrastructure Committee on December 20, 2012; and

WHEREAS, a public hearing was properly noticed and conducted on February 7, 2012; and

WHEREAS, the request for the removal of the ninety-two (92) linear feet of sidewalk in the 2nd Avenue North right-of-way can be supported in order for the sidewalk to be widened to meet the requirements of the City Code and allow for the use of brick pavers and tree planters; and

WHEREAS, the approval for the removal of the sidewalk is subject to conditions including integrating the existing sidewalk's viable hexagon blocks into Mill Creek's project, as depicted on Attachment C.

NOW THEREFORE, BE IT RESOLVED BY the City Council of the City of St. Petersburg, Florida, that the removal of hexagon block sidewalk between that portion of the 2nd

Street North right-of-way between 3rd Avenue North and 4th Avenue North is hereby approved subject to the following conditions:

1. Viable hexagon blocks removed from the ninety-two (92) linear feet of the 2nd Street North right-of-way shall be integrated into the project.
2. The hexagon blocks shall be installed in a manner consistent with the attached site plan on Attachment C.
3. Any unused hexagon blocks shall be returned to the City.
4. All necessary permits shall be acquired prior to any work in the right-of-way.

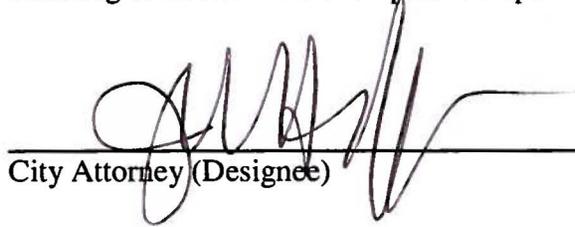
This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:



Planning & Economic Development Dept.

1/16/13
Date



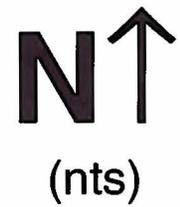
City Attorney (Designee)

1/14/13
Date



Planning & Economic Development Department
Location Map

Address: 235 3rd Avenue North





Planning & Economic Development Department
Location Map with Downtown National Registered
Historic District
Address: 235 3rd Avenue North



NO. 2005-382

A RESOLUTION AMENDING AND ESTABLISHING THE CITY POLICY CONCERNING HEXAGON BLOCK SIDEWALK REPAIR AND REPLACEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Public Safety, Public Service & Infrastructure Committee and the Policy and Planning Committee jointly recommended approval of a City policy concerning repair and/or replacement of hexagon block sidewalks as delineated in Resolution No. 2003-715; and

WHEREAS, the Policy and Planning Committee has received additional information and recommended additional changes to that policy.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that it shall be the policy of the City that, in each of the following areas, hexagon block sidewalks shall be preserved and neither the City nor the property owner shall have the discretion to install any other sidewalk material other than hexagon blocks where hexagon block sidewalks currently exist and that hexagon block sidewalks shall be repaired and/or replaced at no cost to the abutting property owner:

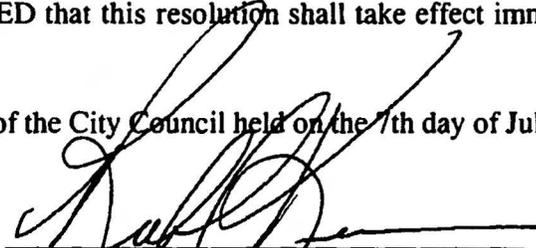
1. Roser Park Historic District;
2. Old Southeast Hexagon Block Preservation District;
3. Round Lake National Register Historic District;
4. Kenwood National Register Historic District;
5. Old Northeast National Register Historic District;
6. Downtown National Register Historic District; and
7. local and national districts when they receive official designation or have applied for local or national designation and the application has been determined by the Historic Preservation Commission as complete, provided that hexagon block sidewalks are considered a contributory element of the proposed or approved district.
8. Sidewalks abutting local landmarks.

BE IT FURTHER RESOLVED that in areas which (i) have been subject to an historic survey conducted by the subject area and approved by the City or that have been determined eligible for designation as a National Register Historic District and/or a Local Historic District, (ii) hexagon block sidewalks are identified as a contributing historic element, (iii) hexagon block sidewalks were the original sidewalk material, (iv) not less than one entire block face of concrete sidewalk is scheduled for replacement, and (v) the property owners of at least 51% of the lineal footage abutting the sidewalk request hexagon block sidewalk in writing, then the ribbon concrete sidewalk shall be replaced with hexagon block sidewalk at no additional charge.

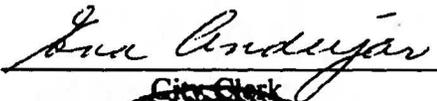
BE IT FURTHER RESOLVED that any resolution in conflict with this resolution is superceded by this resolution to the extent of such conflict.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

Adopted at a regular session of the City Council held on the 7th day of July, 2005.



Chair-Councilmember
Presiding Officer of the City Council

ATTEST: 

City Clerk



MILL CREEK

RESIDENTIAL TRUST LLC

MCRT North Florida LLC
200 E. Robinson Street
Suite 210
Orlando, Florida 32801
TEL 407 608 7338
FAX 407 608 7340

Request for City Council Special Exception to Resolution 2005-382

TO:	St Petersburg City Council
FROM:	Sean Flanagan – VP Development
CC:	Corey Malyszka, Alan Kolar
PROJECT:	Bayway Site – 235 3 rd Avenue N., St Petersburg
DATE:	October 26, 2012
PERMIT NUMBER:	12-07000568
RE:	HEX BLOCKS

The following is an excerpt from the first round of Site Permit review comments issued by the City. Based on the May 17, 2012 DRC approved plan for the development we are seeking direction from the City on how they would like the Hex Blocks located along a portion of 2nd Street N. to be addressed. Below you will find a location map of the project, where the Hex Block is on the site, and photos of the blocks in their current condition, (it is important to note the significant damage to the existing paver blocks). Also included is the approved design for hardscape along 2nd Ave N.

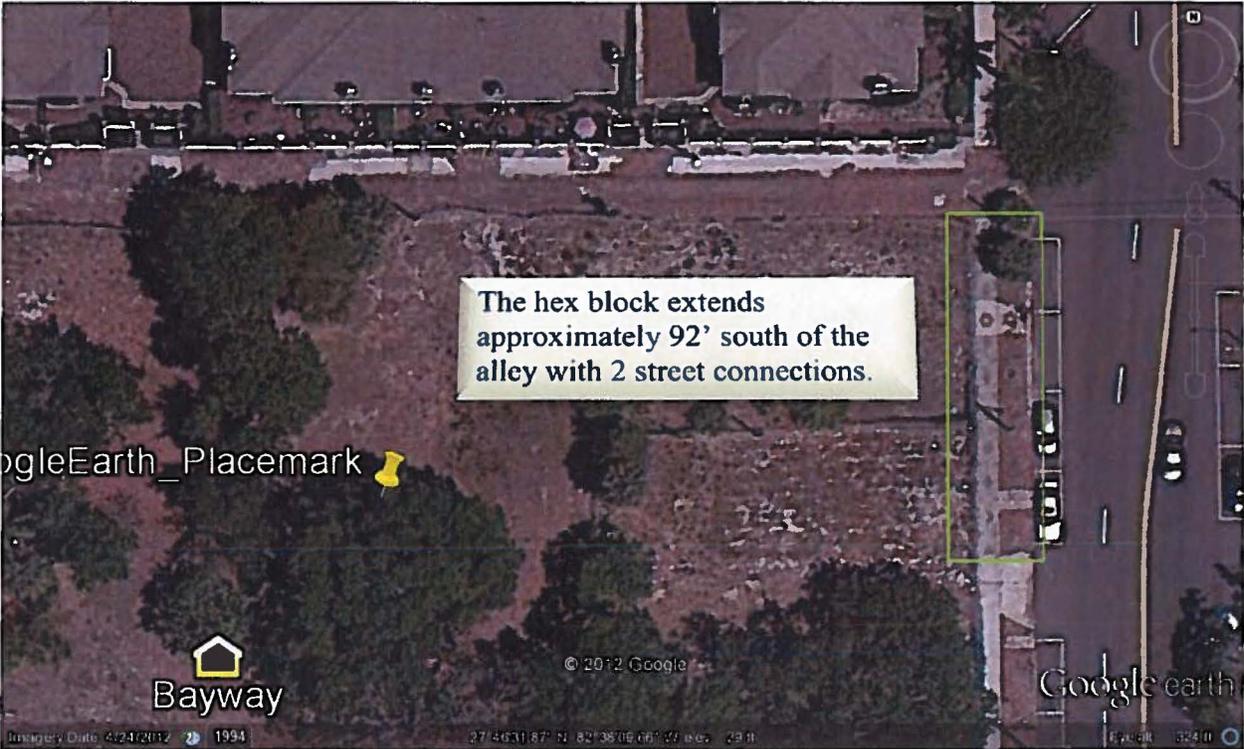
AGENCY: Engineering Department

General Sidewalk

1. This site is within the Downtown National Historic District. Per City Resolution 2005-382 hexagon block sidewalks must be preserved and neither the City nor the property owner shall have the discretion to install any other sidewalk material other than hexagon blocks where hexagon block sidewalks currently exist. Your survey sheet C02 indicates that some hexblock sidewalk exists along 2nd Street. Please coordinate with the City's Historic Preservation coordinator Kim Hinder (727-892-5451) to determine what will be required for the sidewalk reconstruction in the area of the existing hexblock.

We understand the historical value the blocks have for the City of St. Petersburg, and want to work with the City to preserve the salvageable blocks that remain. Based on the language of City Resolution 2005-382 there is not much room for discussion, but we were hoping that we could reach a solution that was agreeable to all. The main concern is that the current quantity of blocks makes up approximately 7% of the project's total sidewalk area, and even less when you factor in the blocks that can't be re-used due to their poor existing condition. From an aesthetic perspective the reinstallation of the hex blocks do not meet the design intent approved by the City, and as a practical matter, it will not be possible to restore the same area of blocks that currently exists because of the significant damage to the blocks in place, [see photos below], coupled with the fact that they are no longer manufactured.

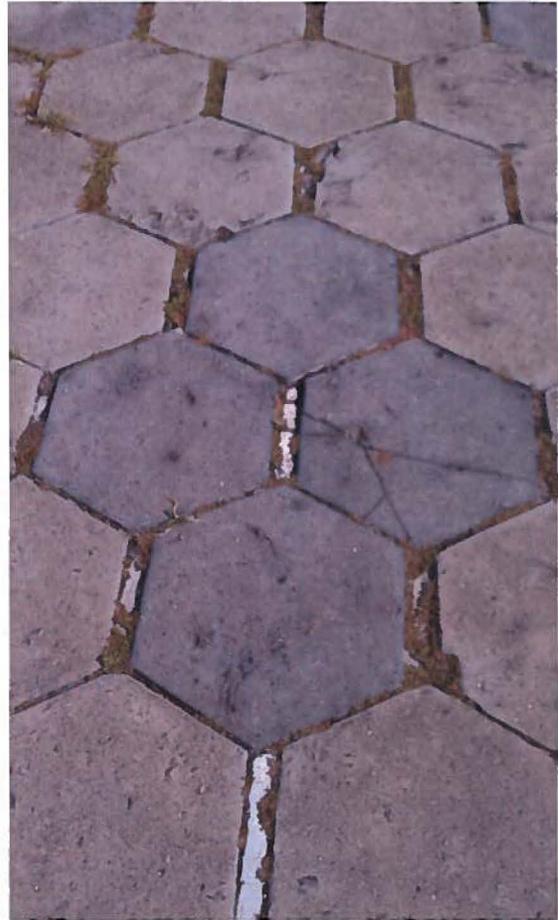
The DRC plans call for a new 7' wide concrete sidewalk along 2nd Street N, in addition to a 3' wide concrete band along the back of curb. The approved plans do not contemplate the re-use of the existing hex block. Therefore, we would like to propose that the hex blocks which can be preserved, be palletized and stored at a City facility for future use. Since this is not a simple answer we are seeking the City's direction on how to proceed to reach an amenable solution to this issue.



The following 4 images are looking South from the alley towards 3rd Avenue N.

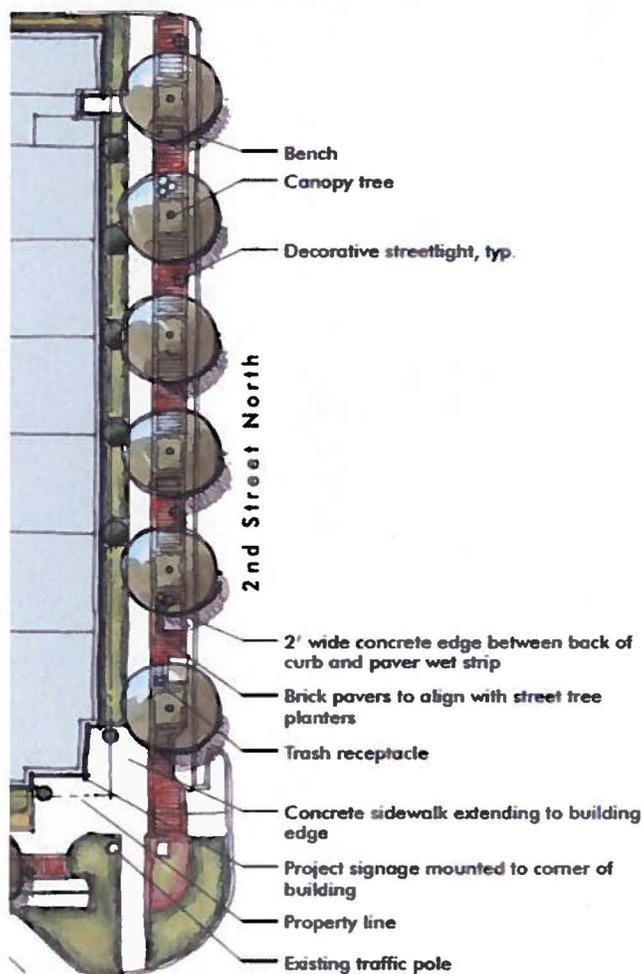


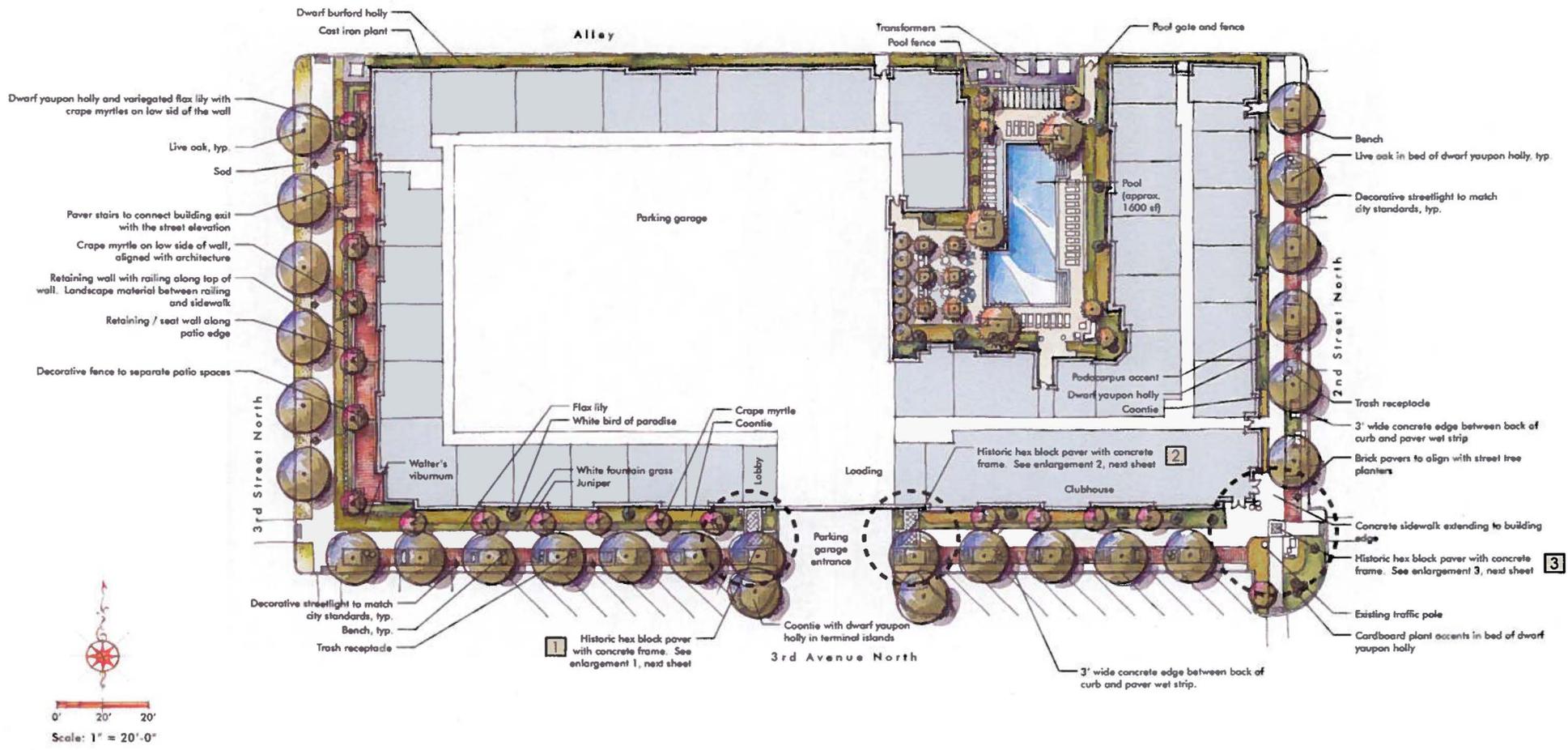
These last 4 images look north and reflect specific pattern effects as well as the sidewalk access to 2nd Street N.





The image below is from the DRC approved site plan, which is intended to have a new 7'-wide concrete sidewalk with a 3'-wide concrete band starting at the back of curb.





MILL CREEK
RESIDENTIAL TRUST LLC
January 10, 2013

BAYWAY APARTMENTS
overall site plan
st. petersburg, florida



DIX LATHROP
AND ASSOCIATES, INC.

planter pots



Ja-Lu (Maitland, FL) (or similar)
Terra cotta planter pots clustered along streetscape
www.ja-lupotter.com
407-339-7623

site furnishings



Landscape Forms (or similar)
"Stay" bench series
"Neocombo" bench series (alternate)
"Pitch" trash receptacle
www.landscapeforms.com

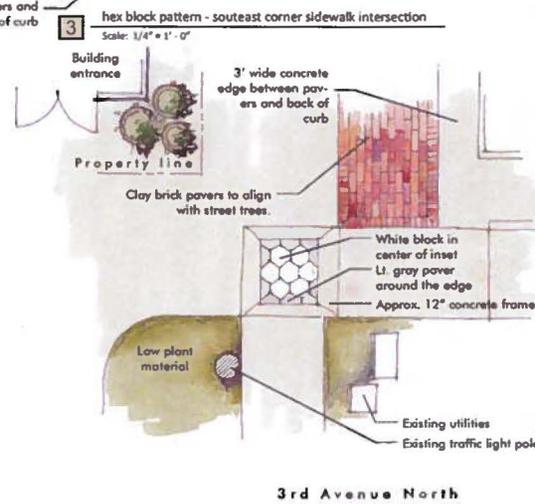
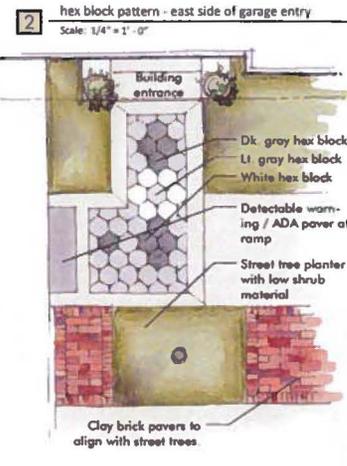
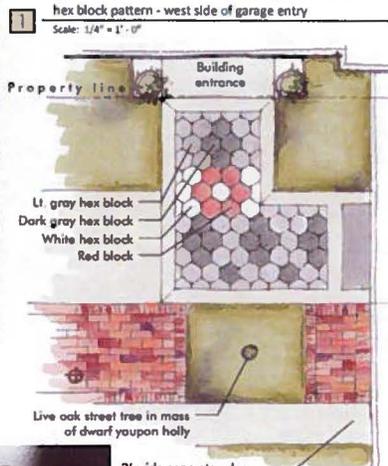


clay brick pavers



Manufacturer: Boral Brick
Clay brick pavers
Color: TBD (to match architecture)
Pattern: Single header course with running bond field parallel with the street edge.

hex block paver enlargements:



streetscape plant list

Botanical Name	Common Name
Trees	
<i>Lagerstroemia indica</i> 'Natchez'	Natchez Crape Myrtle
<i>Quercus virginiana</i> 'Southern Shade'	Live Oak
Shrubs/Groundcover/Grasses/Accents	
<i>Aspidistra elatior</i>	Cast Iron Plant
<i>Dieffenbachia</i> 'Exotica'	Flax Lily
<i>Tripsacum floridanum</i>	Fakahatchee Grass
<i>Ilex cornuta</i> 'Burfordii Nana'	Dwarf Burford Holly
<i>Ilex vomitoria</i> 'Nana'	Dwarf Yaupon Holly
<i>Juniperus conferta</i>	Shore Juniper
<i>Podocarpus macrophyllus</i>	Podocarpus
<i>Podocarpus macrophyllus</i>	Podocarpus
<i>Pennisetum caudatum</i>	White Fountain Grass
<i>Stratitzia reginae</i>	Bird of Paradise
<i>Stratitzia nicotai</i>	White Bird of Paradise
<i>Viburnum odoratissimum</i> 'Awabuki'	Awabuki Viburnum
<i>Viburnum obtusatum</i> 'Densa'	Dwarf Walter's Viburnum
<i>Zamia furfuracea</i>	Cardboard Plant
<i>Zamia pumila</i>	Coontie





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.

①

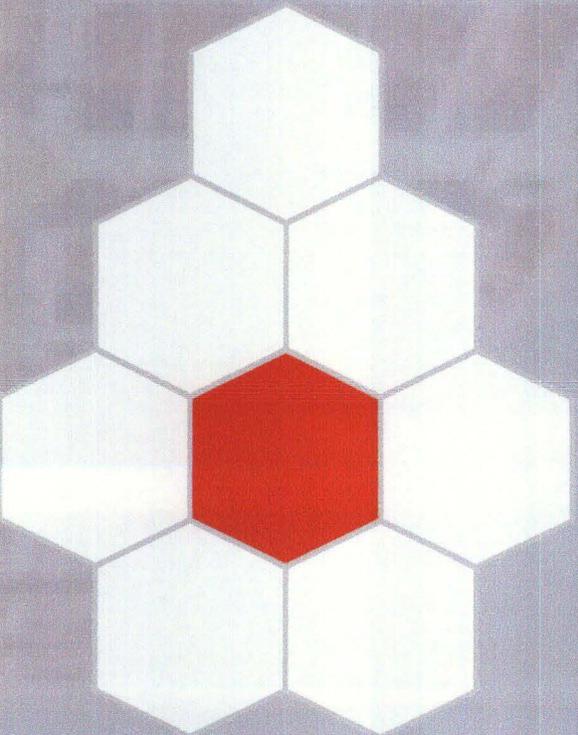
CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: Aai WARREN D3.
ADDRESS: 691 10th A/S
REPRESENTING: ST PETE PRESERVATION
AGENDA ITEM NO. : PUBLIC HEARING # 3
FOR: _____ AGAINST: X

3 MINUTE TIME LIMIT

FEB 07 2013

Resolution authorizing an exemption to the hexagon block
sidewalk replacement policy



planning and economic development department

D3 -

location map

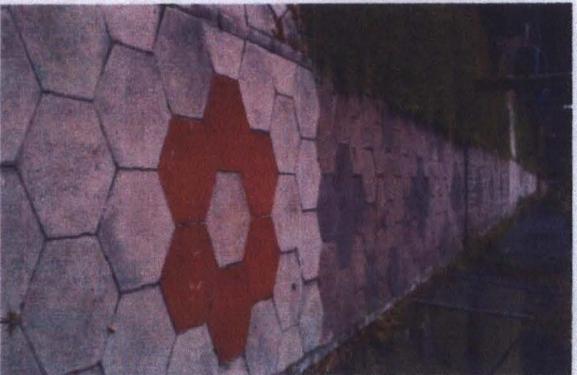


location map with historic overlay



existing hexagon block sidewalk

The following 4 images are looking South from the alley towards 3rd Avenue N.



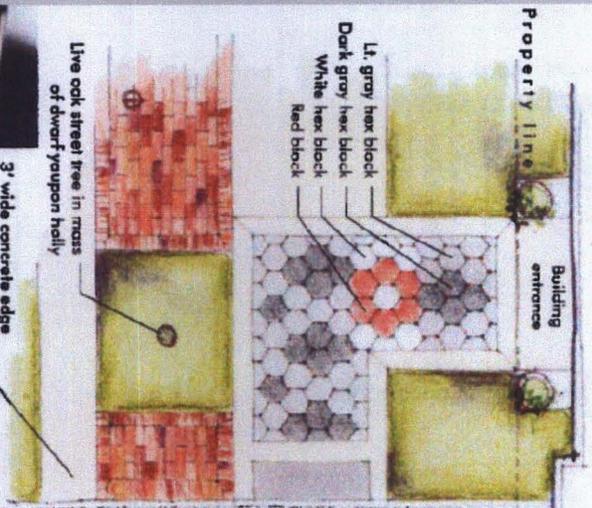
existing hexagon block sidewalk

These last 4 images look north and reflect specific pattern effects as well as the sidewalk access to 2nd Street N.

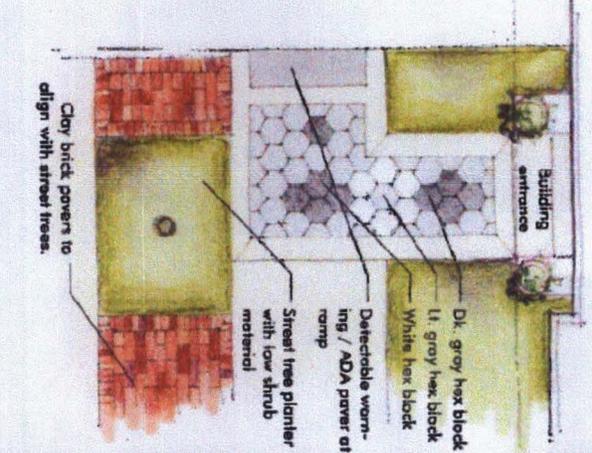


hexagon block detail

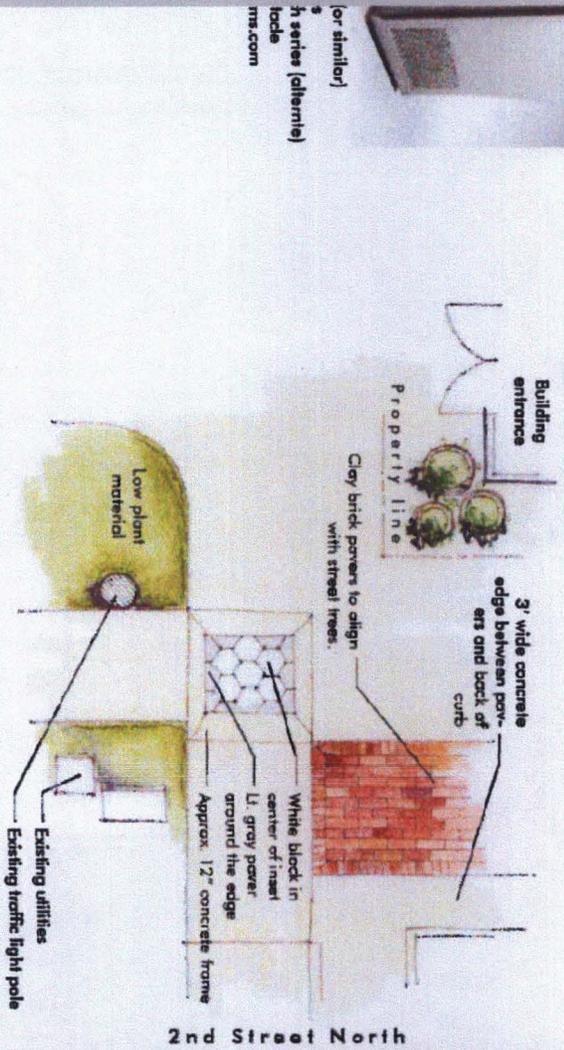
1 hex block pattern - west side of garage entry
Scale: 1/4" = 1'-0"



2 hex block pattern - east side of garage entry
Scale: 1/4" = 1'-0"



3 hex block pattern - southeast corner sidewalk intersection
Scale: 1/4" = 1'-0"



(or similar)
h series (albernie)
hade
ms.com

Amelia Preston - Fwd: Resolution-hex blocks

From: Jeanne Hoffmann
To: Preston, Amelia
Date: 2/14/2013 3:00 PM
Subject: Fwd: Resolution-hex blocks
CC: Malyszka, Corey
Attachments: 00170033.docx

I think this is what you are looking for-it was sent over on 2/7/13. I will send along the attachment momentarily.

>>> Jeanne Hoffmann 2/7/2013 1:47 PM >>>

Attached please find the resolution from the hex block issue this morning-we made one minor change (Attachment C should have been attachment A) and I will send you attachment A right after this email.

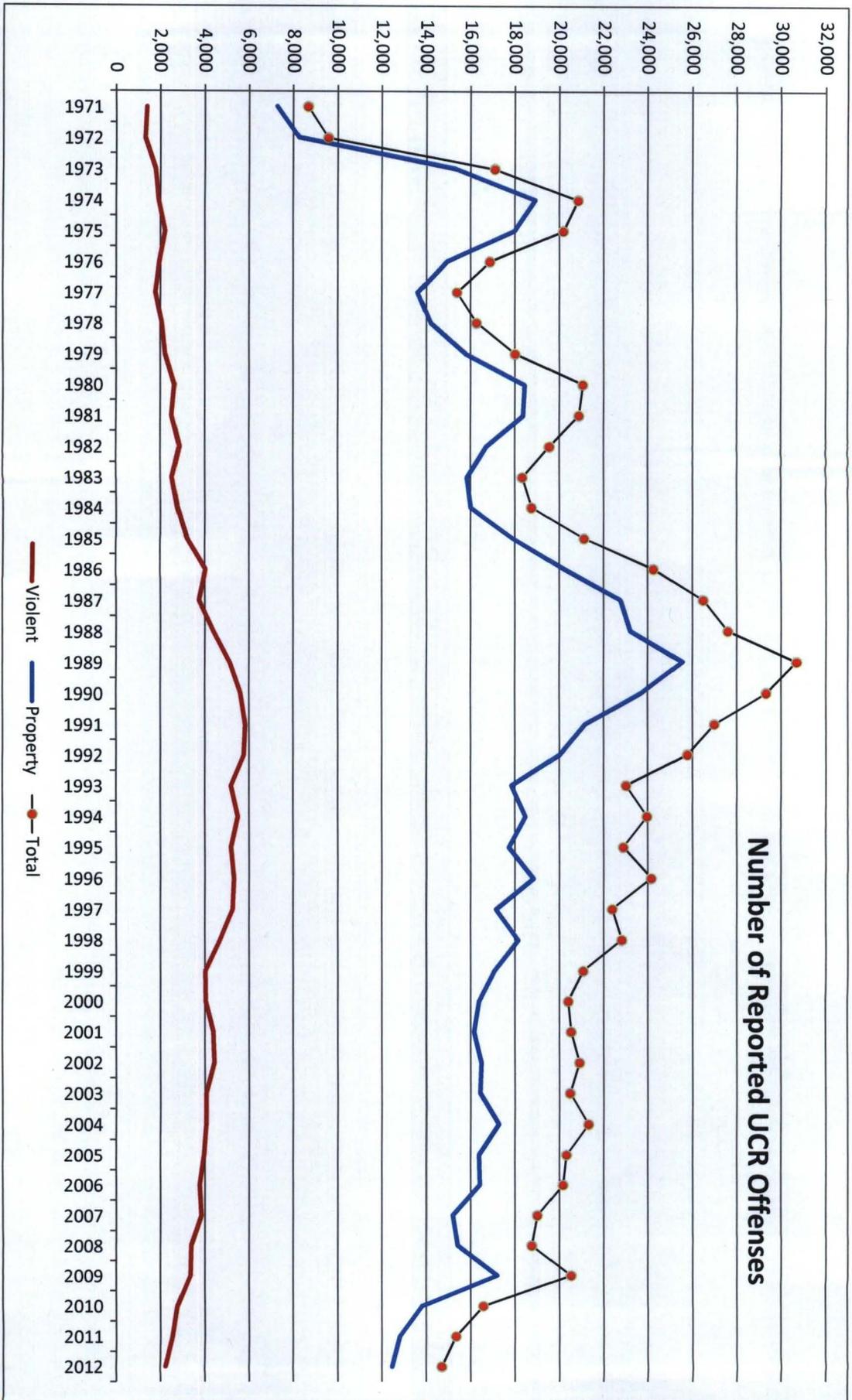
Let me know if you have any questions-

Thanks-

Jeanne

*Baywalk Apartments
Overall Site Plan*

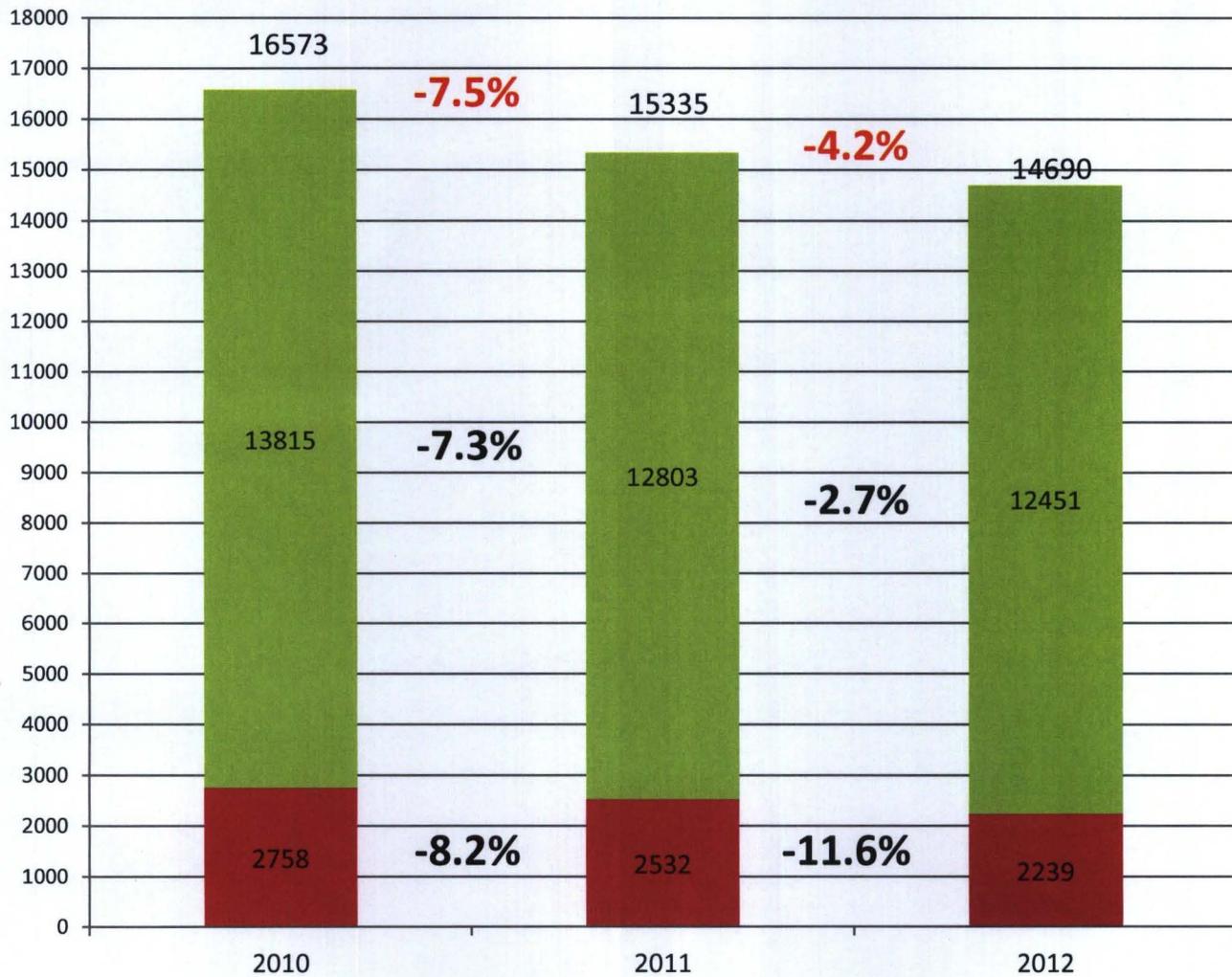
Attached documents for item Police Update. (Oral)



11

11

Number of Reported UCR Offenses



From 2010 to 2012:

Total Crimes -11.36%
Property Crime - 9.87%
Violent Crime -18.82%

■ Property
 ■ Violent

Attached documents for item Resolution to allocate \$500,000 in the General Fund Contingency.

Item E-2 will be delivered at a later date.

Resolution to allocate \$512,000 in the General Fund Contingency.

REPORT WITH RESOLUTION (Revised)
Council Meeting of February 7, 2013

REVISED

TO: The Honorable Karl Nurse, Chair, and Members of City Council

FROM: Tish Elston, City Administrator *Tish*

DATE: January 31, 2013

SUBJECT: Information in Response to 1/24/13 Questions Related to \$500,000 General Fund Contingency Allocation

COUNCIL ACTION: Authorizing the allocation of \$500,000 in the General Fund Contingency as follows: \$100,000 to an After School Employment Program; \$400,000 to a Rehabilitation Incentive Program; transferring \$100,000 from the General Fund Contingency to the Community Services Department to be used for an After School Employment Program and transferring \$400,000 from the General Fund Contingency to the Planning & Economic Development Department for the implementation of a Rehabilitation Incentive Program.

During the January 24th Workshop, I recorded three questions that Council asked to have answered to prior to allocation of the \$500,000 contingency on February 7th.

Below are answers to two of the three questions, with backup information attached. The third question, with regard to the cost of administering a Rehab Incentive Program, is still being worked through by staff.

Question 1: What is the cost to complete renovation of the remaining Jamestown units?

Quick Answer: \$2 million (Memorandum from David Metz and detailed summary attached.)

Question 2: Could Boley administer an after school employment program under their current Summer Youth Employment contract with the City?

Quick Answer: No, this wouldn't be covered by the scope of the current contract. (E-mail from Louis Moore with rationale attached.)

A Resolution to authorize the allocations as specified above and to approve the transfer appropriations is also attached.

Attachments

E-2



MEMORANDUM
Downtown Enterprise Facilities Department

TO: The Honorable Karl Nurse, Chair and Members of City Council

FROM: Dave Metz, Director, Downtown Enterprise Facilities Department *DMM*

DATE: January 25, 2013

SUBJECT: JAMESTOWN APARTMENTS AND TOWNHOMES

At the Council Workshop on January 24th, there was a question regarding the estimated cost to complete the renovations at the Jamestown Apartments and Townhomes.

The City has initiated Phase I and II repairs, totaling sixteen (16) units, and this work is currently underway. The attached information sheet was prepared to provide an estimated cost to complete work on the remaining units. Based on the scope for the Phase II repairs, the cost is 2 million dollars. Staff continues to look for grants and other funding opportunities.

Please contact me directly at 892-5350 if you have any questions.

DMM/vjs
Attachment

cc: Mayor Foster
Tish Elston
John Wolfe
Rick Mussett
Eva Andujar

JAMESTOWN APARTMENTS
REVENUE MODEL

PROJECTED FUND SURPLUS (NET REVENUE)
BASED ON OCCUPANCY LEVEL AND EXPENSE ASSUMPTIONS
December 2012

Summary Points:

- Based on the current rental rates and income guidelines for our residents, Jamestown will generate enough revenue to breakeven (i.e. cover current operating expenses) at approximately 87% occupancy.
- Phase I of the Jamestown Renovation Project, which includes 8 units, is scheduled to start in January 2013 at a cost per unit of \$75,500.
- Phase II of the Jamestown Renovation Project, which also includes 8 units, is scheduled to start in February 2013 at a cost per unit of \$30,000. Upon the completion of Phase II, there will be 39 units remaining to be renovated.
- Assuming the City renovates the remaining 39 units using the Phase II scope, \$1,170,000 of additional funds would be required. The scope of Phase II is limited and does not include the cost for window/door replacement and electrical panel upgrades. The additional cost for this work is \$831,900 (47 units @ \$17,700). This totals \$2,001,900.
- Assuming 100% occupancy, a net annual revenue surplus of approximately \$98,000 or \$1,283 per unit would be available to establish a reserve for future repairs. This level of funding is probably inadequate to cover the debt repayment for renovations to the remaining 39 units.
- There is a need to identify a funding source to renovate the remaining 39 units. The optimum situation would be to accelerate the renovations while the City has units vacant.

Revenue Model and Operating Expense Assumptions: The revenue model assumes that all (76) units are available for occupancy and total operating expense is based on the FY13 Operating Budget. Note that the FY13 Jamestown Operating Budget includes a total PILOT and G&A assessment of \$51,792.

Tish Elston - Re: Question from Council

From: Louis Moore
To: Elston, Tish
Date: 1/29/2013 11:59 AM
Subject: Re: Question from Council
CC: Andujar, Eva; Connors, Michael; Ford, Janis; Preston, Amelia; Willia...

Tish,

Tish,

We need a new agreement. The existing agreement with Boley is for Management Services: Summer Youth Internship Program. This agreement has a specified time frame in which the program operates from June thru August of each summer along with required gathering of data based on household income guidelines, etc. While the offered Afterschool Youth Employment Program (AYEP) below does sound very similar in scope, it would have to have a separate scope of work to define all of the required details on the program's operation.

Thanks, lsm

>>> Tish Elston 1/24/2013 2:17 PM >>>

Louis: today in workshop, Council took a straw vote to use \$100,000 of the \$500,000 they added to the General Fund contingency for an after school youth employment program. The question that was raised is can Boley administer it under its current contract with the City. Can you take a look at the RFP and see if this would be within the scope of the original proposal or would we have to issue a new RFP? Council will likely vote on this at the February 7th meeting. It is CM Newton's intent to raise private dollars to add to this amount and presumably we would administer the entire sum. Please advise. I promised them the info before they take action on the item. Thanks. Tish

Tish Elston - Re: Question

From: Dave Goodwin
To: Elston, Tish; Mussett, Rick
Date: 1/31/2013 4:57 PM
Subject: Re: Question
CC: Andujar, Eva; Dunn, Rick; Freggens, Karen; Johnson, Joshua; Lampe, S...

Tish and Rick,

As requested, Staff met today to discuss the administration costs of the housing rehab program that Council has agreed to fund. Administration costs would be incurred within the Construction Services and Permitting Division. Rick Dunn and Karen Freggens have identified how the program can be incorporated into existing permitting and inspection systems and are comfortable with an administrative cost estimate of 2.5% of the \$400,000 program budget or \$10,000.

Rick Dunn is taking the lead on creating program parameters and will create a draft for staff to review in the next week or so.

David S. Goodwin
Planning and Economic Development Director
City of St. Petersburg, Florida
PH 727-893-7868
FAX 727-892-5001
dave.goodwin@stpete.org
www.stpeteshines.com

>>> Tish Elston 1/24/2013 2:25 PM >>>

Rick & Rick: today in workshop Council discussed the use of the \$500,000 they had budgeted in the General Fund contingency. They took a straw vote to use \$400,000 for a housing rehab program, where if a buyer put \$25,000 in renovations into a home in Midtown or Childs Park, the city would match 20% or so. CM Nurse indicated he had discussed this concept with you, with the intent of encouraging substantial, permitted improvements. I have a memo which describes it, which I will try to forward later.

The question that was raised is can we administer it and how much will it cost to administer it. I promised them answers before they vote on this on February 7. Your input please. Thanks. Tish

Resolution No. 2013-_____

A RESOLUTION AUTHORIZING THE ALLOCATION OF \$500,000 FROM THE GENERAL FUND CONTINGENCY TO AN AFTER SCHOOL EMPLOYMENT PROGRAM AND TO A REHABILITATION INCENTIVE PROGRAM; AUTHORIZING THE TRANSFER OF \$100,000 FROM THE GENERAL FUND CONTINGENCY (250-3201) TO THE COMMUNITY SERVICES DEPARTMENT (083-1081) TO BE USED FOR AN AFTER SCHOOL EMPLOYMENT PROGRAM; AUTHORIZING THE TRANSFER OF \$400,000 FROM THE GENERAL FUND CONTINGENCY (250-3201) TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT (370-2609) FOR THE IMPLEMENTATION OF A REHABILITATION INCENTIVE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during the passage of the FY13 budget, City Council approved a General Fund Contingency in the amount of \$500,000 to be used for purposes to be determined at a later date; and

WHEREAS, on January 24, 2013, City Council conducted a workshop regarding the use of this General Fund Contingency amount and approved a motion to allocate \$100,000 from this amount to an After School Employment Program and \$400,000 from this amount to a Rehabilitation Incentive Program; and

WHEREAS, the Administration will develop such programs; and

WHEREAS, a transfer of unencumbered appropriations in the total amount of \$500,000 from the General Fund Contingency is required to effectuate this transaction.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that there is hereby approved the following transfers of unencumbered appropriations in the General Fund for fiscal year 2013:

General Fund

From: Budget Department Contingency (250-3201)	(\$500,000)
To: Planning & Economic Development (370-2609)	\$400,000
Community Services Department (083-1081)	\$100,000

This Resolution shall take effect immediately upon its adoption.

Approvals:

Legal:

Administration:

Tish Elston 2/11/13

Budget:

Dennis M. J. [Signature]

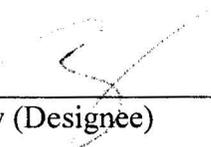
2012 117

A RESOLUTION RESERVING \$100,000 IN THE
GENERAL FUND CONTINGENCY FOR AN
AFTER SCHOOL YOUTH EMPLOYMENT
PROGRAM CONTINGENT THE ISSUING OF A
RFP; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that
\$100,000 is hereby reserved in the general fund contingency for an after school youth
employment program contingent upon the issuing of a RFP.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

E-2

Resolution No. 2013-56

A RESOLUTION AUTHORIZING THE ALLOCATION OF \$400,000 FROM THE GENERAL FUND CONTINGENCY TO A REHABILITATION INCENTIVE PROGRAM, AUTHORIZING THE TRANSFER OF \$400,000 FROM THE GENERAL FUND, BUDGET DEPARTMENT CONTINGENCY (250-3201), TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT (370-2609) FOR THE IMPLEMENTATION OF A REHABILITATION INCENTIVE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during the passage of the FY13 budget, City Council approved a General Fund Contingency in the amount of \$500,000 to be used for purposes to be determined at a later date; and

WHEREAS, on January 24, 2013, City Council conducted a workshop regarding the use of the General Fund Contingency amount and approved a motion to allocate \$400,000 from this amount to a Rehabilitation Incentive Program; and

WHEREAS, the Administration will develop such programs; and

WHEREAS, a transfer of unencumbered appropriations in the total amount of \$400,000 from the General Fund Contingency is required to effectuate this transaction.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that there is hereby approved the following transfers of unencumbered appropriations in the General Fund for Fiscal Year 2013:

General Fund

From: Budget Department Contingency (250-3201)	(\$400,000)
To: Planning & Economic Development (370-2609)	\$ 400,000

This Resolution shall take effect immediately upon its adoption.

Approvals:

Legal: _____ Administration: _____

Budget: 

Attached documents for item Update on Pinellas Suncoast Transit Authority (PSTA), Metropolitan Planning Organization (MPO) and Tampa Bay Area Regional Transportation Authority (TBARTA). (Councilmember Danner) (Oral)



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.

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: DANIEL M GARY ①

ADDRESS: 431 SW ILWACO E3.

REPRESENTING: Self

AGENDA ITEM NO.: Transpation Report

FOR: FEB 07 2013 AGAINST: X

3 MINUTE TIME LIMIT

Attached documents for item Accepting a proposal from Federal Property Registration Corporation to create a foreclosure registry and collect registration fees for the Codes Compliance Assistance Department.

**SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of February 7, 2013**

To: The Honorable Karl Nurse, Chair and Members of City Council

Subject: Accepting a proposal from Federal Property Registration Corp. to create a foreclosure registry and collect registration fees for the Codes Compliance Assistance Department.

Explanation: The Procurement Department received one proposal for foreclosure registry services from Federal Property Registration Corp.

City Ordinance no. 48-H creates a foreclosure registry and requires the identification and registration for all properties in foreclosure. The purpose of the Ordinance is to protect and preserve the safety and security of occupants of abutting properties and neighborhoods and to prevent blighted and unsecured residences. There are approximately 5,000 properties in foreclosure. Having reviewed the implementation and ongoing monitoring requirements, staff determined the optimal solution was to contract with a supplier who has years of experience in this area and could go-live with the program immediately. Therefore, the city issued a Request for Proposal to outsource this service.

Codes staff, in conjunction with the vendor, will identify vacant and abandoned properties. The vendor will notify the mortgage holder of the requirement to register the property within 10 days after the mortgagee is declared to be in default. The vendor will also provide mortgage holders' and/or vacant property owner's detailed instructions on how to register the property.

In addition, the vendor will train and provide support for the lender to electronically register the information. They will also develop, design and maintain, through the duration of the contract a web-based electronic registry system that affords all mortgage holders the opportunity to go on-line and register, modify, update, and request delistings of foreclosed, vacant/abandoned properties.

The city will have free access to, and training, on the web-based electronic registry system and reporting tools. Also, the vendor will provide website and reporting tools support to the city.

The vendor will collect the registration fee, \$125.00 per property and remit the difference between the registration fee and the vendor's fee. The registration fees are paid for by banks and mortgage companies, therefore, there is no cost to the City. The vendor will also provide the financial accounting of property registrations identifying those that are in compliance with the ordinance as well as those that have not met its financial obligations.

The Procurement Department, in cooperation with the Codes Compliance Assistance Department, recommends for award:

Federal Property Registration Corp.....			\$ 625,000
Registrations (5,000)	\$125.00		\$ 625,000
Vendor Fee (60 %)	75.00		375,000
City (40%)	50.00		250,000

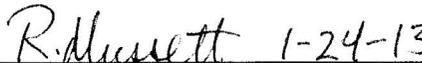
CA-2

The vendor has met the specifications and requirements of RFP No. 7416 dated December 20, 2012. This agreement will be effective through October 31, 2014. The agreement has the option for two one year renewals. Federal Property Registration Corp. has provided foreclosure registry services for three years. They have provided similar services for Palm Beach County and the cities of West Palm Beach, Jacksonville and Boynton Beach and have performed satisfactorily.

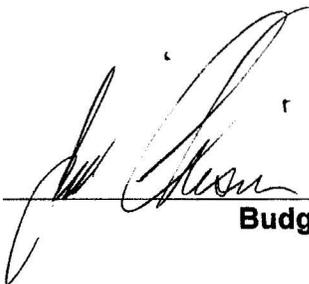
Cost/Funding/Assessment Information: Funding for this program is generated through revenues received from registration fees.

Attachments: Codes Compliance Brief
Resolution

Approvals:



Administrative



Budget

MEMORANDUM

CODES COMPLIANCE ASSISTANCE



TO: The Honorable Karl Nurse, Council Chair and members of City Council

FM: Gary Bush, Director

A handwritten signature in black ink, appearing to read "GB", is written over the name "Gary Bush" in the "FM" line.

DT: January 16, 2013

RE: Council Meeting of February 7, 2013 - Foreclosure Registry Implementation

Regarding the October 25, 2012 adoption of Ordinance No. 48-H, "Foreclosure Registry Ordinance", City Administration has expedited the implementation of the process by all means necessary, including but not limited to:

1. Made contact with prospective vendors and issued a Request for Proposals - RFP 958-83 Foreclosure Registry Services, RFP No. 7416;
2. Selected a vendor in accordance with City purchasing policy;
3. Upon approval, staff will execute an agreement;
4. Contacted other municipalities regarding feedback with the services provided by the selected vendor;
5. Coordinated all involved City departments, including Codes Compliance Assistance, Billing and Collections, Purchasing, and ICS;
6. Organized administrative staff to implement ordinance and contract.

Administration sought and selected an outside vendor to administer the ordinance in order to streamline the registration process and provide more detailed data via the selected vendor's infrastructure. Your approval will allow for the selected vendor to administer Ordinance 48-H and allows for the registration of the 4,000+ foreclosed properties in the City.

A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT WITH TWO ONE-YEAR RENEWAL OPTIONS TO FEDERAL PROPERTY REGISTRATION CORP. TO CREATE A FORECLOSURE REGISTRY AND COLLECT REGISTRATION FEES FOR THE CODES COMPLIANCE ASSISTANCE DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department one proposal for foreclosure registry services for the City pursuant to RFP No. 7416 dated December 20, 2012; and

WHEREAS, Federal Property Registration Corp. has met the specifications and requirements of RFP No. 7416; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Codes Compliance Assistant Department, recommends approval of this award; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the proposal and award of an agreement with two one-year renewal options to Federal Property Registration Corp. to create a foreclosure registry and collect registration fees for the Codes Compliance Assistance Department 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 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)

2013-58

A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT WITH TWO ONE-YEAR RENEWAL OPTIONS TO FEDERAL PROPERTY REGISTRATION CORP. TO CREATE A FORECLOSURE REGISTRY AND COLLECT REGISTRATION FEES FOR THE CODES COMPLIANCE ASSISTANCE DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department one proposal for foreclosure registry services for the City pursuant to RFP No. 7416 dated December 20, 2012; and

WHEREAS, Federal Property Registration Corp. has met the specifications and requirements of RFP No. 7416; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Codes Compliance Assistant Department, recommends approval of this award; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the proposal and award of an agreement with two one-year renewal options to Federal Property Registration Corp. to create a foreclosure registry and collect registration fees for the Codes Compliance Assistance Department 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 renewal options must be approved by City Council.

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)

E4

Attached documents for item Approving the purchase of 13 replacement vehicles from Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. for the Police Department at a total cost of \$243,686.30.

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of February 7, 2013

To: The Honorable Karl Nurse, Chair and Members of City Council

Subject: Approving the purchase of replacement vehicles from Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. for the Police Department at a total cost of \$243,686.30.

Explanation: This purchase is being made from the State of Florida Contract No. 071-000-13-1. The vendor will furnish and deliver 13 full-size four door sedans with 3.6L V6 gasoline engines, 6-speed automatic transmissions, power steering, brakes, windows and door locks, air conditioning, tilt steering, cruise control and am/fm radios. These vehicles will be assigned to the Police Department Criminal Investigation Division and will be used to transport personnel and materials used to conduct criminal investigations at crime scenes.

The new vehicles, with life expectancies of six years or more, are replacing 13 six to nine-year-old units with original base purchase prices ranging from \$14,842 to \$18,441 each. The old vehicles have reached the end of their economic useful life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing State of Florida Contract No. 071-000-13-1:

Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc.....					\$243,686.30
Sedan, 4-Door, Chevy Impala 2013 (base)	13EA	@	17,964.00	233,532.00	
Options:					
Full size spare trim and tire	13EA	@	386.00	5,018.00	
Trunk Switch Enabled- A98	13EA	@	210.00	2,730.00	
New City Tag	13EA	@	129.10	1,678.30	
Third Key	13EA	@	56.00	<u>728.00</u>	
					243,686.30

Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. has met the specifications, terms and conditions of the State of Florida Contract No. 071-000-13-1 effective through October 31, 2013. This purchase is made in accordance with Section 2-243 (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.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Management Department, Fleet Mechanical Costs (8002527).

Attachments: Price History
Resolution

Approvals:



 Administrative



 Budget

CB-2

Price History
070-06 Automobiles; Chevy Impalas, Administrative

Item No.	Description	2009	2010	2011	2012	2013	% Change
1.	Sedan, full size, 4-door, V-6, gasoline, Chevy Impala	\$ 15,926	\$ 16,467	\$ 16,949	\$ 17,592	\$ 17,964	2%

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO GARBER CHEVROLET-BUICK-PONTIAC-GMC TRUCK, INC. AT AN ESTIMATED TOTAL COST NOT TO EXCEED \$243,686.30 FOR THE PURCHASE OF 13 REPLACEMENT VEHICLES UTILIZING FLORIDA STATE CONTRACT NO. 071-000-13-1; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace 13 vehicles that have reached the end of their economic life; and

WHEREAS, pursuant Section 243(e) of the City Code, the City is permitted to utilize competitively bid proposals or contracts secured by State, County or municipal government when it is in the best interest of the City; and

WHEREAS, Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. has met the specifications, terms and conditions of Florida State Contract No. 071-000-13-1; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Fleet Management Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. at a total cost not to exceed \$243,686.30 for 13 replacement vehicles utilizing Florida State Contract No. 071-000-13-1 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 Authorizing the Mayor or his designee to execute an agreement between the City of St. Petersburg, Florida and the Early Learning Coalition of Pinellas County, Inc., to provide the school readiness program for qualified families for one year commencing Apr

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 7, 2013

TO: City Council Chair & Members of City Council

SUBJECT:

A Resolution authorizing the Mayor or his designee to execute an agreement between the City of St. Petersburg, Florida and the Early Learning Coalition of Pinellas County, Inc., to provide the school readiness program for qualified families for one year commencing April 1, 2013, and ending March 31, 2014; and providing an effective date.

EXPLANATION:

This Agreement reflects the continuation of services that has been in effect for the past eighteen years with the Early Learning Coalition of Pinellas County, Inc. ("ELC") and with Coordinated Child Care of Pinellas, Inc. (CCC) which allows the Parks and Recreation Department to be a year round school readiness program service provider (Playcamp programs) for children of families in Pinellas County who meet the defined financial need eligibility requirements. ELC evaluates each family's financial need and determines how much of the school readiness program cost a family can afford to pay themselves and then the agency pays the balance of the Playcamp cost to the Parks and Recreation Department.

In order to be eligible to be a school readiness program provider for ELC, the Parks and Recreation Department must meet all Pinellas County child care licensing requirements and also must score a minimum of 3 on a 4 point program assessment tool that is completed by ELC staff twice each year during site visits. In past years, the Parks and Recreation Playcamp sites have consistently passed each assessment conducted.

The Parks and Recreation Department originally researched securing this type of service contract at the repeated requests of several of our Playcamp parents. They were eligible for ELC assistance and wanted their children to be able to attend Parks and Recreation Department programs instead of the programs on the existing list of ELC approved subcontractors. Since then, we have continued to enjoy an excellent working relationship with ELC and have provided a service much appreciated by many of our citizens who need this type of assistance.

RECOMMENDATION

The Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to execute an agreement between the City of St. Petersburg, Florida and Early Learning Coalition of Pinellas County, Inc., to provide the school readiness program for qualified families for one year commencing April 1, 2013, and ending March 31, 2014; and

providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION:

There is no cost to the Parks and Recreation Department for providing this service as the complete cost of our programs is subsidized by ELC funds. Last fiscal year there was approximately \$585,000 paid by ELC to the Parks and Recreation Department to provide childcare services for their clients. These funds were returned to the General Fund as program revenue.

ATTACHMENTS: Resolution

APPROVALS:

Administration:  for CS

Resolution No. 2013-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND EARLY LEARNING COALITION OF PINELLAS COUNTY, INC. TO PROVIDE CHILD CARE SERVICES FOR QUALIFIED FAMILIES FOR ONE YEAR COMMENCING APRIL 1, 2013, AND ENDING MARCH 31, 2014; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg's youth are an important and valuable resource; and

WHEREAS, the City of St. Petersburg ("City") through its Parks and Recreation Department has been a year round child care provider for children of qualified families in Pinellas County under contract with Early Learning Coalition of Pinellas County, Inc. ("ELC"); and

WHEREAS, the City and ELC desire to continue this relationship; and

WHEREAS, in order to continue this relationship, it is necessary for the City to enter into an agreement with ELC to set forth the responsibilities of the Parties.

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 an agreement between the City of St. Petersburg and Early Learning Coalition of Pinellas County, Inc. to provide child care services for qualified families for one year commencing April 1, 2013 and ending March 31, 2014.

This resolution shall take effect immediately upon its adoption.

Approvals:

Legal: Marshall My

Administration: Phillip J. for CE

Attached documents for item Authorizing the Mayor or his designee to enter into a Cooperative Funding Agreement with the Southwest Florida Water Management District for the City of St. Petersburg Phase Toilet Replacement Program Phase 13 in the amount of \$150,000.

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 7, 2013

TO: Honorable Karl Nurse, Chair of Council, and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to enter into a Cooperative Funding Agreement with the Southwest Florida Water Management District for the City of St. Petersburg Toilet Replacement Program Phase 13 in the amount of \$150,000.

EXPLANATION: The St. Petersburg Water Resources Department and the Southwest Florida Water Management District (SWFWMD) are proposing to enter into a FY2013 Cooperative Funding Agreement for Phase 13 of a Toilet Replacement Program. The first twelve phases of the Program were highly successful in terms of citizen participation and conservation of potable water, with almost 32,000 toilets replaced at over 26,000 locations. Analysis of water savings has determined that over 700 gallons of water per toilet are saved each month in a single-family household.

During the FY2013 program, the City and SWFWMD anticipate providing rebates to single family, multi-family, and non-residential water customers to replace 900 high flush toilets with ultra-low flush (ULF) or high efficiency (HET) fixtures. Efforts will be made to target customers who have not previously participated in this program, including low-income residential households. To ensure that monies spent on this long-term conservation program meet the intended goal, the City will include educational materials on leak detection and proper replacement flapper selection and installation to program participants.

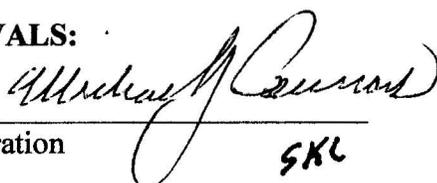
The agreement with the SWFWMD for this thirteenth phase has a total project cost of \$150,000. The City of St Petersburg agrees to fund 50% of the total cost or \$75,000 and the SWFWMD agrees to fund 50% of the total cost or \$75,000. Paragraph 5 of the District's form Co-funding Agreement specifically includes a provision for attorney's fees and costs to be repaid to the District, if the City fails to complete the Project in accordance with the scheduled completion dates, fails to maintain scheduled progress of the project thereby endangering the timely performance of the Agreement, the City fails to appropriate sufficient funds to meet the task deadlines or specified provisions are held invalid, illegal or unenforceable and the City fails to repay those funds. Historically the City has not entered into contracts with attorney fees provisions and the decision to accept funding from the District should be made taking the potential risk of having to pay such fees and costs into account. Staff is not aware of any breach of contract claims or litigation occurring with respect to any of the previous co-funding arrangements with the District.

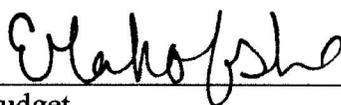
Administration recommends that the Mayor or his designee be authorized to execute the FY2013 Cooperative Funding Agreement with the Southwest Florida Water Management District for funding the City of St. Petersburg Toilet Replacement Program Phase 13.

COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in the Water Resources Operating Fund (4001), Water Conservation Administration (4202133), Toilet Replacement Program (Project #TBD).

ATTACHMENTS: SWFWMD Agreement, Resolution.

APPROVALS:


Administration SKL


Budget

RESOLUTION NO. _____ ,

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A THIRTEENTH PHASE COOPERATIVE FUNDING AGREEMENT WITH THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR A TOILET REPLACEMENT AND EDUCATION PROJECT AT A TOTAL COST OF \$150,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Southwest Florida Water Management District ("District") and the City of St. Petersburg, Florida ("City") wish to implement the thirteenth phase of a residential and commercial toilet replacement and education project; and

WHEREAS, the District and the City have agreed upon the type and extent of the program to be completed and the amount and method of compensation to be paid by the District to the City for materials, development and distribution.

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 enter into a cooperative funding agreement with the District for the twelfth phase of a toilet replacement and education project at a total project cost of \$150,000.00 with the District's share not to exceed \$75,000.00.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:



City Attorney (Designee)

COOPERATIVE FUNDING AGREEMENT
BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
CITY OF ST. PETERSBURG
FOR
ST. PETERSBURG TOILET REPLACEMENT PROJECT – PHASE 13 (N498-1)

THIS COOPERATIVE FUNDING AGREEMENT is made and entered into by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida, whose address is 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as the "DISTRICT," and CITY OF ST. PETERSBURG, a municipal corporation of the State of Florida, whose address is 175 Fifth Street North, St. Petersburg, Florida 33701, hereinafter referred to as the "CITY."

WITNESSETH:

WHEREAS, the CITY proposed a project to the DISTRICT for funding consideration under the DISTRICT'S cooperative funding program; and

WHEREAS, the project consists of providing financial incentives to single family residential, multi-family residential and commercial accounts customers for replacing an estimated 900 conventional 3.5 gallon per flush or higher toilets with ultra low-flow toilets (ULFT) or high-efficiency toilets (HET), hereinafter referred to as the "PROJECT"; and

WHEREAS, the DISTRICT considers the resource benefits to be achieved by the PROJECT worthwhile and desires to assist the CITY in funding the PROJECT.

NOW THEREFORE, the DISTRICT and the CITY, in consideration of the mutual terms, covenants and conditions set forth herein, agree as follows:

1. PROJECT CONTACTS AND NOTICES. Each party hereby designates the individual set forth below as its prime contact for matters relating to this Agreement. Notices and reports shall be sent to the attention of each party's prime contact as set forth herein by U.S. mail, postage paid, by nationally recognized overnight courier, or personally to the parties' addresses as set forth below. Notice is effective upon receipt.

Contract Manager for the DISTRICT:
Scott D. McGookey, Contract Manager
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899

Project Manager for the CITY:
Chris Claus, Project Manager
City of St. Petersburg
1650 Third Avenue North
St. Petersburg, FL 33713

Any changes to the above representatives or addresses must be provided to the other party in writing.

- 1.1 The DISTRICT'S Contract Manager is authorized to approve requests to extend a PROJECT task deadline set forth in this Agreement. Such approval must be in writing, explain the reason for the extension and be signed by the Contract Manager and his or her Bureau Chief, or Director if the Bureau Chief is the Contract Manager, unless the DISTRICT'S Signature Authority provides otherwise. The DISTRICT'S Signature Authority supersedes the approval requirements provided in this provision. The DISTRICT'S Contract Manager is not authorized to approve any time extension which will result in an increased cost to the DISTRICT or which will exceed the expiration date set forth in this Agreement.
- 1.2 The DISTRICT'S Contract Manager is authorized to adjust a line item amount of the PROJECT budget contained in the Project Plan set forth in Exhibit "A" or, if applicable, the refined budget as set forth in Subparagraph 3.2 below. The authorization must be in writing, explain the reason for the adjustment, and be signed by all appropriate DISTRICT staff in accordance with the DISTRICT'S Signature Authority. The DISTRICT'S Contract Manager is not authorized to make changes to the Scope of Work and is not authorized to approve any increase in the amounts set forth in the funding section of this Agreement.

2. SCOPE OF WORK. Upon receipt of written notice to proceed from the DISTRICT, the CITY shall perform the services necessary to complete the PROJECT in accordance with the CITY'S Project Plan set forth in Exhibit "A." Any changes to this Agreement, except as provided herein, must be mutually agreed to in a formal written amendment approved by the DISTRICT and the CITY prior to being performed by the CITY. The CITY shall be solely responsible for managing and controlling the PROJECT, including the hiring and supervising of any consultants or contractors it engages.

The parties agree that time is of the essence in the performance of each obligation under this Agreement.

3. FUNDING. The parties anticipate that the total cost of the PROJECT will be One Hundred Fifty Thousand Dollars (\$150,000). The DISTRICT agrees to fund PROJECT costs up to Seventy-Five Thousand Dollars (\$75,000) and shall have no obligation to pay any costs beyond this maximum amount. The CITY agrees to provide all remaining funds necessary for the satisfactory completion of the PROJECT. The CITY shall pay PROJECT costs prior to requesting reimbursement from the DISTRICT.
 - 3.1 Any federal, state, local or grant monies received by the CITY for this PROJECT shall be applied to equally reduce each party's share of PROJECT costs. The CITY shall provide the DISTRICT with written documentation detailing its allocation of any such funds appropriated for this PROJECT.
 - 3.2 The DISTRICT shall reimburse the CITY for the DISTRICT'S share of the allowable PROJECT costs in accordance with the PROJECT budget contained in the Project Plan set forth in Exhibit "A." The CITY may contract with consultant(s), contractor(s) or both to accomplish the PROJECT. Upon written DISTRICT approval, the budget amounts for the work set forth in such contract(s) shall refine the amounts set forth in the PROJECT budget and be incorporated

herein by reference. The DISTRICT shall not reimburse the CITY for costs incurred under consultant and contractor agreements until the DISTRICT approvals required under this provision have been obtained. The DISTRICT shall reimburse the CITY for fifty (50%) percent of all allowable costs in each DISTRICT approved invoice received from the CITY, but at no point in time will the DISTRICT'S expenditure amount under this Agreement exceed expenditures made by the CITY. Payment shall be made to the CITY within forty-five (45) days of receipt of an invoice with adequate supporting documentation to satisfy auditing purposes. Invoices shall be submitted to the DISTRICT every two (2) months electronically at invoices@WaterMatters.org, or at the following address:

Accounts Payable Section
Southwest Florida Water Management District
Post Office Box 1166
Brooksville, Florida 34605-1166

In addition to sending an original invoice to the DISTRICT'S Accounts Payable Section as required above, copies of invoices may also be submitted to the DISTRICT'S Contract Manager in order to expedite the review process. Failure of the CITY to submit invoices to the DISTRICT in the manner provided herein shall relieve the DISTRICT of its obligation to pay within the aforementioned timeframe.

- 3.3 The parties acknowledge that the PROJECT was approved for funding by the DISTRICT based upon the resource benefits expected to be achieved by the PROJECT. The parties also acknowledge that the CITY is solely responsible for implementing the PROJECT in such a manner that the expected resource benefits are achieved. If at any point during the progression of the PROJECT, the DISTRICT determines that the expected resource benefits as set forth in the Project Plan may not be achieved the DISTRICT shall withhold payments to the CITY until such time as the CITY demonstrates that the PROJECT shall achieve the required resource benefits.
- 3.4 Any travel expenses which may be authorized under this Agreement shall be paid in accordance with Section 112.061, F.S., as may be amended from time to time.
- 3.5 The DISTRICT shall not reimburse the CITY for any purpose not specifically identified in Paragraph 2, Scope of Work.
- 3.6 Surcharges added to third party invoices are not considered an allowable cost under this Agreement.
- 3.7 Each CITY invoice must include the following certification, and the CITY hereby delegates authority by virtue of this Agreement to its Project Manager to affirm said certification:

"I hereby certify that the costs requested for reimbursement and the CITY'S matching funds, as represented in this invoice, are directly related to the performance under the St. Petersburg Toilet Replacement Project – Phase 13

(N498-1) agreement between the Southwest Florida Water Management District and City of St. Petersburg (Agreement No. 13C00000025), are allowable, allocable, properly documented, and are in accordance with the approved project budget. The CITY has been allocated a total of \$__ in federal, state, local or grant monies for this PROJECT. \$__ has been allocated to this invoice, reducing the DISTRICT'S and CITY'S share to \$__."

3.8 The DISTRICT'S performance and payment pursuant to this Agreement are contingent upon the DISTRICT'S Governing Board appropriating funds in its approved budget for the PROJECT in each Fiscal Year of this Agreement.

4. COMPLETION DATES. The CITY shall commence the PROJECT by April 1, 2013, shall complete the PROJECT by July 1, 2014, and shall otherwise meet the task deadlines established in this Agreement, as may be extended by the DISTRICT in accordance with Paragraph 1 of this Agreement. In the event of hurricanes, tornados, floods, acts of God, acts of war, or other such catastrophes, or other man-made emergencies such as labor strikes or riots, which are beyond the control of the CITY, the CITY'S obligations to meet the time frames provided in this Agreement shall be suspended for the period of time the condition continues to exist. During such suspension, this Agreement shall remain in effect. When the CITY is able to resume performance of its obligations under this Agreement, in whole or in part, it shall immediately give the DISTRICT written notice to that effect and shall resume performance no later than two (2) working days after the notice is delivered. The suspension of the CITY'S obligations provided for in this provision shall be the CITY'S sole remedy for the delays set forth herein.

5. REPAYMENT.

5.1 The CITY shall repay the DISTRICT all funds the DISTRICT paid to the CITY under this Agreement, if: a) the CITY fails to complete the PROJECT in accordance with the terms and conditions of this Agreement; b) the DISTRICT determines, in its sole discretion and judgment, that the CITY has failed to maintain scheduled progress of the PROJECT thereby endangering the timely performance of this Agreement; c) the CITY fails to appropriate sufficient funds to meet the task deadlines unless extended in accordance with Paragraph 1.1; or d) a provision or provisions of this Agreement setting forth the requirements or expectations of a measurable resource benefit resulting from the PROJECT is held to be invalid, illegal or unenforceable during the term of this Agreement. Should any of the above conditions exist that require the CITY to repay the DISTRICT, this Agreement shall terminate in accordance with the procedure set forth in Paragraph 10, Default.

5.2 In the event the CITY is obligated to repay the DISTRICT under any provision of this Agreement, the CITY shall repay the DISTRICT within a reasonable time, as determined by the DISTRICT in its sole discretion.

5.3 The CITY shall pay attorneys' fees and costs incurred by the DISTRICT, including appeals, as a result of CITY'S failure to repay the DISTRICT as required by this Agreement.

6. CONTRACT PERIOD. This Agreement shall be effective upon execution by the parties and shall remain in effect through December 30, 2014, or upon satisfactory completion of the PROJECT and subsequent reimbursement to the CITY, whichever occurs first, unless amended in writing by the parties. The CITY shall not be eligible for reimbursement for any work that is commenced, or costs that are incurred, prior to the effective date of this Agreement.

7. PROJECT RECORDS AND DOCUMENTS. Upon request by the DISTRICT, the CITY shall permit the DISTRICT to examine or audit all PROJECT related records and documents during or following completion of the PROJECT at no cost to the DISTRICT. Payments made to the CITY under this Agreement shall be reduced for amounts found to be not allowable under this Agreement by an audit. If an audit is undertaken by either party, all required records shall be maintained until the audit has been completed and all questions arising from it are resolved. Each party shall maintain all such records and documents for at least three (3) years following completion of the PROJECT. Each party shall allow public access to PROJECT documents and materials made or received by either party in accordance with the Public Records Act, Chapter 119, F.S. Should either party assert any exemption to the requirements of Chapter 119, F.S., the burden of establishing such exemption, by way of injunctive or other relief as provided by law, shall be upon the asserting party.

8. REPORTS.
 - 8.1 The CITY shall provide the DISTRICT with a quarterly report describing the progress of the PROJECT tasks, adherence to the performance schedule and any developments affecting the PROJECT. The CITY shall promptly advise the DISTRICT of issues that arise that may impact the successful and timely completion of the PROJECT.

 - 8.2 Upon request by the DISTRICT, the CITY shall provide the DISTRICT with copies of reports, models, studies, maps or other documents resulting from the PROJECT. Additionally, two (2) sets, electronic and hardcopy, of any final reports must be submitted to the DISTRICT as Record and Library copies.

 - 8.3 The CITY shall provide the reports and documents referenced in this provision at no cost to the DISTRICT.

9. RISK, LIABILITY, AND INDEMNITY.
 - 9.1 To the extent permitted by Florida law, the CITY assumes all risks relating to the PROJECT and agrees to be solely liable for, and to indemnify, defend and hold the DISTRICT harmless from all claims, loss, damage and other expenses, including attorneys' fees and costs and attorneys' fees and costs on appeal, arising from the implementation of the PROJECT. The acceptance of the DISTRICT'S funding by the CITY does not in any way constitute an agency relationship between the DISTRICT and the CITY.

- 9.2 The CITY agrees to indemnify, defend, and hold the DISTRICT harmless, to the extent allowed under Section 768.28, F.S., from all claims, loss, damage and other expenses, including attorneys' fees and costs and attorneys' fees and costs on appeal, arising from the negligent acts or omissions of the CITY'S officers, employees, contractors and agents related to its performance under this Agreement. The DISTRICT shall have the right to approve counsel selected by the CITY. This provision shall not be construed as a waiver of the CITY'S sovereign immunity or an extension of CITY'S liability beyond the limits established in Section 768.28, F.S. Additionally, this provision will not be construed to impose contractual liability on the CITY for underlying tort claims as described above beyond the limits specified in Section 768.28, F.S.
- 9.3 Nothing in this Agreement shall be interpreted as a waiver of the DISTRICT'S sovereign immunity or an extension of its liability beyond the limits established in Section 768.28, F.S.
10. **DEFAULT.** Either party may terminate this Agreement upon the other party's failure to comply with any term or condition of this Agreement, including the failure to meet task deadlines established in this Agreement, as long as the terminating party is not in default of any term or condition of this Agreement at the time of termination. To effect termination, the terminating party shall provide the defaulting party with a written "Notice of Termination" stating its intent to terminate and describing all terms and conditions with which the defaulting party has failed to comply. If the defaulting party has not remedied its default within thirty (30) days after receiving the Notice of Termination, this Agreement shall automatically terminate. If a default cannot reasonably be cured in thirty (30) days, then the thirty (30) days may be extended at the non-defaulting party's discretion, if the defaulting party is pursuing a cure of the default with reasonable diligence. The rights and remedies in this provision are in addition to any other rights and remedies provided by law or this Agreement.
11. **RELEASE OF INFORMATION.** The parties agree not to initiate any oral or written media interviews or issue press releases on or about the PROJECT without providing notices or copies to the other party no later than three (3) business days prior to the interview or press release. This provision shall not be construed as preventing the parties from complying with the public records disclosure laws set forth in Chapter 119, F.S.
12. **DISTRICT RECOGNITION.** The CITY shall recognize DISTRICT funding in any reports, models, studies, maps or other documents resulting from this Agreement, and the form of said recognition shall be subject to DISTRICT approval.
13. **LAW COMPLIANCE.** The CITY shall comply with all applicable federal, state and local laws, rules, regulations and guidelines, including those of the DISTRICT, related to performance under this Agreement.
14. **DIVERSITY IN CONTRACTING AND SUBCONTRACTING.** The DISTRICT is committed to supplier diversity in the performance of all contracts associated with DISTRICT cooperative funding projects. The DISTRICT requires the CITY to make good faith efforts to encourage the participation of minority owned and woman owned

and small business enterprises, both as prime contractors and subcontractors, in the performance of this Agreement, in accordance with applicable laws.

If requested, the DISTRICT shall assist the CITY by sharing information to help the CITY in ensuring that minority owned and woman owned and small businesses are afforded an opportunity to participate in the performance of this Agreement.

15. ASSIGNMENT. Except as otherwise provided in this Agreement, no party may assign any of its rights or delegate any of its obligations under this Agreement, including any operation or maintenance duties related to the PROJECT, without the prior written consent of the other party. Any attempted assignment in violation of this provision is void.
16. CONTRACTORS. Nothing in this Agreement shall be construed to create, or be implied to create, any relationship between the DISTRICT and any consultant or contractor of the CITY.
17. THIRD PARTY BENEFICIARIES. Nothing in this Agreement shall be construed to benefit any person or entity not a party to this Agreement.
18. LOBBYING PROHIBITION. Pursuant to Section 216.347, F.S., the CITY is prohibited from using funds provided by this Agreement for the purpose of lobbying the Legislature, the judicial branch or a state agency.
19. PUBLIC ENTITY CRIMES. Pursuant to Subsections 287.133(2) and (3), F.S., a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months following the date of being placed on the convicted vendor list. The CITY agrees to include this provision in all subcontracts issued as a result of this Agreement.
20. GOVERNING LAW. All aspects of this Agreement are governed by Florida law and venue shall be in Hernando County, Florida.
21. SEVERABILITY. If any provision or provisions of this Agreement shall be held to be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.
22. SURVIVAL. The provisions of this Agreement that require performance after the expiration or termination of this Agreement shall remain in force notwithstanding the expiration or termination of this Agreement including Subparagraph 3.1, and Paragraphs 5, 7, 9 and 21 and any provisions requiring an offset or other continuing resource benefit.

23. ENTIRE AGREEMENT. This Agreement and the attached exhibit listed below constitute the entire agreement between the parties and, unless otherwise provided herein, may be amended only in writing, signed by all parties to this Agreement.
24. DOCUMENTS. The following documents are attached and made a part of this Agreement. In the event of a conflict of contract terminology, priority shall first be given to the language in the body of this Agreement and then to Exhibit "A."

Exhibit "A" CITY'S Project Plan

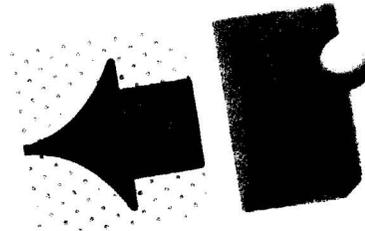
IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this Agreement on the day and year set forth next to their signatures below.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____ Date

CITY OF ST. PETERSBURG

By: _____ Date
Tish Elston, City Administrator



COOPERATIVE FUNDING AGREEMENT
BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
CITY OF ST. PETERSBURG
FOR THE
ST. PETERSBURG TOILET REPLACEMENT PROJECT - PHASE 13 (N498-1)

DISTRICT APPROVAL	INITIALS	DATE
LEGAL	<i>msm</i>	<i>12/21/12</i>
RISK MGMT	<i>N/A</i>	
CONTRACTS	<i>SMK</i>	<i>1/4/13</i>
BUREAU CHIEF	<i>RCA</i>	<i>1/8/13</i>
DIRECTOR	<i>7/10/13</i>	<i>1/9/13</i>
GOVERNING BOARD		<i>N/A SMK</i>

**EXHIBIT "A"
CITY'S PROJECT PLAN**

PROJECT DESCRIPTION:

The PROJECT is a water conservation incentive program that will provide CITY retail water customers with up to a \$100 rebate per toilet for the purchase and installation of an ultra low flow toilet (ULFT) (1.6 gallons per flush) or high efficiency toilet (HET) (1.28 gallons per flush) that replaces a high-volume toilet installed prior to 1995.

MEASURABLE BENEFITS:

The PROJECT will replace approximately 900 high-volume toilets, producing a water savings of approximately 24,300 gallons per day. The PROJECT'S estimated cost/benefit ratio is \$1.53 per thousand gallons (20 years at 8% interest).

DELIVERABLES:

The CITY shall provide quarterly status reports and a final report. The final report shall be submitted with the final invoice and shall contain the following information: Number of toilets installed and rebate issued, reported by rebate type; full accounting of all funds expended during and in relation to the PROJECT; description of all public awareness efforts; customer surveys to determine the satisfaction with the toilets and the PROJECT; description of old toilet removal and disposal methods; calculation of water savings.

PROJECT BUDGET:

ITEM	CITY	DISTRICT	TOTAL
900 Toilet Rebates, to include: Single, Multi-family, and Commercial toilets @ \$100.00 each	\$45,000	\$45,000	\$90,000
Program Administration: 900 @ \$50.00 each	\$22,500	\$22,500	\$45,000
Educational Materials, Program Promotion, Surveys. Includes: printing, assembly & postage.	\$7,500	\$7,500	\$15,000
TOTAL PROJECT COSTS	\$75,000	\$75,000	\$150,000

*NOTE: In no instance will the rebate exceed the actual cost of the rebated toilet(s) and installation(s).

COMPLETION SCHEDULE:

TASK	START DATE	END DATE
Toilet Rebates	April 1, 2013	April 1, 2014
Final Report		July 1, 2014

IMPLEMENTATION:

The CITY is responsible for, but not limited to:

- Working with customers to guide them through the program.
- Tracking all program activity.
- Procuring and collecting customer survey data and performing subsequent data analysis.
- Promotion of the PROJECT through interaction with the plumbing industry.
- Establishing PROJECT policy.
- Providing program marketing.
- Overseeing program operations.
- Providing for collection and disposal of replaced toilets.

INSPECTIONS:

The CITY shall be responsible for ensuring that all installed toilets are inspected prior to issuance of rebates. All inspections shall include the following, at a minimum:

- Toilet(s) is secured and properly installed.
- Insure that the toilet(s) being replaced was installed prior to 1995.
- Installed HET(s) must be certified to meet WaterSense criteria through the Environmental Protection Agency's (EPA's) WaterSense labeling program. To be eligible for a rebate, the CITY shall verify that each HET installed is on the EPA's approved list.
- ULFT(s) flushes with no more than 1.6 gallons, and HET(s) flushes with no more than 1.28 gallons.
- Toilet(s) does not exhibit any evidence of leakage.
- Observation of the flush out and refill of the toilet(s) to ensure proper operation and to confirm the water level in the tank and bowl is consistent with the manufacturing standards.
- Mark the toilet(s) with the application number using permanent ink.

EDUCATION:

The CITY shall provide participants with educational materials on indoor water conservation, leak detection and proper maintenance practices specific to the make and model of the new toilet to ensure the low volume toilets remain water conservative fixtures.

Attached documents for item Approving all programs/projects as approved by the Chief of Police as a part of the FY2013 Law Enforcement Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all of the documents necessary to effectuate these awards;

St. Petersburg City Council

Consent Agenda
Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair, and Members of City Council

SUBJECT: A resolution approving all programs/projects as approved by the Chief of Police as a part of the FY2013 Law Enforcement Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all of the documents necessary to effectuate these awards; authorizing a supplemental appropriation in the amount of \$42,347.40 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Local Law Enforcement State Trust (140-2857) to fully fund the awards; and provide an effective date.

EXPLANATION: Pursuant to Section 932.7055, Florida Statutes, the St. Petersburg Police Department is required to expend at least 15% of the proceeds realized through the seizure and forfeiture of property used in violation of the Florida Contraband Forfeiture Act for the support of operation of eligible programs in the following categories: Crime Prevention, Neighborhood Safety, Drug Abuse Education and Prevention Programs, and School Resource Officer Program(s). Based upon the statutory formula (15%), a minimum of \$42,347.60 was available and approved for distribution in the FY13 award program.

The Funding Approval Committee met on October 26, 2012. The Committee approved thirty-three (33) applications for full or partial funding in the amount of \$42,347.60. The Chief of Police has approved the recommendations of the Committee.

For each applicant awarded funding, the administration will enter into a contract with the applicant. The contract will outline the requirements for completion of the project to include the expenditure documentation process, the disbursement of the awards, and the time line for completion of the funded projects.

RECOMMENDATION: The administration recommends that City Council adopt the attached resolution approving a supplemental appropriation in the amount of \$42,347.60 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department (140) Local Law Enforcement Fund (140-2857) to fully fund the awards; and providing an effective date.

COST/FUNDING INFORMATION: Funds for the 2013 Law Enforcement Grant Award Program will be available after approval of a supplemental appropriation in the amount of \$42,347.60 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Local Law Enforcement State Trust (140-2857).

Approvals:

Administration: _____

Budget: _____

Legal: 00168986.doc v.2

Resolution No. _____

A RESOLUTION APPROVING ALL FORFEITURE FUND PROGRAM/PROJECTS AWARDED AS A PART OF THE FY 2013 LAW ENFORCEMENT TRUST FUND GRANT AWARD PROGRAM; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENTS AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE AWARDS; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$42,347.60 FROM THE UNAPPROPRIATED BALANCE OF THE LAW ENFORCEMENT FUND (1023), POLICE DEPARTMENT, LOCAL LAW ENFORCEMENT STATE TRUST (140-2857) TO FULLY FUND THE AWARDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg Police Department ("Department") is required by Florida Statute 932.7055 to expend 15% of the total fiscal year deposits into its forfeiture trust fund for crime prevention, neighborhood safety, drug abuse education, drug prevention or school resource officer program(s); and

WHEREAS, the Department has developed a Law Enforcement Fund Grant Award Program ("Program") in which neighborhood groups, organizations, or associations may apply for a portion of said funds; and

WHEREAS, the Department solicited applications and the Funding Approval Committee ("Committee") approved thirty-three (33) programs/projects for full or partial funding for a total of \$42,347.60; and

WHEREAS, the one of the programs/projects is the Chief's program to be used by the Chief of Police to fund programs/projects meeting the criteria of F.S. 932.7055; and

WHEREAS, the Chief of Police has approved the recommendations of the Committee.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that funding for thirty-three (33) forfeiture fund programs/projects awarded is hereby approved and the Mayor or his designee is authorized to execute agreements and all documents necessary to effectuate these awards.

BE IT FURTHER RESOLVED 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, Local Law Enforcement State Trust (140-2857) \$42,347.60

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal: Marshall by Administration: CEW

Budget: 1 Denise M. Lebrice

v2

Successful Grant Applicants - 2012

Organization Name	Project Title	Area of Eligibility:	Amount Requested	Amount	Grant Notes:	Grant Restrictions, if any
Boy Scout Troop 223	Sand Hill Summer Camp 2013	Drug Prevention	\$1,500.00	\$950.00	Items being requested are: camping fees to participate in Sand Hill Summer Camp 2013.	Items being funded are equipment listed in the proposed budget except for food or transportation costs.
Boy Scouts Troop 218	Increase Young Boys Self Awareness	Drug Prevention	\$1,400.00	\$950.00	Items being requested are: tents, Dutch ovens, camp pots, Dutch oven stand, Dutch oven lid lift, packaway kitchen,	Items to be funded are: any items listed in the proposed budget except for food or transportation costs.
Brighton Preparatory School	Brighton's Attitude is Everything	Drug Abuse Education	\$426.00	\$370.00	Items being requested are: 30 t-shirts, safety patrol awards, pencils/ribbons, copy paper.	Items being funded are: t-shirts and safety patrol awards only.
Broadwater Civic Association	Broadwater Neighborhood Watch	Neighborhood Safety	\$575.13	\$300.00	Items being requested are: 50 magnetic car signs and 25 bicycle signs.	Items being funded are: magnetic car signs and bicycle signs.
Childs Park Neighborhood Association	Community Outreach	Drug Prevention	\$699.99	\$700.00	Items being requested are: ViewSonic DLP Projector.	Full funding.
Childs Park Rattlers Youth Athletics	Every Moment and Child Matters	Drug Prevention	\$10,000.00	\$600.00	Items being requested are: 600 color copies, 80 scholarships, 65 team uniforms, 350 trophies.	Items being funded are: Trophies only.
City of St. Petersburg Parks and Recreation	Campbell Park Community Fun Day	Drug Prevention	\$2,376.00	\$600.00	Items being requested are: 36 flag football uniforms and 24 basketball uniforms.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	Shore Acres Recreation Center Teen Programs	Drug Prevention	\$3,920.00	\$600.00	Items being requested are: uniforms for flag football, basketball and volleyball.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	Childs Park Fee Classes	Drug Prevention	\$6,000.00	\$600.00	Items being requested are: 5 months worth of fees for 20 persons to attend zumba exercise classes; 15 people to attend	Items being funded are class fees for youth 18 and younger.

Organization Name	Project Title	Area of Eligibility:	Amount Requested	Amount	Grant Notes:	Grant Restrictions, if any
City of St. Petersburg Parks and Recreation	Roberts Recreation Center Teen Programs	Drug Prevention	\$4,200.00	\$600.00	Items being requested are: flag football uniforms, basketball uniforms and volleyball uniforms.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	Willis S. Johns Recreation Center Teen Programs	Drug Prevention	\$1,780.00	\$600.00	Items being requested are: uniforms for flag football, basketball, and volleyball.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	Walter Fuller Recreation Center Teen Programs Sports Leagues	Drug Prevention	\$6,405.00	\$600.00	Items being requested are: 30 basketball uniforms, 30 volleyball uniforms, 30 football uniforms, 3 screen charges, TASCOCO	Items being requested are: uniforms only.
City of St. Petersburg Parks and Recreation	Lake Vista Recreation Center	Drug Prevention	\$3,920.00	\$600.00	Items being requested are: Uniforms for flag football, basketball and volleyball.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	J.W. Cate Recreation Center Teen Programs - Sports Leagues	Drug Prevention	\$6,600.00	\$600.00	Items being requested are: 50 volleyball uniforms, 50 flag football uniforms, 50 basketball uniforms; TASCOCO sports league	Items being funded are: uniforms only.
City of St. Petersburg Parks and Recreation	Campbell Park Thespians	Drug Prevention	\$1,019.96	\$600.00	Items being requested are: costume clothing pieces and Roland DR Dynamic Headset microphones.	Items being funded are: those items listed in the proposed budget.
City of St. Petersburg Parks and Recreation	2013 Miss Childs Park Pageant	Drug Prevention	\$1,250.00	\$600.00	Items being requested are: trophies, tiaras and decorations.	Items being funded are: trophies, tiaras and decorations.
City of St. Petersburg Parks and Recreation	Guess What? Teens Care! - Scrubbin' Da 'Burg	Drug Prevention	\$5,000.00	\$5,000.00	Items being requested are: facility rental for opening ceremonies, snacks for volunteers, t-shirts for volunteers.	Full funding for t-shirts.
City of St. Petersburg Parks and Recreation	St. Petersburg Youth Council	Drug Prevention	\$1,200.00	\$600.00	Items being requested are: T-shirts and end of the year awards.	Items being funded are; t-shirts.
Council of Neighborhood Associations of South Pinellas County	CONA Leadership 2013	Neighborhood Safety	\$1,000.00	\$250.00	Items being requested are: 8 scholarships.	Items being funded are: two scholarships.

<i>Organization Name</i>	<i>Project Title</i>	<i>Area of Eligibility:</i>	<i>Amount Requested</i>	<i>Amount</i>	<i>Grant Notes:</i>	<i>Grant Restrictions, if any</i>
Daystar Life Center, Inc.	Bicycle Theft Prevention Program	Crime Prevention	\$1,400.00	\$1,000.00	Items being requested are: 240 Avenir Interlock Bicycle locks.	Items being funded are: bicycle locks.
Delta Sigma Theta Sorority, Inc., St. Petersburg Alumnae Chapter	Dr. Betty Shabazz Delta Academy	Drug Prevention	\$1,040.00	\$1,040.00	Items being requested are: Books for Academy Exchange Book Club, scrapbooking supplies, and Academy logo t-	Full funding.
Front Porch Community Development Association, Inc.	Front Porch Youth 4H Gardening and Arts Camp-Winter Experience	Drug Prevention	\$2,250.00	\$600.00	Items being requested are: Insurance costs, supplies and materials such as paper, pens, soil, planting seeds, index cards, gardening	Items to be funded are: supplies and materials such as paper, pens, planting seeds, index cards, gardening tools, fertilizer, and plants.
Girl Scout Troops 2233, 1020 and 1023	Journeys	Drug Prevention	\$1,500.00	\$950.00	Items being requested are: funding for workshops and summer camp.	Items to be funded are: any items listed in the proposed budget except for food or transportation costs.
Historic Uptown Neighborhood Association	Historic Uptown Crime Prevention	Neighborhood Safety	\$1,992.75	\$360.00	Items being requested are: 1000 2-sided business cards, 10 double sided yard signs, 25 aluminum fence signs and 20	Items being funded are: t-shirts only.
Mt. Zion Human Services, Inc.	Mt. Zion Drum Line & Color Guard	Drug Prevention	\$1,993.47	\$1,500.00	Items being requested are: drum heads, mallets, slings and bass drums.	Items being funded are: drum heads, mallets, slings and bass drums.
Nite Riders Van Club	Nite Riders Van Club	Crime Prevention	\$2,500.00	\$2,000.00	Items being requested are: school supplies including notebooks, paper, pens, pencils, folders, backpacks and binders.	Items being funded are: school supplies.
Pinellas County Urban League	29th Annual Crime Prevention Run & Family Festival	Crime Prevention	\$1,200.00	\$1,200.00	Items being requested are: approximately 200 t-shirts commemorating the run.	Full funding.
SPPD Crime Prevention Division	Crime Watch Signs	Neighborhood Safety	\$3,700.00	\$3,700.00	Items being requested are: crime watch signs.	Items to be funded are: crime watch signs with priority given to neighborhood tracts that lack any signs at this time.
St Petersburg Police Explorer Post #980	St. Petersburg Police Explorer Post #980	Drug Prevention	\$14,437.86	\$6,000.00	Items being requested are: State competition fees, raincoats, jackets, handcuffs, reporters' notebooks, external vest covers,	Items being funded are: State competition fees and flags.

<i>Organization Name</i>	<i>Project Title</i>	<i>Area of Eligibility:</i>	<i>Amount Requested</i>	<i>Amount</i>	<i>Grant Notes:</i>	<i>Grant Restrictions, if any</i>
St. Petersburg Police Department	Chief's Programs	Crime Prevention	\$6,277.40	\$6,277.40	Items funded will be determined throughout the coming year.	Full Funding
University of South Florida/St. Petersburg Police Department	Bicycle Theft Prevention and Registration Program	Crime Prevention	\$2,000.00	\$1,000.00	Items being requested are: 100 u-bolt bicycle locks	Items being funded are: bicycle locks.
YMCA of Greater St. Petersburg	YMCA Y-Achievers Program	Crime Prevention	\$1,096.97	\$500.00	Items being requested are: Books on life lessons and manners, flashcards, manners posters, easel pads and copy paper.	Items being funded are any items listed in the proposed budget
Your Place, Inc.	Youth Entrepreneur Academy	Drug Prevention	\$708.00	\$500.00	Items being requested are: graduation T-shirts, journals/composition books, easel pads, graduation certificates,	Items being funded are: graduation t-shirts, journals/composition books, and easel pads.
Total Requested:			\$101,368.53			
Total Granted:				\$42,347.40		

Unsuccessful Grant Applicants - 2012

<i>Organization Name</i>	<i>Project Title</i>	<i>Amount Requested</i>	<i>Reason for Rejection</i>
Big Brothers Big Sisters of Pinellas County	Think First and Stay Safe	\$1,103.90	Greatest portion of funds would be used to service non St. Petersburg residents.
Childs Park Neighborhood Association	Breaching Digital Divide	\$699.99	This project would have to be approved and funded through the City of St. Petersburg's IT Department.
Greater Pinellas Point Civic Association	Greater Pinellas Point Civic Association Neighborhood Watch	\$1,278.65	The items requested are prohibited from funding as are newsletters or other advertising mediums.
Historic Roser Park Neighborhood Association	On behalf of the Moreans Arts Center	\$1,500.00	While promoting interest in the arts is a commendable goal, the program did not adequately address the criteria set forth by Florida Statute regarding crime prevention, neighborhood safety, drug education/prevention or school resource officer programs.
Lakewood Estates Civic Association, Inc.	Lakewood Estates Civic Association House Numbers	\$2,471.66	Conformity in house numbers does not meet the criteria for funding required by Florida Statute.
Lightning Bolt Youth Sports Academy, Inc.	All Sports Program	\$7,500.00	Organization suspended from future funding for failing to comply with required accounting procedures.
LITH, Inc.	We Can Make A Difference	\$2,000.00	Current location of program raised fears of improper venue and code enforcement issues. Program must seek a more appropriate location before additional funding is granted.
Northeast High School Band Boosters	Northeast High School Scarlet Movement	\$2,527.62	This program did not adequately address the criteria set forth by Florida Statute regarding crime prevention, neighborhood safety, drug education/prevention or school resource officer programs.
Ready for Life, Inc.	Ready for Life Youth Council and Youth Engagement Activities	\$2,000.00	Greatest portion of funds would be used to service non St. Petersburg residents.

<i>Organization Name</i>	<i>Project Title</i>	<i>Amount Requested</i>	<i>Reason for Rejection</i>
Split Second Track & Field Club	Split Second Track & Field Club	\$1,143.95	The application did not have enough information to make an informed decision.
SunRise Performing Arts Academy Booster Club	SunRise Performing Arts Academy	\$4,920.00	The items being requested are start up expenses unrelated to the criteria set forth by Florida Statute of crime prevention, drug abuse education/prevention, neighborhood safety or school resource officer programs.
Total Requested:		\$27,145.77	

Attached documents for item Approving a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law enforcement Fund (1023) to the Police Department, Local Law enforcement state fund (140-2857) to pay monetary awards to citizens for criminal tips p

St. Petersburg City Council

Consent Agenda
Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair, and Members of City Council

SUBJECT: A resolution approving a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law Enforcement Fund (1023) to the Police Department, Local Law Enforcement State Fund (140-2857) to pay monetary awards to citizens for criminal tips pertaining to the illegal gun bounty program; authorizing the mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: The Chief of Police has requested a supplemental appropriation of \$58,200 from the Law Enforcement Fund to the Police Department for the Illegal Gun Bounty Program ("IGBP") to fund a tip award of \$1,000 for any weapon and \$1,500 for any assault rifle as a cash award to a citizen who provides anonymous information on a crime of suspicious activity that leads to recovery of an illegal weapon, an arrest and a weapons charge.

The Chief of Police has executed a Memorandum of Understanding to form a partnership with Crime Stoppers of Pinellas County, Inc. ("Crime Stoppers") for the purpose of operation of the IGBP. The partnership will provide citizens with the option of providing anonymous tips through Crime Stoppers' tipline or website, or by text to a dedicated cell phone number to provide law enforcement with tips on a crime or suspicious activity. If the information provided leads to an arrest, confiscation of an illegal weapon, and weapons charge, the tipster will receive a cash award.

RECOMMENDATION: The administration recommends that City Council adopt the attached resolution approving a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law Enforcement Fund (1023) to the Police Department, Local Law Enforcement State Fund (140-2857) to pay monetary awards to citizens for criminal tips pertaining to the illegal gun bounty program; authorizing the mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING INFORMATION: Funds for the Illegal Gun Bounty Program ("IGBP") will be available after approval of a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Local Law Enforcement State Trust (140-2857).

Approvals:

Administration:  Budget: 

Legal: 00169331.doc v. 2

Resolution No. 2013-_____

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$58,200 FROM THE UNAPPROPRIATED BALANCE OF THE LAW ENFORCEMENT FUND (1023) TO THE POLICE DEPARTMENT, LOCAL LAW ENFORCEMENT STATE FUND (140-2857) TO PAY MONETARY AWARDS TO CITIZENS FOR CRIMINAL TIPS PERTAINING TO THE ILLEGAL GUN BOUNTY PROGRAM; 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 \$58,200 from the Law Enforcement Fund to the Police Department for the Illegal Gun Bounty Program (“IGBP”) to offer a tip award of \$1,000 for any weapon and \$1,500 for assault rifles as a cash award to a citizen who provides anonymous information on a crime of suspicious activity that leads to recovery of an illegal weapon, an arrest and a weapons charge; and

WHEREAS, the Chief of Police has executed a Memorandum of Understanding to form a partnership with Crime Stoppers of Pinellas County, Inc. (“Crime Stoppers”) for the purpose of operation of the IGBP; and

WHEREAS, citizens will have the option to call an established Crime Stoppers’ number anonymously, provide tips via a website, or text a tip to a dedicated cell phone number to provide law enforcement tips on a crime or suspicious activity. If the information provided leads to an arrest, confiscation of an illegal weapon, and a weapons charge a cash award will result; and

WHEREAS, citizens who meet those three requirements for an award, as determined by the Board of Directors of Crime Stoppers, are eligible for a reward of \$1,000 for any weapon and \$1,500 for an assault rifle. All rewards and tips will be handled within the policy and procedures of Crime Stoppers; and

WHEREAS, a supplemental appropriation in the amount of \$58,200 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 FY13:

Law Enforcement Fund (1023)

Police Department, Local Law Enforcement State Trust (1402857) \$58,200

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: 00169329.doc v. 2

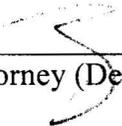
2013-15

A RESOLUTION REQUESTING THE LEGAL DEPARTMENT TO DRAFT A RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION WHICH REQUIRES UNIVERSAL BACKGROUND CHECKS FOR ALL FIREARM SALES; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Legal Department is requested to draft a resolution urging the Florida Legislature to enact legislation requiring universal background checks for all firearm sales.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

E-4

Attached documents for item Tampa Bay Regional Planning Council. (Councilmember Newton)
(Oral)

Attached documents for item Ordinance amending Chapter 27, Division 3 of Article V of the St. Petersburg City, relating to the Industrial Pretreatment Program.



ST. PETERSBURG CITY COUNCIL
Meeting of February 7, 2013

To: Honorable Karl Nurse, Chair and City Council Members

Subject: Approval of Ordinance Amending Chapter 27 Division 3 of Article V of the St. Petersburg City Code relating to the Industrial Pretreatment Program

Recommendation: The Administration recommends conducting first reading of the attached Ordinance and setting second reading and public hearing for February 21, 2013. The Administration recommends APPROVAL of the Ordinance.

REQUEST: Requesting approval of an Ordinance Amending Chapter 27, Division 3 of Article V of the St. Petersburg City Code relating to Industrial Pretreatment.

EXPLANATION:

Industrial Pretreatment Program Requirements

As required by the "Clean Water Act", Federal and State Laws mandate that all cities, counties and other municipal bodies that process more than 5 million gallons of wastewater per day have an approved Industrial Pretreatment Program (IPP). Within the State of Florida there are presently 75 programs which are regulated by the Department of Environmental Protection (DEP) in Tallahassee. The major objectives of the IPP are:

- To prevent the discharge into the sewer system those pollutants which may interfere with the operation of the wastewater collection system, pumping stations, or the Water Reclamation Facilities (WRFs).
- To prevent pollutants which may pass through a WRF and into injection wells, biosolids, or reclaimed water from being discharged into the sewer system.
- To improve the opportunity to recycle and reclaim municipal and industrial wastewaters and biosolids.
- To assure that the City complies with its WRF operating permits.

City of St. Petersburg's Current IPP

The program issues permits to the larger industries and for transported waste from portable toilets and septic tanks. It ensures that the concentrations of pollutants in the wastewater comply with the St. Petersburg City Code for Industrial Pretreatment. The program collects samples of wastewater from the sewer system to continuously monitor for unknown sources of toxic pollutants. The program has enforcement powers and can terminate sewer service to industries that do not work to comply with the program requirements. The City currently has twenty-eight (28) facilities under permit. Eight (8) of these are considered Categorical Industrial Users (CIU),

which means that federal and state law specifically requires their regulation and specifically defines their discharge characteristics.

Twenty (20) of these are considered Significant Industrial Users (SIU), which means that the facility may potentially have an adverse impact on the publically owned treatment works and that it meets one or more of the following criteria:

- Generates 25,000 gallons per day of process wastewater.
- Averages 25,000 gallons per day of potable water use.
- Generates 5% or more of the water reclamation facility's average daily flow.
- May reasonably be expected to have a significant adverse impact on the system.

Required Program Changes

On October 15, 2005 the United States Environmental Protection Agency (USEPA) finalized the Streamlining Rule for the *General Pretreatment Regulations* (40 CFR Part 403). The Pretreatment Program requires industrial dischargers to use treatment techniques and management practices to reduce or eliminate the discharge of harmful pollutants to sanitary sewers. The Streamlining Rule was designed to reduce the overall regulatory burden on both Industrial Users (IUs) and Control Authorities (Municipalities) without adversely affecting environmental protection.

On May 10th, 2010 The Florida Department of Environmental Protection (FDEP) finalized revisions to Chapter 62-625, Florida Administrative Code (F.A.C.), *Pretreatment Requirements for Existing and New Sources of Pollution*, incorporating the USEPA Streamlining Rule. These revisions require changes to municipal Sewer Use Ordinances (SUO).

The revision of the St. Petersburg City Code pertaining to Industrial Pretreatment (27-302 through 27-314, *Wastewater Collection and Treatment*) coincides with the re-issuance of the Operating Permit for the Southwest Water Reclamation Facility (SW WRF) on June 29, 2012. This permit dictates the milestone events for the IPP. In addition to the mandatory elements to be incorporated in the revision, several optional elements were also included.

Summary

- The majority of changes to the St. Petersburg City Code for the IPP are mandatory and if not adopted, will place the IPP in non-compliance with State and Federal regulations and subject to enforcement action.
- Three of the changes are optional;
 - Adoption of the "Non-significant Categorical Industrial User" (NSCIU) classification;
 - Adoption of the "Middle Tier" Categorical Industrial User classification;
 - Expansion of the definition for the "General Discharge Prohibitions" for Fats, Oils and Grease (FOG).

Two of these changes will benefit qualifying Categorical Industrial Users by reducing the level of sampling and oversight. Amending the FOG discharge prohibition allows for new processes and overcomes possible shortcomings of the sampling and analytical method.

- The revisions to the St. Petersburg City Code for Industrial Pretreatment should not have a significant impact on the users either financially or in their day to day operation. Rather, industries that are subject to these regulations have the potential to qualify for reduced monitoring and oversight if certain criteria are met.
- These revisions to the St. Petersburg City Code for Industrial Pretreatment have been reviewed and approved by the Florida Department of Environmental Protection.

RECOMMENDATION: Administration requests that City Council approve the adoption of the attached Ordinance to the St. Petersburg City Code relating to Industrial Pretreatment.

Attachments: Ordinance

ADMINISTRATION: Michael J. Stevens

LEGAL: Tom Stratten Assistant City Attorney

ORDINANCE NO. ____

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SUBSECTIONS 27-302(a) AND (b), 27-307(a)(7) AND (14), 27-307(g)(1),(2)AND (3), 27-309(e)(5) AND (11), 27-309(g) AND (j), SECTION 27-310, SUBSECTIONS 27-311(a) AND (f) AND 27-312(a)(5), SECTION 27-312 AND SUBSECTION 27-313 (3) OF DIVISION 3 OF ARTICLE V OF THE ST. PETERSBURG CITY CODE RELATING TO INDUSTRIAL WASTEWATER PRE-TREATMENT; ADDING NEW DEFINITIONS; AMENDING THE DEFINITIONS OF AUTHORIZED REPRESENTATIVE, SIGNIFICANT INDUSTRIAL USER AND SIGNIFICANT NONCOMPLIANCE; ADDING NEW ABBREVIATIONS; AMENDING PROVISIONS FOR FATS, OILS AND GREASE; AMENDING PROVISIONS RELATING TO COLOR; AMENDING SAMPLING AND ANALYTICAL REQUIREMENTS; REQUIRING SAMPLING LOCATIONS BE SHOWN ON SITE PLANS AND DOCUMENTATION OF COMPLIANCE WITH BEST MANAGEMENT PRACTICES BE SUBMITTED; AMENDING INDUSTRIAL WASTE-WATER DISCHARGE PERMIT REQUIREMENTS AND RESTRICTIONS; AMENDING REPORTING AND SAMPLING REQUIREMENTS; REQUIRING ANNUAL CERTIFICATION OF NON-SIGNIFICANT CATEGORICAL INDUSTRIAL USERS; MODIFYING PROVISIONS RELATING TO ENTRY OF PROPERTY AND MONITORING FACILITIES; AMENDING ADMINISTRATIVE ENFORCEMENT PROVISIONS AND CREATING A NEW PROVISION FOR CEASE AND DESIST ORDERS; ADDING PROVISIONS RELATED TO VIOLATIONS AND FINES; MODIFYING PROVISIONS RRELATED TO UPSET AND BYPASS; EXPLAINING THE MEANING OF WORDS STRUCK THROUGH OR UNDERLINED; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Subsection 27-302(a) of the St. Petersburg City Code is hereby amended by adding new definitions in alphabetic order, to read as follows:

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to implement the prohibitions listed in subsections 27-307(a) and (d). BMPs include, but are not limited to, treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Categorical Industrial User (CIU) means an industrial user subject to categorical pretreatment standards under Rule 62-625.410, F.A.C., including 40 CFR Chapter 1, Subchapter N, Parts 405 through 471.

Daily Maximum means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

Local Limit means a specific discharge limit developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b) and subsection 27-307(a).

Non-Significant Categorical Industrial User (NSCIU) means an industrial user that discharges 100 gallons per day (gpd) or less of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and:

- (1) Has consistently complied with all applicable categorical pretreatment standards and requirements;
- (2) Annually submits the certification statement required in 62-625.600(17), F.A.C., together with any additional information necessary to support the certification statement; and
- (3) Never discharges any untreated categorical process wastewater.

SECTION 2. Subsection 27-302(a) of the St. Petersburg City Code is hereby amended by modifying the following definitions, to read as follows:

Authorized representative or duly authorized representative means an authorized representative of an industrial user or liquid waste hauler as follows, ~~may be any of the following:~~

- (1) A president, secretary, treasurer or vice president of a corporation ~~conducting in charge of~~ a principal business function or any person authorized to perform similar policy or decision making functions for the corporation.
- (2) A manager of one or more manufacturing, production or operating ~~on~~ facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, to initiate and direct other comprehensive measures to assure long-term environmental compliance

with environmental laws and regulations; and to ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where employing more than 250 persons, or having gross annual sales or expenditures exceeding \$25,000,000.00, in second quarter 1980 dollars, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- (3) A general partner or proprietor if the industrial user is a partnership or sole proprietorship respectively.
- (4) A ~~principal executive officer~~ highest official appointed or director having responsibility for the overall ~~appointed or designated to oversee the performance and operation of the discharging government facility, if the industrial user is a federal, State or local governmental entity, or their agents.~~
- (5) A duly authorized representative of a person indicated in paragraphs 1-4 above if provided such authorization has been made in writing on a prescribed authorization form submitted to the POD and the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, or having overall responsibility for environmental matters for the discharge facility, ~~or a position of equivalent responsibility for environmental matters for the industrial user.~~

Existing source means any source of discharge that is not a New Source, ~~the construction or operation of which commenced prior to the publication by the EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with section 307 of the Act.~~

Significant industrial user (SIU) means any industrial or commercial user of the City's POTW who:

- (1) Is subject to categorical pretreatment standards under F.A.C. 62-625.200(3) ~~40 CRF 403.6, F.A.C. 62-625.410, 40 CRF ch. 1, subch. N and F.A.C. ch. 62-660;~~
- (2) Has a process wastewater discharge flow of 25,000 gallons or more on any given work day to the POTW;
- (3) Has an average consumption of potable water of 25,000 gallons or more per work day, excluding multiple-dwelling units, single-family residences or other purely domestic users;
- (4) Contributes a wastestream which makes up five percent or more of the average dry weather hydraulic or organic (BOD, TSS, etc.) capacity of the treatment plant; or
- (5) Has a discharge which, in the judgment of the control authority or the approval authority, may reasonably be expected to have a significant adverse impact either singly or in combination with other contributing industries on the wastewater treatment system, the quality of sludge, the system's reclaimed water quality or air emissions generated by the system, or has the potential to endanger the POTW employees.

The POD may determine that an industrial user subject to categorical pretreatment standards is an NSCIU rather than an SIU provided such user meets the criteria established for the definition of NSCIU in Section 27-302(a). In accordance with 40 CFR 403.3(t)(2) and F.A.C. 62-625.200(20)(c), the control authority may, at any time, on its own initiative or in response to a petition received from a user that meets any of the criteria in subsections (2) through (4) of this definition, re-evaluate the historical wastewater pollutant data, violation history, chemical inventory, inspection reports and any other pertinent information pertaining to that user. If this re-evaluation process establishes that the user has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, then the control authority, in accordance with procedures in 40 CFR 403.8(f)(6), and F.A.C. 62-625.500(2)(e), may determine that such user should not be considered a significant industrial user.

Significant noncompliance (SNC) means an SIU shall be in significant noncompliance when any one or more of the following criteria are satisfied:

- (1) Chronic violations of wastewater discharge limits when 66 percent or more of the measurements taken during a six-month period exceeding by any magnitude, the maximum limit, ~~or~~ average limit or instantaneous limit, if applicable, for the same pollutant parameter;
- (2) Technical review criteria (TRC) violations when 33 percent or more of the measurements for each pollutant parameter taken during a six-month period equal or exceeding the product of the maximum limit, ~~or~~ average limit or instantaneous limit, if applicable, multiplied by the applicable TRC:
 - a. For conventional pollutants, TRC equals 1.4 or 40 percent over the limit;
 - b. For all other pollutants, TRC equals 1.2 or 20 percent over the limit;
- (3) When the SIU fails to respond within ten days of receipt of a notice of violation (NOV) issued by the director;
- (4) When the SIU fails to accurately report noncompliance;
- (5) When the SIU reports false information;
- (6) When the SIU intentionally or negligently violates a permit condition or requirement;
- (7) When the SIU refuses to permit entry to the POD for inspection;
- (8) When any violation occurs that the POD reasonably believes has caused, alone or in combination with other discharges, interference (e.g., slug loads) or pass through; or endangered the health of the POTW employees or the general public;
- (9) When any discharge occurs which causes imminent endangerment to human health, welfare or to the environment or results in the POTW's use of its emergency authority to halt or prevent such a discharge;
- (10) When violations of IWDP or other required compliance schedules occur such as, but not limited to, failure to start or complete construction, or failure to attain final compliance by the compliance schedule date;

- (11) When periodic compliance reports, baseline monitoring reports or other required reports are not received by the POD within ~~30~~45 days after the due date; or
- (12) When any violation or group of violations, which may include a violation of Best Management Practices, occurs which may reasonably be expected to have a significant adverse impact on the operation or implementation of the pretreatment program, the wastewater treatment system, the quality of sludge, the system's reclaimed water quality or air emissions generated by the system, or has the potential to endanger the POTW employees.

SECTION 3. Subsection Section 27-302(b) of the St. Petersburg City Code is hereby amended by inserting the following new abbreviations in alphabetical order, to read as follows:

BMP means Best Management Practices.

CIU means Categorical Industrial User.

NSCIU means Non-Significant Categorical Industrial User.

POD means Person Officially Designated as defined in Section 1-2 of the Code.

TRC means Technical Review Criteria.

SECTION 4. Subsections 27-307(a)(7) and (14) of the St. Petersburg City Code are hereby amended to read as follows:

- (7) Any water or waste containing fats, wax, grease, oils, or related substances of animal or vegetable origin, whether or not emulsified, in excess of 400 parts per million by weight, or which may solidify or become viscous at temperatures between 4.5 degrees Celsius (40 degrees Fahrenheit) and 65.5 degrees Celsius (150 degrees Fahrenheit). Specifically prohibited is the heating of the contents of grease traps and subsequent discharge to the sewer system. The POD may allow discharges in excess of this standard as a permit condition upon the submission by the user of a technical evaluation prepared by professional engineer or other similar licensed professional demonstrating that the subject wastewater will have no adverse affects to the wastewater collection and treatment facilities or to the biosolids and reclaimed water generated from those facilities. Wastewater exceeding the limitations provided herein shall contain no visible sheen, shall not discharge any solid grease particles, shall not cause an accumulation of grease or create other unacceptable impact to the collection system downstream of the permitted facility, and shall not cause or contribute to any unacceptable impacts to the water reclamation facility or the biosolids and reclaimed water generated by that facility.
- (14) Any concentrated dye wastes, spent tanning solutions, or other wastes which are highly colored, or wastes which are of unusual volume, concentration of solids, or composition that may create obstruction to the flow in sewers, ~~or other interference~~ with the POTW or impart color to the POTW effluent.

SECTION 5. Subsections 27-307(g)(1), (2) and (3) of the St. Petersburg City Code are hereby amended to read as follows:

- (1) Grab samples shall be used for pH, temperature, specific conductance, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants. Except as indicated in subsection (g)(2) of this section, wherever wastewater sampling is required, such sampling shall be performed using flow proportional composite collection techniques, in order to collect a representative wastewater sample throughout the total daily period of effluent discharge by the user. In the event flow proportional sampling is deemed to be technically infeasible by the the POD, the POD may authorize the use of time proportional sampling or a minimum of eight grab aliquots composited into a single sample where the user demonstrates that this will provide a representative sample of the effluent being discharged grab sampling. Where time proportional composite sampling or grab sampling is authorized by the POD, the sample must be representative of the total daily period of effluent discharge. The decision to allow alternative sampling must be documented in the Industrial User file for that facility or facilities. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab the samples collected during a 24 hour period may be composited prior to the analysis as follows: For cyanide, total phenols and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the POD, as appropriate. In the event flow proportional sampling is deemed to be technically infeasible by the POD, the POD may authorize the use of time proportional sampling or a minimum of eight grab aliquots composited into a single sample where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous maximum discharge limits.
- (2) Samples for oil and grease, temperature, specific conductance, pH, cyanide, phenols, sulfides and volatile organic compounds shall be obtained using grab collection techniques. For sampling required in support of a completed application, a baseline monitoring report and 90-day compliance reports described in subsections 27-309(e), 27-310(a) and 27-310(b), a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities which historical sampling data do not exist; for facilities which sampling data are available, the POD may authorize a lower minimum. For the reports required by 27-310(c), the industrial user is required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

- (3) All sample preservation procedures, container materials, maximum allowable holding times and analytical techniques to be submitted as part of any application or report required by this division shall be performed in accordance with the procedures and techniques specified in F.A.C. 62-625.600(1)(e)5.

SECTION 6. Subsections 27-309(e)(5) and (11) of the St. Petersburg City Code are hereby amended to read as follows:

- (5) The site plans, floor plans, mechanical and plumbing plans with sufficient detail to show all sewers, floor drains, sewer connections, ~~and~~ appurtenances and sample/monitoring locations in the user's premises by size, location and elevation
- (11) A laboratory analysis of a minimum of one sample of each regulated process flow and unregulated process flow for all limited pollutants suspected to be present in the flow. Laboratory analyses of samples of all dilute wastestreams and other nondomestic wastewater flows within the user's facility shall also be submitted. Each sample shall be representative of daily operations and shall be taken according to section 27-307(g). All samples shall be analyzed by a laboratory certified by DOH ELCP for environmental analysis, for all parameters limited by appropriate City or State pretreatment standards or national categorical pretreatment standards. All analyses shall be performed in accordance with procedures established by section 27-307(g)(3). A copy of the contracting laboratory report of all analytical results shall be submitted to the POD. Analytical results shall be reported as daily maximum or average concentrations or mass as required by the applicable standard or by the POD. If an equivalent concentration limit has been calculated in accordance with any established pretreatment standard, this adjusted concentration limit shall also be submitted. Where the pretreatment standard requires compliance with a BMP, the industrial user shall submit documentation as required by the POD or the applicable pretreatment standards to determine compliance with the pretreatment standard.

All sampling and analysis to be submitted must have been taken within six months of the date of the application for an IWDP. The POD may perform this sampling and analysis at the applicant's expense if no previous sampling and analysis has been performed within the six-month period prior to the date of the IWDP application.

SECTION 7. Subsections 27-309 (g) and (j) of the St. Petersburg City Code are hereby amended to read as follows:

(g) *Evaluation of applications and IWDP issuance.* Upon receipt of a complete application, the POD shall review and evaluate all data furnished by the SIU and may require additional data. After evaluation of the data furnished, the POD may issue the IWDP with appropriate permit conditions and requirements within ~~120~~90 days. Issuance of an IWDP shall

not relieve the user from complying with all other applicable State, federal and local laws, regulations and ordinances.

(j) *IWDP requirements and restrictions.* IWDPs shall be expressly subject to all provisions of this division and all other applicable ordinances, laws, regulations and user charges and fees established by the City. All IWDPs shall minimally include applicable national categorical pretreatment standards for new and existing sources as set out in 40 CFR subch. N, pts. 401 through 471. Other requirements and restrictions in IWDPs may include but shall not be limited to the following:

- (1) Effluent limits, including Best Management Practices, based on applicable pretreatment standards.
- (12) Limits on the characteristics and average and maximum allowable concentration of wastewater constituents including the application of the combined wastestream formula.
- (23) Calculated limits on the mean and maximum mass emission rates or production based mass limitations or other appropriate limits on wastewater constituents or properties.
- (34) Limits on the average and maximum rate and time of discharge or requirements for flow regulations and equalization.
- (45) Installation of pretreatment technology or construction of appropriate containment devices, etc., designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW.
- (56) Development and implementation of slug spill control plans or other special conditions including additional management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges.
- (67) Installation and maintenance by the user of suitable inspection and sampling facilities.
- (78) Specifications for monitoring programs which may include sampling location or locations, if more than one process stream is involved; frequency and method of sampling; flow metering; number; types and standards for analytical tests and reporting schedules.
- (89) Compliance schedules and compliance report requirements including submission dates.
- (910) Submission and certification of technical reports and periodic compliance reports to include information concerning volume, rate of flow, constituent concentrations, peak flow rates, production details, hours of operation, number of employees, or other information.
- (1011) Maintaining and retaining plant records relating to wastewater discharge as specified by the POD, and providing the POD access thereto.
- (112) Notification to the POD and obtaining prior written approval from the POD for any new introduction of wastewater constituents or any substantial planned change in production rate (ten percent or more) or in the volume or character of the wastewater constituents being discharged to the POTW.

- (~~12~~13) Notification to the POD of any change in the manufacturing processes or pretreatment processes used by the permittee.
- (~~13~~14) Notification to the POD of excessive, accidental or slug discharges.
- (~~14~~15) Provisions concerning observed concentration violations of any of the analytical data contained in periodic compliance reports.
- (~~15~~16) Provisions concerning the frequency of submission of certification statements for particular conditions of categorical regulations (e.g., control of TTO).
- (~~16~~17) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a POTW.
- (~~17~~18) Effective and expiration dates and permit transfer requirements.
- (~~18~~19) Statement of applicable civil and criminal penalties for violations of pretreatment standards and requirements.
- (~~19~~20) Other conditions as deemed appropriate by the POD to ensure compliance with this division or other applicable ordinances, laws or regulations.

The permittee shall be responsible for all costs associated with satisfying IWDP conditions, requirements and restrictions.

SECTION 9. Section 27-310 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-310. Reporting requirements and retention of records for industrial wastewater discharge permit holders and other industrial users.

(a) *Baseline monitoring report (BMR).* A completed application for an IWDP shall contain more information than is required from an SIU for a BMR as defined in 40 CFR 403.12(b)(1) through (7) and F.A.C. 62-625.600(1)(a) through (g). The completed application shall be used by the City as the equivalent of a BMR and shall contain the elements described in 27-309(d) and (e).

(b) *Ninety-day compliance report.* If the application for an IWDP (or BMR) contains a compliance schedule as provided for in section 27-309(e)(14), within 90 days following the date for final compliance with applicable pretreatment standards, or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any SIU subject to pretreatment standards and requirements shall submit a report containing the information described in sections 27-309(e)(9) through (13).

(c) *Periodic compliance reports.* All permitted SIUs shall submit periodic compliance reports to the POD in accordance with the terms of their IWDP. All compliance reports shall be in accordance with the following:

- (1) Copies of all approved periodic compliance forms attached to the IWDP shall be completed and submitted to the POD. In addition, a copy of the analytical results

and chain of custody forms received from the contracting laboratory shall be attached to the report.

- (2) The specific months in which periodic compliance reporting is required shall be included in the IWDP of each SIU. This frequency shall equal or exceed the requirements of F.A.C. 62-625.600(4)(a) and (7)(a), and 40 CFR 403.12(e) and (h).
- (3) The POD may reduce the requirement in paragraph (2) above to a requirement to report no less frequently than once a year, unless required more frequently in the pretreatment standard, where the industrial user's total categorical wastewater flow does not exceed any of the following:
 - a. 0.01 percent of the design dry weather hydraulic capacity of the POTW, or 5000 gallons per day, whichever is smaller, as measured by a continuous effluent flow monitoring device unless the industrial user discharges in batches;
 - b. 0.01 percent of the design dry weather organic treatment capacity of the POTW and;
 - c. 0.01 percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical pretreatment standard for which approved local limits were developed for a POTW in accordance with 27-307(d).

Reduced reporting is not available to industrial users that have in the last two years been in significant noncompliance, as defined in 27-302(a). In addition, reduced reporting is not available to an industrial user with daily flow rates, production levels, or pollutant levels that vary so significantly that, in the opinion of the POD, decreasing the reporting requirement for this industrial user would result in data that are not representative of conditions occurring during the reporting period.

- (34) The due date for submission of periodic compliance reports to the POD shall be the 30th day following the end of the month in which they are required by the ~~significant industrial user's~~ SIU'S IWDP. Reports submitted after the due date shall be accompanied by a \$50.00 late fee and may result in initiation of demand monitoring or other enforcement action by the City at the IWDP holder's expense. Reports submitted ~~30~~45 days or more after the due date shall result in the SIU being declared to be in significant noncompliance (SNC) with reporting requirements as required by Subsection 11 of the definition of SNC contained in section 27-302.
- (45) Industrial users shall complete each periodic compliance report utilizing data obtained through appropriate sampling and analysis performed during the period covered by the report, which is representative of conditions occurring during the reporting period. ~~The results of all discharge monitoring, whether or not required by the IWDP, shall be included in the report provided that test procedures approved by the approval authority are used.~~ If an industrial user subject to the reporting requirement in this section monitors any regulated pollutant at the approved sampling location more frequently than required by the POD, using the

procedures prescribed in section 27-307(g), the results of this shall be included in the report.

- (6) In cases where the pretreatment standard requires compliance with a BMP or pollution prevention alternative, the user shall submit documentation required by the POD or the pretreatment standard necessary to determine the compliance status of the industrial user.
- (57) The POD shall approve and include in the IWDP the locations at which the industrial user shall collect samples required for periodic compliance reports. Monitoring locations may be changed only after prior written permission by the POD.
- (68) Sampling and analytical requirements for periodic compliance reports shall be performed in accordance with section 27-307(g). All analyses shall be performed by a laboratory certified by DOH ELCP for environmental analysis.
- (79) Together with every periodic compliance report, the permittee shall submit the following certification statement, signed by an authorized representative of the industrial user or designee. The exact wording of this statement shall be as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violation.

(d) *Notice of violation/repeat sampling and reporting.* If sampling performed by an SIU for a periodic compliance report indicates any violation as defined herein, the SIU shall submit the report and shall notify the POD immediately after becoming aware of the violation. The permittee shall repeat the sampling and analysis and submit the results of the repeat analysis to the POD within 30 days after becoming aware of the violation. Resampling by the SIU is not required if the POD performs sampling at the SIU's facility at least once a month, or if the POD performs sampling at the SIU between the time when the initial sampling was conducted and the time when the SIU or POD receives the results of the sampling. Where the POD has performed the sampling and analysis in lieu of the SIU, the POD will perform the repeat sampling and analysis unless it notifies the SIU of the violation and requires the SIU to perform the repeat sampling and analysis.

(e) *Report of City monitoring.* When an SIU authorizes the City to perform all sampling and analysis required by its IWDP, the City shall provide a copy of the results to the SIU. Under these circumstances, the SIU will not be required to submit periodic compliance reports to the City.

(f) *Report of changed conditions.* All industrial users are required to notify the POD of any planned significant changes to the industrial user's operations or system which might alter the nature, quality or volume of its wastewater at least 30 days before the change.

- (1) The POD may require the industrial user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of an IWDP application.
- (2) The POD may issue a new IWDP or modify an existing IWDP as required.
- (3) No industrial user shall implement the planned changed condition until and unless the POD has responded to the industrial user's report.
- (4) For purposes of this requirement flow increases of ten percent or greater, and the discharge of any previously unreported pollutants shall be deemed significant.

(g) *Reports of potential problems.*

- (1) All industrial users shall submit reports of potential problems and accidental spills/slugs to the POD as detailed in section 27-307(n)(4). Failure to notify the POD of potential problem discharges shall be deemed a separate violation of this division.
- (2) SIU's shall notify the POD immediately of any changes at its facility affecting the potential for a slug discharge.

(h) *Notification of the discharge of hazardous waste.* This subsection refers to all industrial users.

- (1) Any industrial user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, the FDEP pretreatment authorities and State hazardous waste authorities in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information, to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this subsection need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under subsection (f) of this section. The notification

requirement in this section does not apply to pollutants already reported under the reporting requirements of subsections (a), (b) and (c) of this section.

- (2) Dischargers are exempt from the requirements of subsection (h)(1) of this section during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of non-acute hazardous waste in a calendar month, or of any quantity of acute hazardous waste as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.
- (3) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing and additional substance as a hazardous waste, the industrial user must notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.
- (4) In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

(i) *Change of authorized representative of an industrial user.* Should the permittee's authorized representative change during the permit period because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the user, a completed copy of the approved authorization form attached to the IWDP for the new representative or position shall be submitted to the POD.

(j) *Report on compliance with categorical pretreatment standards.* Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the City a report containing the information described in section 27-309(e)(9), (10), (11), (12), and (13). For users subject to equivalent mass or concentration limits established in accordance with the procedures in F.A.C. 62-625.410(4), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production or other measure of operation, this report shall include the user's actual production during the appropriate period.

(k) NSCIU annual certification. A facility determined to be a NSCIU by the POD must annually submit the following certification statement signed by an authorized representative of the industrial user or designee. The exact wording of this statement shall be as follows:

Based on my inquiry of the person or persons directly responsible for Managing compliance with the Categorical Pretreatment Standards under 40CFR _____, I certify that, to the best of my knowledge and belief that during the period from : _____, to _____, (month, day, year):

- (1) The facility described as (facility name) met the definition of a NSCIU as described in 27-302(a);
- (2) The facility has complied with all applicable pretreatment standards and requirements during this reporting period; and
- (3) The facility did not discharge more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information:

[Insert documentation supporting a continued exemption].

~~(k)~~ *Maintenance of records.* Any SIUs subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section. Such records shall include for all samples:

- (1) The date, exact location, method and time of sampling, the names of the persons taking the samples, and chain of custody of the samples;
- (2) The dates analyses were performed;
- (3) Who performed the analyses;
- (4) The analytical techniques/methods used; and
- (5) The results of such analyses.

~~(l)~~ *Retention of records.* Any SIU subject to the reporting requirements established in this section shall be required to retain for a minimum of three years' records of all submitted periodic compliance reports, documentation associated with BMP's and any other such monitoring activities and/or analytical data pertaining to these reports, whether or not such monitoring activities are required by this section, and shall make such records available for inspection and copying by the POD, State or EPA. This period of retention shall be extended during the course of any unresolved litigation regarding the industrial user or when requested by the POD, the State or EPA upon reasonable notice to the permittee.

~~(m)~~ *Confidentiality.* Information and data on a user obtained from reports, questionnaires, IWDP applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user stamps the words "confidential business information" on each page containing such information at the time of submission, and is able to demonstrate to the satisfaction of the POD that the release of this specific material, would divulge information, processes or methods of production entitled to protection as trade secrets under applicable State law. Those portions of any document identified in writing by the permittee as disclosing trade secrets or secret processes shall not be

made available to the public until after notice has been provided to the user and the user has had at least ten days to file an action in a court of competent jurisdiction to determine that they are not subject to disclosure. These documents shall, however, be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined by 40 CFR 2.302, will not be recognized as confidential information and will be available to the public without restriction.

(nq) *Industrial users other than SIUs.* Any industrial user whose wastewater discharge may be reasonably expected to have a deleterious impact on the receiving POTW, as determined by the POD, shall, if required, submit a report to the POD containing specified analyses of its wastewater discharge.

(op) *Timing.* Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the U.S. Postal Service, the date of receipt of the report shall govern. Faxed copies of the report will only be accepted if the complete original report is received by the City within five working days of the fax copy.

SECTION 10. Subsections 27-311 (a) and (f) of the St. Petersburg City Code are hereby amended to read as follows:

(a) *Entry.* All users of the POTW shall allow the POD ready access at all reasonable times to all parts of the premises for the purpose of inspection, observation, records examination, measurement, sampling and testing in accordance with the provisions of this division. The refusal of any user to permit the POD entry to or upon the user's premises for purposes of inspection, sampling effluents or inspecting and copying records or performing such other duties as shall be required by this division shall constitute a significant violation of a condition of the user's IWDP and the terms of this division. Unreasonable delays in allowing the POD access to the user's premises shall be deemed a refusal of entry.

(f) *Monitoring facilities.* The POD may require any user to install and maintain at the user's expense a suitable control manhole together with necessary approved meters, flow apparatus and other appurtenances in the building sewer and/or internal drainage systems to facilitate observation, sampling and measurement of the wastestream. All devices used to measure the wastewater flow and quality shall comply with DEP-SOP-001/01 (March 31, 2008). Such facility shall be accessible, safely located and constructed in accordance with plans reviewed and accepted by the POD. The monitoring facility shall be situated on the user's premises unless the use of an existing monitoring facility on City property is approved by the POD in writing. Such approval may be revoked at any time and the user required to provide suitable monitoring facilities on his own property. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the POD and shall not be replaced. The costs of clearing such access shall be borne by the user.

SECTION 11. Subsection 27-312(a)(5) of the St. Petersburg City Code is hereby amended to read as follows:

- (5) Once an SIU has received an administrative surcharge of \$500.00 and a final compliance schedule:
- a. Failure of the SIU to implement the final compliance schedule within ten working days of receiving the schedule may cause the POD to revoke the IWDP, terminate the SIU's sewer service, take further enforcement action against the user and seek to fine the SIU in an amount not to exceed of \$1,000.00 per violation.
 - b. If the SIU complies with the final compliance schedule within the specified time period, the POD may cease further enforcement action.
 - c. If the POD determines that compliance has not been achieved after the time specified in the final compliance schedule, or no response has been received from the SIU, the POD may revoke the IWDP, terminate the SIU's sewer service and seek to fine the SIU ~~in an amount not less than to exceed of~~ \$1,000.00 per violation.

SECTION 12. Section 27-312 of the St. Petersburg City Code is hereby amended by adding new subsections (m), (n) and (o), to read as follows:

(m) Cease and desist order. When the POD finds that the user has violated, or continues to violate, any provision of this ordinance, an individual IWDP, or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the POD may issue an order to the user directing to cease and desist all such violations and directing the user to:

- (1) Immediately comply with all applicable requirements; and
- (2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

(n) Remedies Not Exclusive. The remedies provided for in this ordinance are not exclusive. The POD may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the POD may take other action against any user when the circumstances warrant. Further, the POD is empowered to take more than one enforcement action against any noncompliant user.

(o) Violations and Penalties. Any user who has violated, or continues to violate, any provision of this ordinance, an IWDP, or order issued hereunder, or any other pretreatment

standard or requirement shall be subject to enforcement as authorized in Chapter 1 of this Code and the City shall have the authority to seek or assess a civil or criminal penalty in an amount not less than \$1,000 per violation, per day in accordance with applicable state and federal law. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

SECTION 13. Subsection 27-313(a)(1) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-313. - Affirmative defenses to discharge violations.

- (a) *Upset.*
 - (1) An upset does not constitute noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. An upset shall constitute an affirmative defense to an action brought for noncompliance with pretreatment standards if the requirements of subsection (a)(2) of this section, are met.

SECTION 14. Subsection 27-313 (c) of the St. Petersburg City Code is hereby amended to read as follows:

- (c) *Bypass.*
 - (1) *Notice.*
 - a. If an industrial user knows in advance of the need for a bypass, it shall submit prior notice to the POD, at least ten days before the date of the bypass. If the industrial user does not know of the need for a bypass ten days prior to the bypass then the industrial user shall notify the POD immediately upon knowledge of the need for the bypass.
 - b. An industrial user shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards to the POD within 24 hours from the time the industrial user becomes aware of the bypass. A written submission shall also be provided within five days of the time the industrial user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps being taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.
 - (2) *Exceptions.*

- a. Bypass is prohibited, and the POD may take an enforcement action against a user for a bypass, unless:
 1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage as defined herein;
 2. There were no technically feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 3. The user submitted notices as required under subsection(c)(1)(2)a.1. of this section.
- b. The POD may approve an anticipated bypass, after considering its adverse effects, if the POD determines that it will meet the three conditions listed in subsection (c)(2)a. of this section.

(3) Allowable Bypasses. A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (c)(1) and (2) of this section.

(34) User liable for damage. In the event of an unavoidable bypass, the industrial user shall not be relieved of any liability for damage to the POTW.

SECTION 15. That the unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 16. That words in ~~struck-through~~ type are deletions from the existing St. Petersburg City Code and words that are underlined are additions.

SECTION 17. This ordinance shall become effective upon the latter of the following occurrences:

1. 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.

2. 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.

3. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter or this ordinance is vetoed by the Mayor in accordance with the City Charter but City Council overrides the veto in accordance with the City Charter, this ordinance shall become effective upon receipt of notice from the Florida Department of Environmental Protection granting final approval of the ordinance.

LEGAL:



City Attorney (designee)

Attached documents for item Requesting to have all CRA/Agenda Review and Administrative Updates meetings be televised live. (Councilmember Newton)

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: January 24, 2013

COUNCIL DATE: February 7, 2013

RE: *Televisе CRA/Agenda Review and Administrative Updates Meetings*

ACTION DESIRED:

Respectfully requesting to have all CRA/Agenda Review and Administrative Updates meetings be televised live.

RATIONAL:

With all departments represented at these meetings all Marketing would need to do is to turn on the cameras. This will save countless staff hours having to come to a televised City Council meeting to do a report and answer questions on items pulled from the agenda to report. This will further save Council meeting time and not infringe on the “powers of the Council district elected representative.”

Wengay Newton, Council Member
District 7

Attached documents for item Referring to the Committee of the Whole, or alternatively to the Budget, Finance & Taxation Committee for discussion the proposed Eleventh Amendment Use Agreement between the City of St. Petersburg and the Tampa Bay Rays. (Councilmember Gerdes)

COUNCIL AGENDA

NEW BUSINESS ITEM

TO: The Mayor and Members of City Council

DATE: February 1, 2013

**COUNCIL
DATE:** February 7, 2013

RE: Proposed Eleventh Amendment

ACTION DESIRED:

Respectfully requesting a referral to the Committee of the Whole, or alternatively to the Budget, Finance & Taxation Committee to discuss the attached the proposed Eleventh Amendment Use Agreement between the City of St. Petersburg and the Tampa Bay Rays.

RATIONALE:

The intent and purpose of the proposed Eleventh Amendment is to allow the Rays to look at potential sites in Pinellas and Hillsborough counties for payment of an Exploration Fee, but confirm and restate the obligation to stay at Tropicana through the complete term ending in 2027.

Charlie Gerdes
City Council

**ELEVENTH AMENDMENT TO THE AGREEMENT FOR THE USE, MANAGEMENT
AND OPERATION OF THE DOMED STADIUM IN ST. PETERSBURG,
INCLUDING THE PROVISION OF MAJOR LEAGUE BASEBALL**

THIS ELEVENTH AMENDMENT to the Agreement for the Use, Management and Operation of the Domed Stadium in St. Petersburg, Including the Provision of Major League Baseball (the “**Eleventh Amendment**”) is made and executed as of the _____ day of _____, 2013, between the **CITY OF ST. PETERSBURG, FLORIDA**, a municipal corporation (hereinafter referred to as the “**CITY**”) and **TAMPA BAY RAYS BASEBALL LTD.** (formerly known as **TAMPA BAY DEVIL RAYS, LTD.**), A Florida limited partnership (hereinafter referred to as “**CLUB**”).

RECITALS:

- A. The **CITY** and the **CLUB** entered into an Agreement for the Use, Management and Operation of the Domed Stadium in St. Petersburg, Including the Provision of Major League Baseball (“**Agreement**”) on April 28, 1995.
- B. The **CITY** and the **CLUB** entered into a **FIRST AMENDMENT** to the **AGREEMENT** (“**First Amendment**”) on May 9, 1995.
- C. The **CITY** and the **CLUB** entered into a **SECOND AMENDMENT** to the **AGREEMENT** (“**Second Amendment**”) on May 18, 1995.
- D. The **CITY** and the **CLUB** entered into a **THIRD AMENDMENT** to the **AGREEMENT** (“**Third Amendment**”) on June 14, 1995.
- E. The **CITY** and the **CLUB** entered into a **FOURTH AMENDMENT** to the **AGREEMENT** (“**Fourth Amendment**”) on February 26, 1997.
- F. The **CITY** and the **CLUB** entered into a **FIFTH AMENDMENT** to the **AGREEMENT** (“**Fifth Amendment**”) on January 21, 1999.
- G. The **CITY** and the **CLUB** entered into a **SIXTH AMENDMENT** to the **AGREEMENT** (“**Sixth Amendment**”) on September 24, 2002.
- H. The **CITY** and the **CLUB** entered into a **SEVENTH AMENDMENT** to the **AGREEMENT** (“**Seventh Amendment**”) on March 22, 2004.

- I. The **CITY** and the **CLUB** entered into a **EIGHTH AMENDMENT** to the **AGREEMENT (“Eighth Amendment”)** on December 9, 2004.
- J. The **CITY** and the **CLUB** entered into a **NINTH AMENDMENT** to the **AGREEMENT (“Ninth Amendment”)** on February 13, 2006.
- K. The **CITY** and the **CLUB** entered into a **TENTH AMENDMENT** to the **AGREEMENT (“Tenth Amendment”)** on November 28, 2006.
- L. The **CITY** and the **CLUB** have agreed to amend the **Agreement**, as amended by the **First Amendment**, the **Second Amendment**, the **Third Amendment**, the **Fourth Amendment**, the **Fifth Amendment**, the **Sixth Amendment**, the **Seventh Amendment**, the **Eighth Amendment**, the **Ninth Amendment**, and the **Tenth Amendment** (which **Agreement** as amended by the aforementioned ten amendments is hereinafter referred to as the “**Amended Agreement Ten**”) to amend Article XI of the **Amended Agreement Ten**, which amendment provides the **CLUB** limited permission to engage in certain discussions regarding potential future stadium sites in exchange for certain and specific time periods and payments, and the **CITY** and **CLUB’S** express confirmation of the continuing validity and enforceability of the irreparable harm provisions contained in the **Amended Agreement Ten**.

NOW, THEREFORE, in consideration of the foregoing recitals (which are hereby incorporated into this **Eleventh Amendment**), and the mutual promises and covenants set forth below, it is agreed by the **CITY** and the **CLUB** as follows:

1. **Article XI** of the **Amended Agreement Ten** is hereby amended by adding a new Section 11.02 and this new Section 11.02 shall read as follows:

Section 11.02

Subject to the terms and conditions set forth in Section 11.01, the **CITY** and the **CLUB** acknowledge **CLUB’S** right to enter into, initiate, or conduct any discussions for the use of a facility other than the **DOME** for the **Home Games** of the **Franchise**, provided that such discussions do not contemplate or constitute in any form or manner negotiations to play any **Home Games** during the **Term** in any facility other than the **DOME** during and throughout the **Term**. Furthermore, the **CITY** and the **CLUB** acknowledge and agree that the term “**Home Games**”, as defined in Section 1.01(p) and referenced in Section 11.01 of the **Amended Agreement Ten**, refers only to those games already played during the **Term** or to be played hereafter during the **Term**, and does not include games to be played following and after the full

expiration of the **Term**, as “**Term**” is defined in Section 1.01(x) of the **Amended Agreement Ten**.

2. Article XI of the **Amended Agreement Ten** is hereby amended by adding a new Section 11.03, and this new Section 11.03 shall read as follows:

Section 11.03

Notwithstanding the terms and conditions set forth in Section 11.01, in exchange for and only upon receipt of payment in the amount of ONE MILLION FOUR HUNDRED AND TWENTY THOSAND DOLLARS (\$1,420,000.00) or the actual amount of any subsidy paid by the **CITY** in support of and directly related to the **CLUB’S** operation of the **DOME**, (whether such subsidy or any part thereof is incurred for the playing of games or for any other event authorized by the **CLUB** as the operator of the **DOME**) as reported in the financial records of the **CITY** for the preceding fiscal year of the **CITY**, whichever amount is greater (the “**Exploration Fee**”), the **CITY** shall grant permission to the **CLUB** to initiate, conduct and engage in discussions for a period of twelve (12) months, or any pro-rata portion thereof, with any one or more party or parties regardingl sites for a potential facility to host **Home Games** of the **Franchise** other than the **DOME**, provided that:

- a) Any and all such potential facility sites that are the subject of any such discussions are located either in Pinellas County or in Hillsborough County only; and,
- b) As a condition precedent to the **CLUB** initiating, conducting and engaging in any such discussions for any potential sites in Hillsborough County, the **CLUB** shall meet with Cityscape, LLC, and review, evaluate and consider the Cityscape, LLC site proposal in Pinellas County; and,
- c) The **CLUB** shall be limited to three (3) twelve (12) month periods, for the calendar years 2013, 2014 and 2015, in which to exercise the right to conduct any such discussions authorized by this Section 11.03 upon payment of the **Exploration Fee**; and,
- d) Unless enlarged or otherwise modified in writing by the **CITY** and the **CLUB**, Section 11.03 shall become null and void on January 1, 2016.

3. Article XI of the Amended Agreement Ten is hereby amended by adding a new Section 11.04, and this new Section 11.04 shall read as follows:

Section 11.04

NO CONSENT OR WAIVER: The **CLUB** and the **CITY** understand, acknowledge and agree that the intent and purpose of Sections 11.02 and 11.03 are to allow the **CLUB** to evaluate potential facility sites other than the **DOME** for a specified period of time, and that the provisions of Sections 11.02 and 11.03 are not intended as, and do not operate as, any consent to nullify, excuse, or waive in any way or manner, neither express or implied, direct or indirect, nor by any operation of law, the existing and continuing obligation of the **CLUB** to play all of their **Home Games** during the **Term** at the **DOME**, pursuant to the terms and conditions of the **Amended Agreement Ten**, including without limitation the terms and conditions of Section 2.04. Each party expressly waives any defense, whether asserted by pleading or motion, that Sections 11.02 and/or 11.03 operate as any species of consent to allow the **Franchise** to play any **Home Games** at a site other than **DOME** during the Term, or any species of waiver of the existing and continuing obligation of the **CLUB** to play all of its **Home Games** at the **DOME** for the duration of the **Term**. Furthermore, the **CLUB** and the **CITY** restate and confirm that any violation of Section 2.04 and/or Article XI as amended herein will result in irreparable harm and damages that are not readily calculable in monetary terms, and that in the event of a violation the non-violating party shall be entitled to obtain injunctive relief, specific performance and/or other equitable relief as a non-exclusive remedy, in addition to any money damages that may be deemed to be appropriate, to fully enforce the Amended Agreement Ten as set forth in Sections 8.03 and 11.01.

4. The terms, conditions and provisions of the **Amended Agreement Ten** which are not affected by this **Eleventh Amendment** remain intact.

5. No amendment to this **Eleventh Amendment** shall be valid unless it is in writing and signed by the **CITY** and the **CLUB**.

IN WITNESS WHEREOF, the undersigned have executed this Eleventh Amendment as of the day and year first above written to be effective as of such date.

ATTEST:

CITY OF ST. PETERSBURG

By: _____

As Its: MAYOR

Approved as to content:

TAMPA BAY RAYS BASEBALL, LTD.
f/k/a TAMPA BAY DEVIL RAYS, LTD.
A Florida Limited Partnership

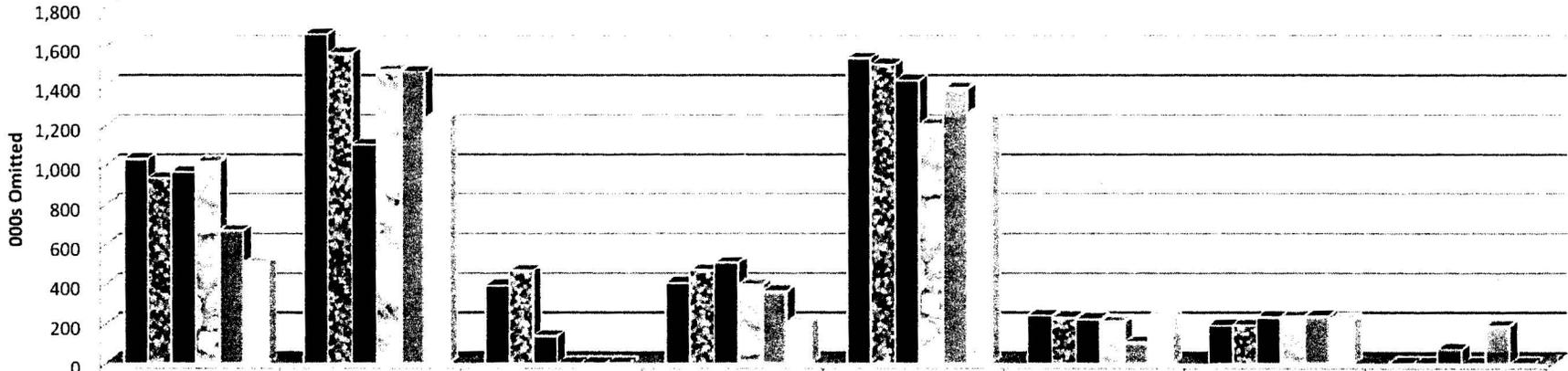
City Attorney or Designee

By: _____

Approved as to form:

City Attorney or Designee

Subsidy History



	Mahaffey	Topicana Field	Airport	Port	Pier	Sunken Gardens	Coliseum	Jamestown
■ 2008	1,030	1,662	390	405	1,539	241	191	0
▨ 2009	934	1,566	466	469	1,509	230	193	0
■ 2010	966	1,102	136	508	1,427	222	232	70
▨ 2011	1,016	1,480	0	397	1,207	211	237	0
■ 2012	670	1,471	0	361	1,387	105	238	188
▨ 2013	509	1,236	0	208	1,260	238	219	0



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.

(1)

CITY OF ST. PETERSBURG, PUBLIC HEARING

G2

NAME: DAVID MCKALIF

ADDRESS: 431 Southwest BLVD N

REPRESENTING: Self

AGENDA ITEM NO. : G-2

FEB 07 2013

FOR: X AGAINST: _____

3 MINUTE TIME LIMIT

G2
573

Attached documents for item Youth Services Committee. (1/24/13)

St. Petersburg City Council
Youth Services Committee
Committee Report for January 24, 2013

Members and Alternates: Councilmembers: Bill Dudley, Steve Kornell, Wengay Newton, Karl Nurse, Leslie Curran (alternate)

Support Staff: Sherry McBee, Parks and Recreation Director

A. Roll Call – Councilmember Bill Dudley

The meeting was called to order by Councilmember Dudley. The following Councilmembers were in attendance: Bill Dudley, Steve Kornell, Karl Nurse, Wengay Newton and Charlie Gerdes.

B. Election of Chair and Vice Chair

The Committee elected Councilmember Steve Kornell as the Youth Services Committee Chair and Councilmember Bill Dudley as the Vice Chair.

C. Approval of minutes for Youth Services Committee

The minutes were approved for the meeting of October 18, 2012.

D. Discuss rescheduling cancelled joint BFT/Youth Services follow-up meeting to the Economic Impact of Poverty Presentation

It was agreed that Councilmember Kornell will contact the Chair of the BFT committee to discuss rescheduling a joint committee meeting as a follow-up meeting to the Economics of Poverty Presentation. The joint meeting that had been scheduled for November 20, 2012 was cancelled.

E. New Business

A request was made to include an update from Lori Matway and JWB on the Lew Williams project at the next committee meeting. It was also requested to have update information provided by Wayne Finley. Councilmember Newton shared information regarding a Youth Panel which is convening on Thursday, January 31 at 7 p.m. at the Job Corps Center to discuss the impact of the release of criminal records on youth trying to secure jobs. Future committee meeting agendas will include a listing of pertinent youth services meetings or events including dates and locations. After discussion Councilmember Kornell withdrew his request regarding the Youth Services Master Plan item. After general discussion regarding the purpose of the Youth Services Committee, it was decided that each committee member will bring five specific action items to the next meeting for review and formulation of goals. The next Youth Services Committee meeting will be on Thursday, February 21, 2013 at 8:30 a.m.

F. Adjournment

The meeting was adjourned.

Attached documents for item Budget, Finance & Taxation Committee. (1/31/13)

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

Committee Report for January 31, 2013

Members: Chair James R. “Jim” Kennedy, Jr.; Vice-Chair Charles Gerdes; Karl Nurse; Leslie Curran and William Dudley (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 Business/ Deferred Business

- a. Resolution authorizing the Mayor or his designee to execute an amendment to the Agency Agreement between ASAP Homeless Services, Inc., and the City of St. Petersburg.**

Joshua Johnson, Director, Housing and Community Development, provided a brief overview of the proposed resolution.

Mr. Johnson stated that ASAP Homeless Services, Inc (“ASAP”) who provides for the homeless and low-to moderate income families according to an agreement approved by City Council in 2004 has discontinued its operations. Mr. Johnson also stated that ASAP discussed the issue with St. Petersburg Free Clinic, Inc who agreed to assume ASAP’s financial and operational responsibilities with the City’s approval. Mr. Johnson pointed out that ASAP Homeless Services, Inc is required to continue services until 2014 under the current agreement.

In conclusion, Mr. Johnson requested the Committee to forward the item to full Council for approval.

After discussion, Chair James R Kennedy recommended an addition to the agreement regarding the obligations concerning the existing agreement prior to submission to Council.

- b. Community Brownfield Fund**

Dave Goodwin, Director, Planning and Economic Development and Sophia Sorolis, Manager, Economic Development Division provided a response to a BF&T Committee referral by Council Member Danner regarding the creation of a “Community Brownfield Fund” to generate funding for Brownfields clean up of smaller contaminated sites in the city.

Ms. Sorolis stated that the State and Federal government have Brownfield Programs which provide incentives to businesses and local governments to redevelop designated brownfield sites or areas. On the State level she

indicated that funds are provided to property owners indirectly for clean-up and that the most utilized Brownfields incentive programs are the Voluntary Cleanup Tax Credit (VCTC) which provides a tax credit for 50% of eligible site clean-up costs, the Brownfields Redevelopment Bonus, which provides a one-time tax refund, a Sales Tax Credit for building materials and a Loan Guarantee Program. She also discussed the Low-Score-Site Initiative ("LSSI"), a new program designed to reduce the backlog of sites in the petroleum cleanup program by funding site assessments and provided details and examples of the regulations established by the Florida Department of Environmental Protection ("DEP") in regard to target clean-up levels.

Ms. Sorolis briefly discussed the Brownfield Program on the Federal level indicating that a grant request for \$400,000 in Brownfields Assessment Grant funding was submitted by the City in an effort to target the clean-up of properties with gas stations or tanks in the Central Avenue corridor. Ms. Sorolis further discussed the current situation as it relates to chronically vacant small contaminated lots, pointing out that there are many parcels along the Central Avenue corridor and in other sections of the city which are not being redeveloped due to concerns about potential or actual contamination. She also provided a brief overview of the issues and concerns which included:

- Corporate Donor Interest
- Project Costs
- Public Purpose
- Non-Profit Partnership Opportunities
- Technical Expertise

In conclusion, Administration recommended not to move forward with the establishment of a Community Brownfield Fund at this time and to explore other options.

After Discussion, a motion was made by Vice Chair Charles Gerdes that staff meets with local non-profit entities including local educational institutions to assess their interest in undertaking the operation of a Community Brownfield Fund. Staff is to report whether any local partners have an interest and provide a preliminary program description within 45 days. Motion passed.

C. Review of funds legally available to borrow against for CIP projects

Anne Fritz, Finance Director introduced Mr. Jay Glover, Financial Advisor for the City to provide the Committee with a brief update of the latest bond issue and to answer any questions there may be relating to the subject of funds legally available to make loans to other funds.

Ms. Fritz reviewed the memo provided to the Committee regarding the various funds determined by the Legal and Finance departments that would have the ability to make loans to other funds for a proper public purpose as requested at a prior BF& T meeting. She also provided details regarding the impact and effect on fund balances as it relates to each fund.

The General Fund would have the ability to be legally available to loan various other funds but would have to adhere to the City's fiscal policies regarding the minimum fund balance levels.

The Economic Stabilization Fund has the ability but any money lent by this Fund would have a negative effect on the General Fund's ability to comply with the City's Fiscal policies minimum fund balance.

The portion of the **Weeki Wachee Fund** not governed by referendum. Ms. Fritz indicated that Council can change the ordinance to lend to other funds.

The **Water Cost Stabilization Fund would legally be able to loan to other funds.** However this fund provides positive effects to the City's credit ratings and any potential downgrade would increase borrowing costs. This fund is also subject to the bond covenants which will require bond holder consent for any interfund loans which would be subject to the two bond insurers' approval and fee of approximately \$15,000 per approval.

Capital Project Funds financed only by the General Fund would be legally available. However, this may not be practical as funds would then not be available to finance the City's capital projects.

Enterprise Funds which are not subject to any bond covenants or other restrictions would be legally available but currently these are subsidized by the General Fund and do not have any excess fund balances to lend at this time.

Internal Service Funds financed only by the General Fund would be legally available but these funds are used to distribute costs among the city's funds and departments and are not intended to accumulate balances.

After discussion regarding Investment Oversight Committee comments relating to the issue, Chair Kennedy suggested that Ms. Fritz provide the last minutes of the Investment Committee Meeting.

In conclusion, Mrs. Elston shared with the Committee recent discussions with the City's Financial Advisor, Financing Team including Bond Counsel regarding use of Water Stabilization Fund and bond rating affects.

2. **New Business Item Referrals - None**
3. **Continued Business/Deferred Business**
4. **Reports – None**

5. **Next Meeting Agenda Tentative Issues**
 1. **February 14, 2013**
 - a. **1st Quarter Financial Report (Fritz/ Denise Labrie)**
 - b. **Graystone Consulting (Fritz)**
 - c. **1st Quarter Grants Report (Wayne Finley)**
 2. **February 28,2013**
N/A
 3. **March 14, 2013**
 - a. **Property Insurance Renewal (Gary Cornwell)**
 4. **March 28, 2013**
 - a. **Post Audit for FY12 (Anne Fritz)**
6. **Adjournment** - meeting adjourned at 9:21.a.m.

Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A MORTGAGE ASSUMPTION AGREEMENT, A MORTGAGE MODIFICATION AGREEMENT, AND AN AGENCY AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND ST. PETERSBURG FREE CLINIC, INC. ("FREE CLINIC") TO ALLOW THE FREE CLINIC TO ASSUME THE OPERATION OF THE PROPERTY LOCATED AT 423 - 437 11TH AVENUE SOUTH, ST. PETERSBURG, FLORIDA PREVIOUSLY OPERATED BY ASAP HOMELESS SERVICES, INC.; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2004, ASAP Homeless Services, Inc. (ASAP), submitted an application for funding to rehabilitate its facilities located at 423 - 437 11th Avenue South ("Property"); and

WHEREAS, in August 2004, City Council approved the City's Consolidated Annual Action Plan which allocated \$100,000 in Community Development Block Grant ("CDBG") funds for the rehabilitation; and

WHEREAS, in October 2004, ASAP executed an Agency Agreement with the City ("Agreement") that *inter alia*, provided the funding for the rehabilitation and upon completion required ASAP to operate a 27 bed emergency shelter and a two transitional housing units, a minimum of five days per week, serving 150 homeless persons during the term of this Agreement; and

WHEREAS, ASAP was also required to operate a drop-in-center for homeless and low-to moderate-income ("LMI") persons a minimum of five (5) days per week and serve 300 persons and to assure that 100% of the users of the property would be residents of the City; and

WHEREAS, ASAP executed and delivered a promissory note for the rehabilitation funds ("Note"), secured by a mortgage ("Mortgage") on the Property

WHEREAS, Abandonment of the Property would constitute a default of the Note, Mortgage and Agreement; and

WHEREAS, ASAP's operations encountered difficulties and could not be continued as required in the Agency Agreement; and

WHEREAS, ASAP informed the City on November 20, 2012 that the agency will discontinue its operations and that in an effort to avoid a default, its Board was in discussions

with St. Petersburg Free Clinic, Inc. ("Free Clinic") to transfer the property to the Free Clinic, which will assume ASAP's financial and operational responsibilities at the Property, with the approval by the City; and

WHEREAS, on December 18, 2012, ASAP provided confirmation to the City that its Board of Directors approved the transfer of the Property to the Free Clinic contingent on the approval by the City of St. Petersburg; and

WHEREAS, ASAP has requested that it be allowed by the City to transfer/convey the Property to the Free Clinic with the current terms and conditions to be continued through the remainder of the Agency Agreement; and

WHEREAS, the Free Clinic will be obligated to continue to provide the services which ASAP was required to provide under the Agreement; and

WHEREAS, the Board of Directors of the Free Clinic has authorized the acceptance of the Property and the execution of a new Agency Agreement; and

WHEREAS, the Free Clinic will assume the Mortgage and execute a new promissory note to replace the Note ("Replacement Note") and the City and the Free Clinic will enter into a Mortgage Modification Agreement and a new Agency Agreement to deliver the currently required services; and

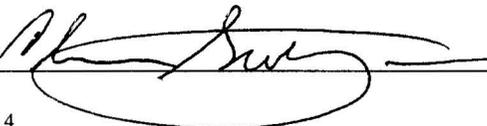
WHEREAS, the Administration recommends that this transaction be approved; and

WHEREAS, this City Council finds that this transaction is in the best interest of the City..

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 Mortgage Assumption Agreement, a Mortgage Modification Agreement, and an Agency Agreement between the City of St. Petersburg and St. Petersburg Free Clinic, Inc. ("Free Clinic") to allow the Free Clinic to assume the operation of the Property located at 423 - 437 11th Avenue South, St. Petersburg, Florida previously operated by ASAP Homeless Services, Inc.; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution; and providing an effective date.

This Resolution shall become effective immediately upon its adoption.

Approvals:

Administration:  _____ Legal:  _____

Legal: 00167769.doc V. 4

Attached documents for item Public Services & Infrastructure Committee. (1/31/13)

City of St. Petersburg
Public Services & Infrastructure Committee
Meeting of January 31, 2013 – 9:15
City Hall, Room 100

Members: Chair Bill Dudley; Vice-Chair Jeff Danner
Council Members: Steve Kornell and Wengay Newton

Alternate(s): Karl Nurse

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

Others Present: Council Members Kennedy, Curran and Gerdes; Mark Winn, Mike Connors, Dave Goodwin, Amelia Preston, Tish Elston, Clarence Scott, Sherry McBee, Phil Whitehouse, and Chandrahasa Srinivas.

- A. Call to Order and Roll Call – 9:32 a.m.
- B. Approval of Agenda (4 - 0)
- C. Approval of Minutes
 - 1. Minutes of January 17, 2013 (4 - 0)
- D. New & Continued Business

Update on Hexagon Block request (presented at a previous PS&I meeting):

Opening Discussion and Presentation

Dave Goodwin gave a quick update on the Hexagon block request for a variance. The City received a proposal from the Developer to include hex block in the sidewalk replacement. The item will be coming forward as a public hearing on February 7, 2013.

Committee and Staff Discussion

It was asked that whichever group designated the hex block area in the subject vicinity be advised of the meeting dates. No further discussion was held.

Sidewalk Policy:

Opening Discussion and Presentation

Mike Connors made a presentation about Sidewalk Policy (City Code Chapter 25-191) as it relates to the responsibility to repair and replace sidewalks. Additional discussion involved the responsibility to maintain trees and vegetation in the city right-of-way (City Code Chapter 16.40.060.3.1). The responsibility to maintain sidewalks can be categorized as follows:

- 1) If a Developer pulls a Minor Easement to enhance the City right-of-way, then the Minor Easement requires the Developer to maintain those enhancements.
- 2) If the City initiates a streetscape project and makes improvements to the right-of-way, including lighting, furnishings, waste receptacles, sidewalk enhancements, landscaping, irrigation, etc, then the City is responsible to maintain those improvements.
- 3) Routine maintenance of linear sidewalks, defined by the prominent route pedestrians take, is generally the responsibility of the City. Maintenance of the parkway is the responsibility of the abutting property owner.

Committee and Staff Discussion

There was general discussion about streetscape planning areas which are not fully implemented at the time of approval and how the responsibility to maintain these future areas may be unclear. There was also discussion about trees planted in the right-of-way and the responsibility to maintain sidewalks and parkways if they should become disrupted. It was expressed that there be a policy that applies to all areas of the City and not just Central Avenue. A motion was made by CM Danner that a workshop be scheduled to possibly amend City Code Chapter 25-191 to establish consistent policy regarding maintenance improvements in adopted planning areas and that the policy take into account cost. The motion passed 4-0. Chair Dudley will send out a memo to the Council members on when the workshop can be scheduled.

- E. Next Meeting – February 14, 2013
 1. 4G - Technology
- F. Adjournment. Meeting Adjourned at 10:20 am.

Attached documents for item Housing Services Committee. (1/31/13)

ST. PETERSBURG CITY COUNCIL
Housing Services Committee Report
Council Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair, and Members of City Council

FROM: Housing Services Committee: Karl Nurse, Committee Chair, Steve Kornell, Committee Vice-Chair, Jim Kennedy, Councilmember, Charlie Gerdes, Councilmember, Wengay Newton, Alternate

RE: Housing Services Committee Meeting of January 31, 2013

New Business:

Review of Pinellas County Housing Study, Armanda Lampley, Pinellas County Housing and Community Development Department

Committee Chair Nurse discussed that Pinellas County recently commissioned a new housing market study and he thought it would be informative to have a representative of the County present a summary of the study. Ms. Lampley began by discussing with the Committee that she is employed by the Pinellas County Community Development Department. Her department also administers the work performed by the Housing Finance Authority as part of staff work assignments. The HFA commissioned the particular study to be conducted. It was conducted by the Strategic Planning Group (SPG). She provided an overview of the study data that was gathered and the consultant's recommendations and thought on what the City and County should be doing with regard to housing.

She discussed the demographic changes that have occurred in the Tampa/St. Petersburg /Clearwater Metropolitan Statistical Area (MSA). The following was discussed:

- MSA grew by 15.9% 1990-2000
16.2% 2000-2010
- Pinellas County grew by 8.2% 1990-2000
-0.5% 2000-2010
- By 2030 MSA is expected to grow by 670,000
- Pinellas by 2030 to lose 4,600 residents
- Cause: Lack of appropriate housing
- Axiom: If you are not growing you are dying

Ms. Lampley discussed that housing is critical for Pinellas County's economic growth, that the total number of housing units in the county between 2000 and 2010 and the change that resulted. The study reflected that occupied housing units for the same period and that owner occupied housing decreased by (-13,408) between 2000 and 2010. She discussed that the total housing units in the County consists of 503,634 units, of which 415,876 are occupied (82.6%). Owner occupied housing units consists of 280,000 (67.4%), renter occupied housing units consists of 135,418 (32.6%), and vacant housing consists of 87,758 (17.4%).

Vacant for rent consists of 20,801 (4.1%) and vacant for sale consists of 10,610 (2.1%). 39,103 (45%) of vacant units are seasonal.

Ms. Lampley discussed housing affordability and that of the owner housing, 48% exceeds the 30% affordable threshold, and that 38% exceed the 35% threshold. Of the renter household 56% exceed the 30% affordable threshold, and 45% exceed the 35% threshold. She discussed subsidized housing (Units provided by vouchers from the various Housing Authorities, and those subsidized the Low Income Housing Tax Credit number 18,221 units, or (3.6% of the total housing units). The waiting list for Section 8 Vouchers is over 13,000.

Ms. Lampley discussed the affordability of owner housing and provided a graph of local municipalities within Pinellas County which showed 29% of households in the City of St. Petersburg spend more than 35% of their income on housing, with Reddington Shores, Treasure Island, Maderia Beach, North Reddington Beach, and Indian Rocks Beach all paying more than 50% of their income on housing. The graph also showed that 52% of St. Petersburg renter household paid more than 35% of their income on housing.

Ms. Lampley discussed the study's discussion of unique features impacting housing which are:

- The County is located between the gulf and bay
- It is a national resort and seasonal destination
- It is the most densely populated area in Florida
- It has a large retirement population
- Because it is a peninsula, 87% of its residents work within the County.

The features above directly affect housing inventory.

Ms. Lampley discussed the housing inventory depicted by the study which reflected the following:

- Six percent (6%) of units were constructed since 2000
- Thirty seven percent (37%) of housing stock is older than 43 years
- Twenty one percent (21%) of units are older than 53 years
- Sixty three percent (63%) are 2 bedroom or less
- Ten percent (10%) are mobile homes
- The majority of housing are single family with 29% multi-family units
- Sixty one percent of St. Petersburg's housing units are older than 40 years

Ms. Lampley discussed the study's findings as it pertains to apartments, and the New Norm which consists of no residential growth, loss of jobs and revenue which is not acceptable. Other issues discussed included the change that is occurring with ethnicity and demographics in the general population.

The Consultants (SPG) recommends the following:

- Given the low pricing, utilize resources to save and renovate existing rental housing especially multi-family, utilize land banking tools as appropriate and available.

- Due to aged housing, programs for renovation need to have return on investment (ROI) analysis of part of the process.
- Increase education programs to combat tighter mortgage requirements (20% down payments/higher credit scores).
- Without population growth, the County has a greater potential to lose jobs, revenues, etc. to the local region. No growth is bad. Housing is critical to the County's future and a County-wide Housing Vision is recommended by SPG with an emphasis on creating higher density that replaces or augments single family housing with 2 or more units.

Ms. Lampley discussed that Pinellas County has available \$15 million in its Affordable Housing Land Assembly Fund for FY's 2017, 2018, and 2019. The County's Housing Finance Authority recommended funding be moved up to the current fiscal year but the County Commission voted to have it stay where it is. She stated that if the City is looking at an area to build multi-family housing, the City may work with Pinellas County to utilize part of the \$15 million fund.

Discussions were held between Ms. Lampley and members of the Committee in reference to could the statistics be broken down into precincts? The City has more of the older houses in the County with less energy efficiency and more of the 2 bedroom units in the County. A Committee member's concern with investors who rent properties to drug dealers and think that landlords should be local and not reside in other cities.

Discussions also consisted of the need to not replace 1 unit with 2 but that mass transit should be done first and that if we were losing 5,000 people, we may want to look at demolishing and rebuilding areas within the County/City, which may include razing entire neighborhoods and rebuilding new.

Further discussions included how do you get households impacted by foreclosure back into homeownership which includes having them first become renters while taking advantage of homeowner education opportunities. Also discussed was the improvement of the infrastructure which would attract potential homeowners to an area.

Ms. Lampley discussed that a copy of the study is on the County's website and that she will recommend that staff copy that and provide a copy to Councilmembers.

Action: No action taken.

Update of NSP1 and NSP-3, Stephanie Lampe, Sr. Housing Development Coordinator

Ms. Lampe began her update by discussing that only 5 hurricane hardened homes are left of the 24 reconstructed or substantially rehabilitated to be sold. A \$90,000 house can be purchased for \$493 per month. We are getting ready to start construction on more NSP-3 units to increase our inventory. We have been in contact with HUD and our deadline to expend 50% of NSP allocations by March 9, 2013. We likely will not make the March 9, 2013 deadline but are in discussions with HUD to provide a plan of action to complete expenditure within a certain time-frame and to insure HUD that we will meet the March 2014 deadline.

Questions were asked if HUD will take money back from the City or provide an extension. The response was that no extensions are being issued on the March 9 deadline. HUD will work with you to accomplish your March 2014 deadline. A technical assistance will be provided, you will establish a workout plan and a timeline for accomplishing your next deadline (March 2014).

Discussions also involved a Request for Qualifications (RFQ) that is in process of preparation to solicit developers of design build homes, which will be advertised in February. A question was asked as to how much NSP-1 funding remained. The response was that information was not brought to today's meeting but will be provided at the next meeting. Finally, a request was made for Ms. Lampe to summarize what was it we were supposed to have done by the March 9, 2013 deadline, and where are we against what we were supposed to have accomplished. Ms. Lampe responded that we received \$3.709 million and was supposed to have expended half of that amount by the March 9, 2013 deadline. We have cut checks for \$431,000 and have under contracts with developers an estimated \$650,000 and are working on an additional \$650,000 in contracts for development of new homes. The full amount of the grant is supposed to be expended on or before March 9, 2014.

Action: No action taken.

Next meeting: To be held February 28, 2013.

Topics:

Update of Jamestown to include before and after picture of progress
Update of the NSP-1 and NSP-3 Programs

Committee Members

Karl Nurse, Chair

Steve Kornell, Vice-Chair

Jim Kennedy, Councilmember

Charlie Gerdes, Councilmember

Wengay Newton, Councilmember (Alternate)

Attached documents for item Authorizing the City Attorney to use interns paid by a law school or university and approving they be covered by the City's self-insurance program.

2013-61

A RESOLUTION SUPPLEMENTING RESOLUTION NO. 2003-145; AUTHORIZING THE CITY ATTORNEY TO USE INTERNS PAID BY A LAW SCHOOL OR UNIVERSITY OR VOLUNTEER UNPAID INTERNS IN SITUATIONS THE CITY ATTORNEY DEEMS APPROPRIATE WHERE THE INTERNS ARE APPROPRIATELY CERTIFIED IN ACCORDANCE WITH THE RULES OF THE FLORIDA BAR OR WHO HAVE PASSED THE FLORIDA BAR TO REPRESENT THE CITY UNDER THE SUPERVISION OF THE CITY ATTORNEY, AN ASSISTANT CITY ATTORNEY OR SPECIAL LEGAL COUNSEL TO THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Stetson University College of Law has developed a new program called "Bridge to Practice Fellowship" where they provide "Fellows" to a host organization and provide for the payment of the salary of the Fellow by the University; and

WHEREAS, other law schools and universities are also beginning such programs, and

WHEREAS, the City of St. Petersburg's City Attorney's Office has been selected as a host organization by Stetson College of Law; and

WHEREAS, this Council has previously authorized the City's self-insurance program to cover their insurance including malpractice insurance; and

WHEREAS, these Fellows will be paid by the University and may continue on in a volunteer capacity after the Fellowship program ends; and

WHEREAS, it is advantageous to the City to use these Fellows or similar individuals from other law schools by allowing them to represent the City under the supervision of the City Attorney, an Assistant City Attorney or Special Legal Counsel to the City.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the following individuals when acting in the capacity of a Legal Intern, whether paid or unpaid, for the City of St Petersburg are authorized to represent the City in situations deemed appropriate by the City Attorney provided that they are under the

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supervision of the City Attorney, an Assistant City Attorney or special legal counsel to the City and that their representation is limited to that authorized by the Florida Bar:

1. Individuals supplied to the City under the Bridge to Practice Fellowship Program of Stetson University College of Law or supplied to the City by other universities having similar programs.

2. Individuals who have been admitted to the Florida Bar and who, subject to being covered by the City's self-insurance program, volunteer at no cost to the City to be a Legal Intern with the City.

3. Law school students who have been certified pursuant to Chapter 11 of the Rules Regulating the Florida Bar and who, subject to being covered by the City's self-insurance program, volunteer to be an unpaid Legal Intern for the City.

BE IT FURTHER RESOLVED that this Resolution is supplemental to Resolution No. 2003-145 and does not limit the authority previously granted by Resolution No. 203-145.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

Approved as to form and content:

City Attorney (designee)

Attached documents for item Open Forum

OPEN FORUM SIGN-UP

Council Meeting Date: 2/7/13

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

	<u>Name</u>	<u>Address</u>	<u>Subject</u>
1.	✓ Vince Cocks	2950 63rd Ave S	Assault Rifles
2.	✓ Matt Florell	114 17th Ave N.	Red Light Cameras
3.	✓ Leonard Schmiege		
4.		3024 25th Ave N.	
5.	✓ Ed H	2900 68th Ave S	Cobb event.
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

Dear Mayor Bill Foster and St. Petersburg City Council,

We are pleased to present you with this petition affirming one simple statement:

"Paris Whitehead-Hamilton, 8 years old, was brutally murdered in St. Petersburg after 56 shots were fired into her home by an AR-15. Our St. Petersburg police chief advocates to ban assault weapons and high-capacity magazines. Urge Mayor Foster to support the public safety of the citizens of St. Petersburg by signing this petition."

Attached is a list of individuals who have added their names to this petition, as well as additional comments written by the petition signers themselves.

Sincerely,
Vince Cocks

cc mtg.
2/7/13
Open Forum
Vince Cocks

Lawrence F. Ellery
St. Petersburg, FL 33715-1037
Feb 6, 2013

Diane Gladu
St Petersburg, FL 33747
Feb 6, 2013

Robert Schroeder
Gulfport, FL 33707
Feb 6, 2013

d hale
ti, FL 33706
Feb 6, 2013

Lynne Winderbaum
St Petersburg, FL 33707
Feb 6, 2013

GREG SIMPSON
clearwater, FL 33764
Feb 6, 2013

ANA MALLE-BENJEY
st. petersburg, FL 33712
Feb 6, 2013

Liz Meyer
Clearwater, FL 33767
Feb 6, 2013

This assault weapons violence in our country is becoming an epidemic. Time to begin to get control over these military weapons that were designed for killing humans in the first place.

RAY KERVAHN
St Petersburg, FL 33710
Feb 6, 2013

natalie sansom
Treasure Island, FL 33706
Feb 6, 2013

Carolyn Dixon
St Petersburg, FL 33710
Feb 6, 2013

Carol Palin
Dunedin, FL 34698
Feb 6, 2013

Jackie Olson
Largo, FL 33777
Feb 6, 2013

william lindsay
St. Petersburg, Fl, FL 33713
Feb 6, 2013

Stephen Galvin
Saint Petersburg, FL 33713
Feb 6, 2013

Anyone at all who thinks assault weapons should be legal, is a person wanting more innocent people dead. There is not now, nor ever was, a need for these weapons in our society. Only sociopaths want them to be available. Their ONLY possible place to be that is at all decent, is in the hands of our military who actually ARE fighting for the idiots like these who think any old person should own them.

Constance Spinney
Largo, FL 33774
Feb 6, 2013

Dick Stailey
Largo, FL 33771
Feb 6, 2013

Jim Loveland
Gulfport, FL 33707-3327
Feb 6, 2013

Susan C Singleton
St. Pete Beach, FL 33706
Feb 6, 2013

Zaneta Watkins
St. Petersburg, FL 33702
Feb 6, 2013

Brenda Harris Nixon
Clearwater, FL 33756
Feb 6, 2013

Cathy Devanney
St Petersburg, FL 33701
Feb 6, 2013

Angela Lehman
Gulfport, FL 33707
Feb 6, 2013

I hope everyone favors this petition and signs it.

Robert Palin
Dunedin, FL 34698
Feb 6, 2013

cynthia levesque
south pasadena, FL 33707
Feb 6, 2013

Ms. Lillian Baker
St.Petersburg, FL 33712
Feb 6, 2013

Linda Mitchell
St petersburg, FL 33709
Feb 6, 2013

Jacob Wurtz
St. Petersburg, FL 33701
Feb 6, 2013

Please! Please! Please! Support the ban on Assault Weapons & High-Capacity Magazines !!!! Haven't enough innocent victims & children's lives been lost because of these weapons ! Now is the time to do something about it !

Theresa Roderigues
Pinellas Park, FL 33781
Feb 6, 2013

Lee Miller
St Petersburg, FL 33705
Feb 6, 2013

Lolita Brown
St. Petersburg, FL 33710
Feb 6, 2013

Susan spilman
St Petersburg, FL 33701
Feb 6, 2013

Barbara Getchell
Pinellas Park, FL 33782

Feb 6, 2013

As a military veteran, I agree that assault weapons should only be in the hands of the military or law enforcement. A person does not normally have to have a weapon larger than a small handgun to protect themselves or their families.

James Gibson
Clearwater, FL 33759
Feb 6, 2013

Peter McManus
Saint Peterburg, FL 33701
Feb 6, 2013

M L Buckner
Largo, FL 33779
Feb 6, 2013

Patty Schwartz
Pinellas Park, FL 33781
Feb 6, 2013

Steven Hallock
St. Petersburg, FL 33701
Feb 6, 2013

Sybil Rosen
St. Petersburg, FL 33709
Feb 6, 2013

Ana Oquendo
St Petersburg, FL 33713
Feb 6, 2013

Donna Fraleigh
St Petersburg, FL 33701
Feb 6, 2013

Edward Merrick
Saint Petersburg, FL 33712-6248
Feb 6, 2013

Patricia Holmes
Saint Petersburg, FL 33710
Feb 6, 2013

catherine coman
St. Petersburg, FL 33701
Feb 6, 2013

Linda Young
St Petersburg, FL 33701
Feb 6, 2013

Judith Ormsby
Clearwater, FL 33763
Feb 6, 2013

Now that the downtown area is an active nightlife center, the inevitable is that a shooting will occur on the streets. I live on Beach Drive and never want to see that happen.

Michael Bates
Saint Petersburg, FL 33701
Feb 6, 2013

Joe Serpico
Clearwater, FL 33764
Feb 6, 2013

Robert Kilroy
Seminole, FL 33777
Feb 6, 2013

Cora Kostka
St Petersburg, FL 33709
Feb 6, 2013

June Williams
Saint Petersburg, FL 33703
Feb 6, 2013

Kenneth DiCenzo
St Petersburg, FL 33704
Feb 6, 2013

Karaly Mounce
Seminole, FL 33772
Feb 6, 2013

Vincent J. D'Emidio
Clearwater, FL 33759
Feb 6, 2013

Let's get congress working collectively for the better good!

Greg Charles
st pete, FL 33711
Feb 6, 2013

Diane Switalski
Seminole, FL 33772
Feb 6, 2013

Mary Tagliarino
Clearwater, FL 33761
Feb 6, 2013

Mary Cory
Gulfport, FL 33707-5312
Feb 6, 2013

Hunters do not need assault guns or high capacity magazines. Curtiss & Carlie Gibbs

Curtiss C. Gibbs
Saint Petersburg, FL 33701-3956
Feb 6, 2013

This is my home and my life. What I, and the thousands of others who live here, want. NOT what the NRA, bigots, and big money want, that counts.

Laraine Winn
Clearwater, FL 33762
Feb 6, 2013

Suzanne Fischer
St Pete, FL 33704
Feb 6, 2013

Karen Mibus
St. Petersburg, FL 33705
Feb 6, 2013

Bruce D Bevins
St Petersburg, FL 33703
Feb 6, 2013

m. mulcahy
clearwater, FL 33761
Feb 6, 2013

Karl Nurse
St. Petersburg, FL 33705
Feb 6, 2013

Diana Ward
St. Petersburg, FL 33713-3344
Feb 6, 2013

I don't think anyone should own guns of any kind, especially assault weapons.

Susan Fischlin
Tierra Verde, FL 33715
Feb 6, 2013

Frances Alicia
St Pete, FL 33713
Feb 6, 2013

Evamarie Ferrebee
St Petersburg, FL 33702
Feb 6, 2013

Christine Ouren
St Petersburg, FL 33709
Feb 6, 2013

Al Zutaern
Saint Petersburg, FL 33714
Feb 6, 2013

joy
Indian Shores, FL 33785
Feb 6, 2013

Ann Jessup
Clearwater, FL 33759
Feb 6, 2013

Suzanne Saunders
St. Petersburg, FL 33702
Feb 6, 2013

Daniel Near
St Petersburg, FL 33713
Feb 6, 2013

Daniel DeFoe
Saint Petersburg, FL 33703
Feb 6, 2013

Shannon Sampson
St Petersburg, FL 33716
Feb 6, 2013

Barbara Thomas
Largo, FL 33771

Feb 6, 2013

suzanne zeller
St Petersburg, FL 33714
Feb 6, 2013

Audrey Langill
St Petersburg, FL 33705
Feb 6, 2013

Scott Kravetz
St Petersburg, FL 33710
Feb 6, 2013

Cindy Snyder
St Petersburg, FL 33702
Feb 6, 2013

Michael Montgomery
Saint Petersburg, FL 33704
Feb 6, 2013

Jane Rick
St Petersburg, FL 33710
Feb 6, 2013

Joseph Schmelter
St petersburg, FL 33709
Feb 6, 2013

Shane David Tiernan
St. Petersburg, FL 33704
Feb 6, 2013

Karen Garner
St. Pete Beach, FL 33736
Feb 6, 2013

Steven A Kenny
Saint Petersburg, FL 33702
Feb 6, 2013

Guy Hancock
St Petersburg, FL 33707
Feb 6, 2013

We the people... already have a well regulated and well armed Second Amendment 'MILITIA'... called the sheriff department and municipal police. Thus... I support a ban on the private ownership of ALL semi-automatic handguns, semi-automatic rifles and clip or 'barrel' fed shotguns. I do, however, support the private ownership of 5-6 shot revolvers, single shot (bolt action) hunting rifles... and antique collectable guns. This is 2013... not 1775.

richard roehl
Clearwater, FL 33757
Feb 6, 2013

Clara Baity
Clearwater, FL 33756
Feb 6, 2013

sarah obrien
largo, FL 33770
Feb 6, 2013

Amanda Burdick
Saint Petersburg, FL 33714
Feb 6, 2013

Michael McHugh
Pinellas Park, FL 33781
Feb 6, 2013

Sheila
St Petersburg, FL 33704
Feb 6, 2013

Janet Paroo
Gulfport, FL 33707
Feb 6, 2013

Mary Zinober
Largo, FL 33771
Feb 6, 2013

Blake Cook
St Petersburg, FL 33712
Feb 6, 2013

arthur skinner
st. Petersburg, FL 33705
Feb 6, 2013

Tiffany Allen
Saint Petersburg, FL 33705

Feb 6, 2013

Linda A. Deppert
Clearwater, FL 33756
Feb 6, 2013

Assault weapons and high-capacity magazines belong in the military and not on the streets in the hands of citizens, period!

Frances Carter
St Petersburg, FL 33705
Feb 6, 2013

Vicki Best
Tallahassee, FL 32308
Feb 6, 2013

Do we really need high powered guns

Carolyn Cloud
St Petersburg, FL 33712
Feb 6, 2013

Joanne Spencer
St. Petersburg, FL 33704
Feb 6, 2013

teresa
seminole, FL 33772
Feb 6, 2013

nick Kouris
saint petersburg, FL 33713
Feb 6, 2013

Ian MacFarlane
St. Petersburg, FL 33712
Feb 6, 2013

I'm not in your district, but Pinellas is densely populated, and our welfare is interconnected. I hope you'll join other local mayors who support the ban. Your Police Chief supports it too. It's critical not to let the big money control your decisions at the expense of the people you represent. I've respected a lot of your decisions even though I'm a Democrat. I hope you'll vote with the people's safety and along with 80+% of the gun association members on this issue.

Marie Nelson
Clearwater, FL 33759
Feb 6, 2013

Randal Slatton
Pinellas Park, FL 33781
Feb 5, 2013

Michael Smith
Largo, FL 33778
Feb 5, 2013

Patricia Mugavero
Pinellas Park,, FL 33782
Feb 5, 2013

guy f woodward
Saint Petersburg, FL 33701
Feb 5, 2013

Isaac
Clearwater, FL 33761
Feb 5, 2013

ann stoner
Indian rocks beach, FL 33785
Feb 5, 2013

Valerie terry
St Petersburg, FL 33705
Feb 5, 2013

this should not even be a question.

Matthew Snyder
West Palm Beach, FL 33404
Feb 5, 2013

Please do this for the sake of our city.

haley cocks
St Petersburg, FL 33712
Feb 5, 2013

Jill Cicero
Largo, FL 33770
Feb 5, 2013

Maria Scruggs
St. Petersburg, FL 33705
Feb 5, 2013

Rod Moren
St. Petersburg, FL 22703
Feb 5, 2013

Mayor, ideology needs to take a back seat to the safety concerns of the residents in our city. It is absolute non-sense that you don't support the ban of the high powered assault rifles.

Ray Tampa
St. Petersburg, FL 33705
Feb 5, 2013

Selena Roe-Jordan
st. petersburg, FL 33713
Feb 5, 2013

Mayor Foster, Get on the right side of history, and sign this petition! This should be a "no brainer" for you.

Brian Mahany
Clearwater, FL 33756
Feb 5, 2013

Please ban assault weapons and high capacity magazines so we can feel free to leave our homes and feel safe again

Marsha Booth
Clearwater, FL 33764
Feb 5, 2013

British Dancy
Saint Petersburg, FL 33713
Feb 5, 2013

Nicola & Barbara Giorgio
Largo, FL 33774
Feb 5, 2013

Robert J. Clees
St. Petersburg, FL 33701
Feb 5, 2013

Thank you for supporting rational gun control.

Sarah McCown
St Petersburg, FL 33704
Feb 5, 2013

Dorothy Pessillo
Clearwater, FL 33762

Feb 5, 2013

Claire Insley
St Petersburg, FL 33706
Feb 5, 2013

Mary Aangeenbrug
St Petersburg, FL 33707
Feb 5, 2013

Chrisitne
Clearwater, FL 33760
Feb 5, 2013

Johnny Bardine
St. Petersburg, FL 33711
Feb 5, 2013

Linda Burke
Clearwater, FL 33761
Feb 5, 2013

Earl L Kerr
Clearwater, FL 33761
Feb 5, 2013

Sarah Smith
St Petersburg, FL 33715
Feb 5, 2013

Lisa Hoffman
St Petersburg, FL 33711
Feb 5, 2013

Greg Stemm
Gulfport, FL 33707
Feb 5, 2013

L. Miller
St Petersburg, FL 33716
Feb 5, 2013

Dr. Dorothy Cinquemani
Largo, FL 33771
Feb 5, 2013

Carolyn Warner
St. Petersburg, FL 33715
Feb 5, 2013

Vaughn N. Anderson
St Petersburg, FL 33708
Feb 5, 2013

I signing the petition because there are too many people are being killed by these types of weapon.

Katie C. Dennis
St. Petersburg, FL 33711
Feb 5, 2013

David Billing
Clearwater, FL 33755
Feb 5, 2013

Sharon L Stern
Seminole, FL 33776
Feb 5, 2013

Maynard J. Hirshon
St Pete Beach, FL 33706
Feb 5, 2013

winona kitto
st. Pete, FL 33713
Feb 5, 2013

Perez,Joe
Belleair Beach, FL 33786
Feb 5, 2013

Annie L Worlds
St Petersburg, FL 33705
Feb 5, 2013

Dorothy Doyle
Gulfport, FL 33707
Feb 5, 2013

Joann jackson
Largo, FL 33771
Feb 5, 2013

Military assault-type weapons are not used for self-defense. They serve not any purpose in our community other than to inflict mass murder. Please do your part to rid our community of these weapons of death.

Louis Schulte
St Petersburg, FL 33705
Feb 5, 2013

Sam Newman
St Petersburg, FL 33704
Feb 5, 2013

David G. Buby, D.O.
Largo, FL 33773
Feb 5, 2013

Pat Ellis
St. Petersburg, FL 33707
Feb 5, 2013

It is the GOP who will let twenty children die rather than make one reasonable concession.

Timothy H Carr
Saint Petersburg, FL 33711
Feb 5, 2013

Sheppard Massar
St Petersburg, FL 33736
Feb 5, 2013

stacy falco
Clearwater, FL 33755
Feb 5, 2013

Mike Tobias
St. Petersburg, FL 33713
Feb 5, 2013

Jack Foster
Clearwater, FL 33755
Feb 5, 2013

Save a life!

terry GAUNT
St Petersburg, FL 33705
Feb 5, 2013

AC
Clearwater, FL 33755
Feb 5, 2013

William Bauers
Semonile, FL 33772
Feb 5, 2013

Richard J. Sias
St. Petersburg,, FL 33713
Feb 5, 2013

ban assault weapons and make it a life sentence for anyone using one in a crime

Sue Preising
St.Petersburg, FL 33702
Feb 5, 2013

Marshall Lester
St Petersburg, FL 33709
Feb 5, 2013

Maureen Wasley
St Petersburg, FL 33713
Feb 5, 2013

Thomas Thoms
St Petersburg, FL 33709
Feb 4, 2013

Dr. Elliott Swift
Treasure Island, FL 33706
Feb 4, 2013

Gloria Dodson
Belleair Beach, FL 33786
Feb 4, 2013

james n peebles
saint petersburg, FL 33701
Feb 4, 2013

Jennifer Diedrich
St Petersburg, FL 33734
Feb 4, 2013

Glenda Miller
Seminole, FL 33772
Feb 4, 2013

I do not think automatic weapons belong in civilian hands. More strongly parents need to be parents instead of trying to be a best friend. Bring back spankings in homes and in schools. Is it any wonder why young people are out of control when they never learned there may be reprisals for misbehaving

Steven
Saint Petersburg, FL 33703
Feb 4, 2013

Bennett Zamoff
St. Petersburg, FL 33703
Feb 4, 2013

tim ahern
St Petersburg, FL 33702
Feb 4, 2013

Kevin King
St Petersburg, FL 33704
Feb 4, 2013

Why does a normal person need assault weapons?

Lois Fries
largo, FL 33774
Feb 4, 2013

Gerry Galipault
St. Petersburg, FL 33704
Feb 4, 2013

High capacity clips, assault weapons and another number of high powered rifles & guns should NOT be in the hands of most who shoot. Too many innocent victims die at the hands of these idiots each year. I support our Constitution; however only single shot weapons should be allowed to be sold to our citizens.

Catherine Hamel
Saint Petersburg, FL 33704-3458
Feb 4, 2013

Mona Mangat
St Petersburg, FL 33703
Feb 4, 2013

shannon kitson
tampa, FL 33612
Feb 4, 2013

Jurate Navickas
St Petersburg, FL 33704

Feb 4, 2013

Véronique Musengwa
St Petersburg, FL 33712
Feb 4, 2013

Keep assault weapons On Military Posts Not on the streets

Raemona Mae Clark
Largo, FL 33778
Feb 4, 2013

Sherry Suttrich
St. Petersburg, FL 33705
Feb 4, 2013

Jan Davisson
Saint Petersburg, FL 33701
Feb 4, 2013

With the recent shooting deaths of our police officers as well as Paris' death, we are long overdue for some tangible action on high capacity clips, background checks, and assault style weapons. Renaming a street isn't enough, its just a sad reminder of a life lost.

Kerry A. Shuey
St Petersburg, FL 33703
Feb 4, 2013

Camille Hambidge
Largo, FL 33773
Feb 4, 2013

Elizabeth Dimon
Lake Worth, FL 33460
Feb 4, 2013

Ron Mento
North Redington Beach, FL 33708
Feb 4, 2013

Let's do this easy thing to advance gun safety. A gun in a home is 43 times more likely to be used on a family member than on an intruder. Nonetheless, keeping assault weapons and large ammo clips is a no-brainer, advanced by chiefs of police across the country -- even Saint Petersburg's (?) Please Bill, as a professing Christian non-violence is your creed -- please do this.

Adrien Helm
Saint Petersburg, FL 33712-5525
Feb 4, 2013

Jean Reed
Saint Petersburg, FL 33705
Feb 4, 2013

WARREN L RABNER
SAINT PETERSBURG, FL 33705
Feb 4, 2013

Linda Hughes
St Petersburg, FL 33701
Feb 4, 2013

Maureen Peterson
South Pasadena, FL 33707
Feb 4, 2013

Craig Dobbs
St.Petersburg, FL 33701
Feb 4, 2013

Chris Horning
Sharon, PA 16146
Feb 4, 2013

Ellen Kirkland
St. Petersburg, FL 33701
Feb 4, 2013

Jonathan Micocci
Gulfport, FL 33711
Feb 4, 2013

Howard Edson, Jr
St. Petersburg, FL 33705
Feb 4, 2013

How many more need to be killed by assault weapons before we say "Enough"?

Rita Garvey
Clearwater, FL 33756
Feb 4, 2013

Mayor Foster, I respectfully ask that you stand along with us to support the ban of assault weapons and high-capacity magazines.

Debra Morgan
Largo, FL 33774
Feb 4, 2013

Dennis Raymond
St Petersburg, FL 33701
Feb 4, 2013

james strome
St. Petersburg, FL 33714
Feb 4, 2013

Janis Upham
St Petersburg, FL 33702
Feb 4, 2013

Romayne Wenner
Seminole, FL 33772
Feb 4, 2013

Mayor Foster: I sure hope this is a "no-brainer" for you.

Bill Bilodeau
St. Petersburg, FL 33710
Feb 4, 2013

William Cox
Clearwater, FL 33761
Feb 4, 2013

Gabriele Douglas
COCOA Beach, FL 32931
Feb 4, 2013

Mayor Foster, please get off the fence. Saying that you will not interfere with the rights of citizens to protect themselves in their home is weak reasoning.

anthony barasso
St Petersburg, FL 33705
Feb 4, 2013

I am a Veteran & a gun owner...I know assault weapons...I have qualified as expert on every weapon during my time in the service...assualt weapons & armour piercing rounds have no business in our communities.

Dr. Paul R. VeHorn, Ph.D.
St Petersburg, FL 33734
Feb 4, 2013

It's the Christian thing to do, Bill.

Ed
St. Petersburg, FL 33712

Feb 4, 2013

the right thing to do, being against assault weapons and high capacity magazines what would be the reason not to be for this? SIGN THE LETTER!

Rebecca Falkenberry
St Petersburg, FL 33701
Feb 4, 2013

Lolita Brown
St Petersburg, FL 33712
Feb 4, 2013

Please join your other fellow mayors in Pinellas and get on board.

Bill Stokes
Saint Petersburg, FL 33701
Feb 4, 2013

Mark Grzegorzewski
Largo, FL 33770
Feb 4, 2013

Please support this ban on assault weapons. There are too many incidents where guns are used on innocent victims. We have so much more to do however this is a start.

Marea Dorian
Clearwater, FL 33759
Feb 4, 2013

For our children, Mayor Foster, please join in this worthwhile effort.

Bill Marshall
St Petersburg, FL 33707
Feb 4, 2013

The goal of government is to empower and protect it's citizens. Please ban assault weapons to keep citizens safe. Thank you, Elaine Granata

Elaine Granata
Clearwater, FL 33765
Feb 4, 2013

At least the big magazines and the semi-autos which can be modified into machine guns easily. Teflon covered ammo, too.

Christopher S. Brudy
St. Petersburg, FL 33704
Feb 4, 2013

Bill Bucolo
St Petersburg, FL 33710
Feb 4, 2013

Robert Nordstorm
St. Petersburg, FL 33713
Feb 4, 2013

Dave Radens
St. Petersburg, FL 33705
Feb 4, 2013

Don Margeson
St. Petersburg, FL 33702
Feb 4, 2013

Stephen Ashton
St. Petersburg, FL 33712
Feb 4, 2013

Doran Marold
pinellas park, FL 33782
Feb 4, 2013

Please support this ban.

Ray Wunderlich III
St. Petersburg, FL 33703
Feb 4, 2013

Jefferson E Lovell 111
FL, United States 33701-3925
Feb 4, 2013

Daphne Lawton
St. Petersburg, FL 33713
Feb 4, 2013

As Gabby Gifford said, "Be bold. Be courageous."

Bonnie Agan
St. Petersburg, FL 33705
Feb 4, 2013

Patricia Brown
St. Petersburg, FL 33711
Feb 4, 2013

Mark Grantham
Gulfport, FL 33707
Feb 4, 2013

Michael Wright
FL, United States 33701-3925
Feb 4, 2013

Alyssa Dowd
St. Petersburg, FL 33714
Feb 4, 2013

Diane Cardin-Kamleiter
St Petersburg, FL 33701
Feb 4, 2013

This is very important for the safety of our citizens and officers. We also need a gun buy back.

Linda Hubner
St. Petersburg, FL 33712
Feb 4, 2013

Hunters don't need high assault weapons with high-capacity magazines to bring home their game. And all the studies show that people in one's family die more often from accidents when there are guns in the house, especially the women and kids; so all those myths about being safer with a gun in the house are just that: complete myths. Please support public safety and slowing down the suicide rate of teenagers--yes, guns in houses allows teens to commit suicide more easily--by banning assault weapons and high-capacity magazines.

Susan G. Lee
Tampa, FL 33607
Feb 4, 2013

Robin Blair
largo, FL 33771
Feb 3, 2013

Peggy Goodale
Largo, FL 33773
Feb 3, 2013

ERIC B CLEMENSON
Clearwater, FL 33755
Feb 3, 2013

Mary Detrick
Clearwater, FL 33755
Feb 3, 2013

seth bestulic
st petersburg, FL 33704
Feb 3, 2013

There is no place for assault weapons in st Petersburg the city will be safer without them than with them

emmanuel roux
ST PETERSBURG, FL 33705
Feb 3, 2013

Jenny Eckhardt
Largo, FL 33773
Feb 3, 2013

Carolyn Becker
Largo, FL 33770
Feb 3, 2013

Susan McGrath
St Petersburg, FL 33713
Feb 3, 2013

Ban them, crush them, just get them out of our lives Please!

JOHN FAHLSING
St. Petersburg, FL 33705
Feb 3, 2013

Dale Knipple
Pt Charlotte, FL 33952
Feb 3, 2013

peno hardesty
new port richy, FL 34654
Feb 3, 2013

OUTLAW ASSAULT WEAPONS

FRED SPINKS
LARGO, FL 33770
Feb 3, 2013

Mayor Foster, please join your fellow bay area mayors and support their efforts in this non-partisan initiative.
It's the right thing to do.

vince cocks
Saint Petersburg, FL 33712
Feb 3, 2013



Can We Take Back our Government from Corporate Money? Hear DAVID COBB

National Spokesperson for **MOVE TO AMEND**

WHEN: Monday, February 18, 2013

**WHERE: Unitarian Universalist Church of St. Petersburg
719 Arlington Avenue, N (Mirror Lake – downtown St. Pete)**

TIME: doors open at 7:00 pm – fun starts at 7:30 pm

CORPORATIONS ARE NOT PEOPLE...MONEY IS NOT SPEECH !!!

Check Out **MOVE TO AMEND** (www.movetoamend.org), a national coalition of over 257,000 people and organizations whose goal is amending the U.S. Constitution to end corporate rule by building a multiracial, cross-class democracy movement. **DAVID COBB's** presentations are part history lesson and part heart-felt call-to-action! The "**Challenging Corporate Rule & Creating Democracy**" tour helps local folks understand how we can work to abolish corporate personhood and establish a government of, by and for the people.

Sponsored by: **MOVE TO AMEND** www.movetoamend.org

Co-sponsored by (partial listing):

- Awake Pinellas
- CCC Initiative
- DemocracyorEmpire.org
- Episcopal Peace Fellowship of Florida
- Green Party of Florida
- Hispanic Alliance of Tampa Bay
- Hispanic Caucus, Pinellas Democratic Party
- LULAC – Immigration Committee
- Occupy St. Pete Elders
- Pax Christi of Tampa Bay
- Poor People's Economic Human Rights Campaign
- Progressive Democrats of America - Florida
- Refuge Ministries of Tampa Bay
- St. Pete Greens
- The League of Revolutionaries for A New America, Tampa Bay Chapter
- Veterans for Peace, Chapter 119 St. Petersburg

Tune in to WMNF, 88.5 FM, the Rob Lorei Show on Monday, Feb. 18 at 11:00 am to hear Rob interview David Cobb

Also on Rob's Friday, 2/15 show at 11:05 am, David Cobb will talk about his 2/17 Tampa appearance along with St. Petersburg supporters discussing passing a St. Pete MTA Resolution like Tampa has.

*** * * Event is free and open to the public * * ***

For more information, call Ed Helm 727 867 5947 or Dorothy Byrne 727 259 9300

*Ed Helm
Open Forum*

Attached documents for item Approving the purchase of two replacement fire apparatus for the Fire Department from The Sutphen Corporation at a total cost of \$763,915.48.

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 7, 2013

To: The Honorable Karl Nurse, Chair and Members of City Council

Subject: Approving the purchase of two replacement fire apparatus for the Fire Department from The Sutphen Corporation at a total cost of \$763,915.48.

Explanation: This purchase is being made from Florida Sheriffs Association Bid No. 11-10-1202. The vendor will furnish and deliver one pumper unit with 450hp Cummins diesel engine, Allison EVS3000 6 speed automatic transmission, 65-gallon fuel tank, 8KW Smart Power generator package, 73-inch extended cab with full through compartment, EMS cabinet back wall, front and rear disc brakes, front and rear storage, thermal imaging cameras, hose and deck gun packages and; one air and light truck with 350hp Cummins diesel engine, Allison EVS 3000 5 speed automatic transmission, 60-gallon fuel tank, 25KW Onan Protec generator, light tower that extends 130 inches within 15 seconds, 2-bottle fill station, 6-bottle storage tanks and air booster.

The new rescue vehicles have a life expectancy of ten years and will be stationed at the Downtown Station No. 1 (Master Station/Squad 1) and the Shore Acres Station No. 12. These units will replace 12 and 13-year old units, which will be put into reserve status.

The Procurement Department, in cooperation with the Fire Department, recommends for award utilizing Florida Sheriffs Association Bid 11-10-1202:

The Sutphen Corporation.....\$763,915.48

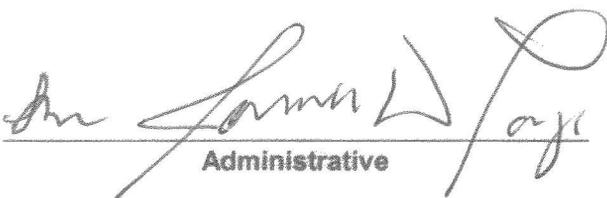
Fire Apparatus, 2012 Sutphen Shield S-1	1 EA	@	\$308,970.00	\$308,970.00
Additional Equipment Package, Shield S-1	1 EA	@	138,754.70	138,754.70
St. Petersburg Discount	1 EA	@	(8,796.00)	(8,796.00)
Prepayment Discount	1 EA	@	(7,681.22)	(7,681.22)
			<u>431,247.48</u>	<u>431,247.48</u>
Fire Apparatus, 2013 Sutphen CR Series	1 EA	@	258,980.00	258,980.00
Additional Equipment Package, Sutphen CR Series	1 EA	@	114,275.00	114,275.00
St. Petersburg Discount	1 EA	@	(35,467.00)	(35,467.00)
Prepayment Discount	1 EA	@	(5,120.00)	(5,120.00)
			<u>332,668.00</u>	<u>332,668.00</u>

The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Bid No. 11-10-1202 effective through December 31, 2013. This purchase is made in accordance with Section 2-241 (f) of the City Code which authorizes the Mayor or his designee to purchase from the Sheriffs Association and Florida Association of Counties negotiated purchase programs for vehicles.

Cost/Funding/Assessment Information: Funds are available in the FY 2013 Operating & Capital Improvement Budget in the Public Safety Capital Improvement Fund (3025), Fire Engine 12/F412 Replacement Project (13715) [\$242,000], Squad Support Vehicle/F408 Replacement Project (13716) [\$108,000], and the Equipment Replacement Fund (5002) (\$413,915.48), Fleet Management Department, Fleet Mechanical Costs (8002527).

Attachments: Price History
Resolution

Approvals:


Administrative


Budget

Price History

070-57 Fire and Rescue Vehicle, Pumper and Air Light Truck

<u>Item No.</u>	<u>Description</u>	<u>2001</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2013</u>	<u>% Change</u>
1	Fire Apparatus, Pumper (base price) 42,000 lb. GVWR		\$ 252,893.00	\$277,136.00	\$300,174.00	\$308,970.00	3%
2	Fire Apparatus, Air & Light Truck (base price) 35,000	\$269,961.00				\$258,980.00	-

A RESOLUTION APPROVING THE PURCHASE OF TWO REPLACEMENT FIRE APPARATUS FOR THE FIRE DEPARTMENT FROM THE SUTPHEN CORPORATION AT A TOTAL COST NOT TO EXCEED \$763,915.48 UTILIZING FLORIDA SHERIFFS ASSOCIATION BID NO. 11-10-1202; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace two fire apparatus that have reached the end of their economic useful life; and

WHEREAS, pursuant to Section 2-241(f) of the City Code the City is permitted to purchase automotive equipment from the Sheriffs Association and Florida Association of Counties negotiated purchase programs for vehicles; and

WHEREAS, The Sutphen Corporation has met the specifications, terms and conditions of Florida Sheriffs Association Bid No. 11-10-1201; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Fire Department, recommends approval of this purchase.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the purchase of two replacement fire apparatus for the Fire Department from The Sutphen Corporation at a total cost not to exceed \$763,915.48 utilizing Florida Sheriffs Association Bid No. 11-10-1202 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 Accepting a proposal from Federal Property Registration Corporation to create a foreclosure registry and collect registration fees for the Codes Compliance Assistance Department. [MOVED to Reports as E-4]

**SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of February 7, 2013**

To: The Honorable Karl Nurse, Chair and Members of City Council

Subject: Accepting a proposal from Federal Property Registration Corp. to create a foreclosure registry and collect registration fees for the Codes Compliance Assistance Department.

Explanation: The Procurement Department received one proposal for foreclosure registry services from Federal Property Registration Corp.

City Ordinance no. 48-H creates a foreclosure registry and requires the identification and registration for all properties in foreclosure. The purpose of the Ordinance is to protect and preserve the safety and security of occupants of abutting properties and neighborhoods and to prevent blighted and unsecured residences. There are approximately 5,000 properties in foreclosure. Having reviewed the implementation and ongoing monitoring requirements, staff determined the optimal solution was to contract with a supplier who has years of experience in this area and could go-live with the program immediately. Therefore, the city issued a Request for Proposal to outsource this service.

Codes staff, in conjunction with the vendor, will identify vacant and abandoned properties. The vendor will notify the mortgage holder of the requirement to register the property within 10 days after the mortgagee is declared to be in default. The vendor will also provide mortgage holders' and/or vacant property owner's detailed instructions on how to register the property.

In addition, the vendor will train and provide support for the lender to electronically register the information. They will also develop, design and maintain, through the duration of the contract a web-based electronic registry system that affords all mortgage holders the opportunity to go on-line and register, modify, update, and request delistings of foreclosed, vacant/abandoned properties.

The city will have free access to, and training, on the web-based electronic registry system and reporting tools. Also, the vendor will provide website and reporting tools support to the city.

The vendor will collect the registration fee, \$125.00 per property and remit the difference between the registration fee and the vendor's fee. The registration fees are paid for by banks and mortgage companies, therefore, there is no cost to the City. The vendor will also provide the financial accounting of property registrations identifying those that are in compliance with the ordinance as well as those that have not met its financial obligations.

The Procurement Department, in cooperation with the Codes Compliance Assistance Department, recommends for award:

Federal Property Registration Corp.....			\$ 625,000
Registrations (5,000)	\$125.00		\$ 625,000
Vendor Fee (60 %)	75.00		375,000
City (40%)	50.00		250,000

The vendor has met the specifications and requirements of RFP No. 7416 dated December 20, 2012. This agreement will be effective through October 31, 2014. The agreement has the option for two one year renewals. Federal Property Registration Corp. has provided foreclosure registry services for three years. They have provided similar services for Palm Beach County and the cities of West Palm Beach, Jacksonville and Boynton Beach and have performed satisfactorily.

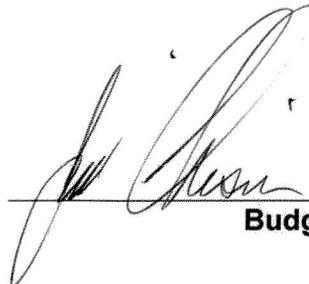
Cost/Funding/Assessment Information: Funding for this program is generated through revenues received from registration fees.

Attachments: Codes Compliance Brief
Resolution

Approvals:



Administrative



Budget

MEMORANDUM

CODES COMPLIANCE ASSISTANCE



TO: The Honorable Karl Nurse, Council Chair and members of City Council

FM: Gary Bush, Director 

DT: January 16, 2013

RE: Council Meeting of February 7, 2013 - Foreclosure Registry Implementation

Regarding the October 25, 2012 adoption of Ordinance No. 48-H, "Foreclosure Registry Ordinance", City Administration has expedited the implementation of the process by all means necessary, including but not limited to:

1. Made contact with prospective vendors and issued a Request for Proposals - RFP 958-83 Foreclosure Registry Services, RFP No. 7416;
2. Selected a vendor in accordance with City purchasing policy;
3. Upon approval, staff will execute an agreement;
4. Contacted other municipalities regarding feedback with the services provided by the selected vendor;
5. Coordinated all involved City departments, including Codes Compliance Assistance, Billing and Collections, Purchasing, and ICS;
6. Organized administrative staff to implement ordinance and contract.

Administration sought and selected an outside vendor to administer the ordinance in order to streamline the registration process and provide more detailed data via the selected vendor's infrastructure. Your approval will allow for the selected vendor to administer Ordinance 48-H and allows for the registration of the 4,000+ foreclosed properties in the City.

A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT WITH TWO ONE-YEAR RENEWAL OPTIONS TO FEDERAL PROPERTY REGISTRATION CORP. TO CREATE A FORECLOSURE REGISTRY AND COLLECT REGISTRATION FEES FOR THE CODES COMPLIANCE ASSISTANCE DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department one proposal for foreclosure registry services for the City pursuant to RFP No. 7416 dated December 20, 2012; and

WHEREAS, Federal Property Registration Corp. has met the specifications and requirements of RFP No. 7416; and

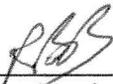
WHEREAS, the Procurement & Supply Management Department, in cooperation with the Codes Compliance Assistant Department, recommends approval of this award; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the proposal and award of an agreement with two one-year renewal options to Federal Property Registration Corp. to create a foreclosure registry and collect registration fees for the Codes Compliance Assistance Department 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 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 Approving annual service agreement for I/CAD and I/LEADS applications with Intergraph, Inc., a sole source supplier, at a cost of \$286,044.92.

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 7, 2013

To: The Honorable Karl Nurse, Council Chair and Members of City Council

Subject: Approving annual service agreement for I/CAD and I/LEADS applications with Intergraph, Inc., a sole source supplier, at a cost of \$286,044.92.

Explanation: The city received a proposal for annual service for Police CAD/RMS Applications. Intergraph, Inc. will provide 24/7 telephone support, access to its support database (Siebel eService), application and technology upgrades, program fixes and issue escalation management for all Intergraph products. The agreement will be effective through December 31, 2013.

The City utilizes Intergraph software to provide services for Police Dispatch and Records Management Systems. This maintenance agreement will provide services for the entire suite of Intergraph applications to include dispatch (I/CAD), mobile (I/Mobile), records management (I/Leads), tracker (I/Tracker), reports (I/Mars), mobile dispatch inquiry (I/Netviewer), and all interfaces currently being utilized. Because Intergraph, Inc. is the sole provider of support for this software, a sole source procurement is recommended.

The Procurement Department, in cooperation with the Police Department, recommends award:

Intergraph Corporation.....\$286,044.92

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.

Cost/Funding/Assessment Information: Funds have been appropriated in the General Fund (0001) Police Department, ITS (1401401).

Attachments: Intergraph Proposal (2 pages)
Sole Source
Resolution

Approvals:

Administrative

Budget



Exhibit A

Security, Government and Infrastructure

St Petersburg FL City Of

PO#: tbd

Account Nbr: MDC-2518

Performance Period: 01/01/2013 Through 12/31/2013

Quote: 1-6W0URZ - City of St. Petersburg FL - HW/SW-Yr #5

Service Level: Premium

Bill To:

St Petersburg FL City Of
Attn: Mary Watkins
Finance Department
PO BOX 1257
Saint Petersburg, FL 33731
USA

Ship To:

St Petersburg FL City Of
Attn: Mary Watkins
St. Petersburg Police Department
1300 1st Avenue North
Saint Petersburg, FL 33705
USA

Ln	Base Part	Description	Serial	Begin	End	Coverage	Mths Qty	Mth Cost	Total Cost
Site Number:									
39	IPSF585AA-A	Oracle Std Ed-Appl Spec-Processor	1-216372799	01/01/2013	12/31/2013	Ph Supp with Upg's	12 8	\$411.23	\$39,478.08
SubTotal for Site Number									\$39,478.08
Site Number: 00121018									
1	IPS0001	I/Executive	1-216364946	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$482.35	\$5,788.20
2	IPS0002	I/Dispatcher	1-216336719	01/01/2013	12/31/2013	Ph Supp with Upg's	12 7	\$227.77	\$19,132.68
3	IPS0002	I/Dispatcher	1-216336841	01/01/2013	12/31/2013	Ph Supp with Upg's	12 14	\$54.26	\$9,115.68
4	IPS0002TST	I/Dispatcher - Test License	1-216364684	01/01/2013	12/31/2013	Ph Supp with Upg's	12 9	\$0.00	\$0.00
5	IPS0004	CJIS I/F Incl I/Informer	1-216371976	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$289.41	\$3,472.92
6	IPS0004	FCIC/NCIC I/F Inc Informe	1-216371994	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$289.41	\$3,472.92
7	IPS0004	Mug-Shot System I/F	1-216372012	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$578.81	\$6,945.72
8	IPS0004	I/Infrm Enforcr Pwn Qu IF	1-263380877	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$192.94	\$2,315.28
9	IPS0004A	I/Leads History Enabled F	1-216372030	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$217.06	\$2,604.72
10	IPS0004A	Pin Map I/Leads Customiza	1-216372051	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$72.36	\$868.32
11	IPS0007	I/Executive 2	1-216364890	01/01/2013	12/31/2013	Ph Supp with Upg's	12 2	\$0.00	\$0.00
12	IPS0008	I/Push To Talk	1-216372337	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$179.70	\$2,156.40
13	IPS0009	I/Mobile Data Terminal	1-216372308	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$749.70	\$8,996.40
14	IPS0015	I/Tracker	1-216372404	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$446.51	\$5,358.12
15	IPS0018	I/Telephone Device for Deaf - Zetron	1-216372396	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$171.15	\$2,053.80
16	IPS0019	I/LEADS-Server	1-216367391	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$374.85	\$4,498.20
17	IPS0020	I/LEADS-Records Management System -	1-220074077	01/01/2013	12/31/2013	Ph Supp with Upg's	12 250	\$21.70	\$65,100.00
18	IPS0020ASTE	I/LEADS-Records Mgt Sys - AFR	1-216364983	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$1,085.28	\$13,023.36

Exhibit A

St Petersburg FL City Of

Account Nbr: MDC-2518

Quote: 1-6W0URZ - City of St. Petersburg FL - HW/SW-Yr #5



Security, Government and Infrastructure

PO#: tbd

Performance Period: 01/01/2013 Through 12/31/2013

Service Level: Premium

Ln	Base Part	Description	Serial	Begin	End	Coverage	Mths Qty	Mth Cost	Total Cost
19	IPS0030	I/LEADS-CAD Link	1-216364965	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$0.00	\$0.00
20	IPS0031	I/Mgt. Analysis & Reporting Sys - Server	1-216372272	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$361.77	\$4,341.24
21	IPS0032	I/Mgt Analysis & Reporting Sys - Client	1-216372092	01/01/2013	12/31/2013	Ph Supp with Upg's	12 10	\$19.85	\$2,382.00
22	IPS0033	I/Question & Answer	1-216371871	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$446.51	\$5,358.12
23	IPS0035	I/Backup	1-216336657	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$446.51	\$5,358.12
24	IPS0035TST	I/Backup - Test License	1-216336673	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$0.00	\$0.00
25	IPS0038STE	I/Mobile - Site License	1-216372290	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$723.51	\$8,682.12
26	IPS0042E	I/NetViewer - site license	1-216371930	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$2,170.55	\$26,046.60
27	IPS0045	I/NetDispatcher - 5 users	1-216371843	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$446.51	\$5,358.12
28	IPS1163C	I/MapEditor CC - Component	000876100121018	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$79.60	\$955.20
29	IPSCUSTOM11	I/Lead Enforcr Pwn Exp IF	1-263380892	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$192.94	\$2,315.28
30	IPSCUSTOM11	Mugshot System Interface	1-304648581	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$192.94	\$2,315.28
31	IPSCUSTOM11	Pinellas County Enforcer Interface	1-304648584	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$192.94	\$2,315.28
32	IPSCUSTOM12	I/LEADS History-Enabled Fields	1-304648587	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$192.94	\$2,315.28
33	IPSCUSTOM12	I/Lead Pwn Data Imprt I/F	1-263380897	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$192.94	\$2,315.28
34	IPSCUSTOM14	I/LEADS State Accident Report	1-290200191	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$350.01	\$4,200.12
35	IPSCUSTOMSVC	I/Leads Pinellas Arst Rpt	1-263380657	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$270.12	\$3,241.44
36	IPSCUSTOMSVC	I/Leads Tow/Impound Rpt	1-263380862	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$108.06	\$1,296.72
37	IPSCUSTOMSVC	I/Leads Wrkflw Arr Aff Rp	1-263380871	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$229.60	\$2,755.20
38	IPSCUSTOMSVC	I/Leads - UCR	1-263494687	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$144.70	\$1,736.40
40	IPSF600AA-A	Oracle Std Ed One-Appl Spec Processor	1-214054226	01/01/2013	12/31/2013	Ph Supp with Upg's	12 2	\$123.48	\$2,963.52
41	SJBX690AA-C	GeoMedia Pro - CC - English -	15VQ9OX00121018	01/01/2013	12/31/2013	Ph Supp with Upg's	12 1	\$176.40	\$2,116.80
42	ESCROW	Annual Software Escrow Fee		01/01/2013	01/30/2013		1 1	\$500.00	\$500.00
43	HEX2013	Hexagon 2013 International Conference		06/01/2013	06/30/2013		1 4	\$699.00	\$2,796.00

SubTotal for Site Number 00121018 \$246,566.84

Grand Total Excluding Tax \$286,044.92

City of St. Petersburg
Sole Source Request

Department: Police - ITS Requisition No. 5271975
Check One: Sole Source Proprietary Specifications
Proposed Vendor: Intergraph, Inc
Estimated Total Cost: \$286,044.92

Description of Items (or Services) to be purchased:

Annual maintenance agreement for I/CAD and i/Leads suite of applications and interfaces.

Purpose of Function of items:

Yearly support and maintenance agreement with the current CAD/RMS vendor for the Police Department.

Justification for Sole Source of Proprietary specification:

Intergraph is the sole provider for support services for the suite of applications used at the Police Department. These applications include dispatch (I/CAD), mobile (I/Mobile), records management (I/Leads), tracker (I/Tracker), reports (I/Mars), mobile dispatch inquiry (I/Netviewer), and all interfaces currently being utilized.

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.

*7MM
01/09/13*
[Signature]
Department Director

1-9-2013
Date

[Signature]
Administrator/Chief

1/9/13
Date

Louis Moore
Louis Moore, Director
Procurement & Supply Management

1/12/13
Date

A RESOLUTION DECLARING INTERGRAPH CORPORATION TO BE A SOLE SOURCE SUPPLIER; ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF A ONE-YEAR AGREEMENT TO INTERGRAPH, INC. FOR AN ANNUAL MAINTENANCE AGREEMENT FOR I/CAD AND I/LEADS APPLICATIONS AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$286,044.92; 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 Intergraph software to provide services for Police Dispatch and Records Management Systems and has a need for maintenance of this software; and

WHEREAS, Intergraph is the sole provider of support for this software.

WHEREAS, Section 2-241(d) of the City Code provides requirements for sole source procurement; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Police Department, recommends approval of the award of an agreement to Intergraph 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 the sole source purchase.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Intergraph Corporation is a sole source supplier; and

BE IT FURTHER RESOLVED that the award of a one-year agreement to Intergraph Corporation for an annual maintenance agreement for I/CAD and I/Leads applications at an estimated annual cost not to exceed \$286,044.92 is hereby approved and the Mayor or the Mayor's designee is authorized to execute all necessary documents to effectuate this transaction; and

BE IT FURTHER RESOLVED that this agreement 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 Approving the purchase of 13 replacement vehicles from Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. for the Police Department at a total cost of \$243,686.30.
[MOVED to Reports as E-5]

**SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of February 7, 2013**

To: The Honorable Karl Nurse, Chair and Members of City Council

Subject: Approving the purchase of replacement vehicles from Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. for the Police Department at a total cost of \$243,686.30.

Explanation: This purchase is being made from the State of Florida Contract No. 071-000-13-1. The vendor will furnish and deliver 13 full-size four door sedans with 3.6L V6 gasoline engines, 6-speed automatic transmissions, power steering, brakes, windows and door locks, air conditioning, tilt steering, cruise control and am/fm radios. These vehicles will be assigned to the Police Department Criminal Investigation Division and will be used to transport personnel and materials used to conduct criminal investigations at crime scenes.

The new vehicles, with life expectancies of six years or more, are replacing 13 six to nine-year-old units with original base purchase prices ranging from \$14,842 to \$18,441 each. The old vehicles have reached the end of their economic useful life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing State of Florida Contract No. 071-000-13-1:

Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc.....\$243,686.30

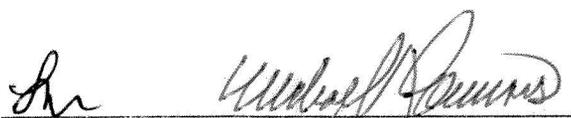
Sedan, 4-Door, Chevy Impala 2013 (base)	13EA	@	17,964.00	233,532.00
Options:				
Full size spare trim and tire	13EA	@	386.00	5,018.00
Trunk Switch Enabled- A98	13EA	@	210.00	2,730.00
New City Tag	13EA	@	129.10	1,678.30
Third Key	13EA	@	56.00	<u>728.00</u>
				243,686.30

Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. has met the specifications, terms and conditions of the State of Florida Contract No. 071-000-13-1 effective through October 31, 2013. This purchase is made in accordance with Section 2-243 (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.

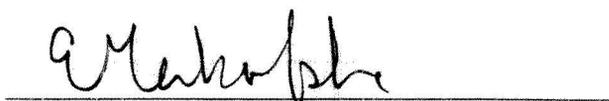
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Management Department, Fleet Mechanical Costs (8002527).

Attachments: Price History
Resolution

Approvals:



Administrative



Budget

Price History
070-06 Automobiles; Chevy Impalas, Administrative

Item No.	Description	2009	2010	2011	2012	2013	% Change
1.	Sedan, full size, 4-door, V-6, gasoline, Chevy Impala	\$ 15,926	\$ 16,467	\$ 16,949	\$ 17,592	\$ 17,964	2%

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO GARBER CHEVROLET-BUICK-PONTIAC-GMC TRUCK, INC. AT AN ESTIMATED TOTAL COST NOT TO EXCEED \$243,686.30 FOR THE PURCHASE OF 13 REPLACEMENT VEHICLES UTILIZING FLORIDA STATE CONTRACT NO. 071-000-13-1; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace 13 vehicles that have reached the end of their economic life; and

WHEREAS, pursuant Section 243(e) of the City Code, the City is permitted to utilize competitively bid proposals or contracts secured by State, County or municipal government when it is in the best interest of the City; and

WHEREAS, Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. has met the specifications, terms and conditions of Florida State Contract No. 071-000-13-1; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Fleet Management Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. at a total cost not to exceed \$243,686.30 for 13 replacement vehicles utilizing Florida State Contract No. 071-000-13-1 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 Renewing a blanket purchase agreement with Rowland, Inc. for unscheduled utility infrastructure repairs for the Water Resources Department at an estimated annual cost of \$100,000.

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 7, 2013

To: The Honorable Karl Nurse, Chair and Members of City Council

Subject: Renewing a blanket purchase agreement with Rowland, Inc. for unscheduled utility infrastructure repairs for the Water Resources Department at an estimated annual cost of \$100,000.

Explanation: On January 12, 2012 City Council approved a one-year agreement for unscheduled utility infrastructure repairs effective through February 28, 2013. Under the renewal of contract clause, the City reserves the right to extend the contract for a period of four one-year renewals if mutually agreeable. This is the first of four renewals.

The vendor performs repairs of valves and pipes that fail prior to scheduled service or replacement due to unusually harsh environmental conditions or damage during construction. The contractor is utilized when the complexity and scope of unscheduled work exceeds the limits of in-house construction equipment and crews. Examples of work include repair or replacement of inoperable valves, leaking buried pipes, pipes on bridges, pipes under waterways, and pipes damaged by underground construction equipment.

The Procurement Department, in cooperation with the Water Resources Department, recommends for renewal:

Rowland, Inc.....\$100,000

Rowland has agreed to uphold the prices, terms and conditions of IFB No. 7216 dated November 1, 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 rates. This agreement will be effective through February 28, 2014.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001), Water Resources Department, various divisions including Cosme W.T.P. Operations (2077), Oberly PS Operations (2081), Washington Terrace PS Operations (2085), Water Maintenance (2117), Reclaimed Water (2129), Wastewater Maintenance (2145), Albert Whitted WRF (2169), Northeast WRF (2173), Northwest WRF (2177), Southwest WRF (2181) and Lift Station Maintenance (2205).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OPTION TO THE AGREEMENT (BLANKET AGREEMENT) WITH ROWLAND, INC. AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$100,000 FOR UNSCHEDULED UTILITY INFRASTRUCTURE REPAIRS FOR THE WATER RESOURCES DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 12, 2012, City Council approved the award of a one-year agreement (Blanket Agreement) with four one-year renewal options to Rowland, Inc. for unscheduled utility infrastructure repairs pursuant to IFB No. 7216 dated November 1, 2011; and

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

WHEREAS, Rowland, Inc. has agreed to uphold the prices, terms and conditions of IFB No. 7216; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources 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 to the agreement (Blanket Agreement) with Rowland, Inc. at an estimated annual cost not to exceed \$100,000 for unscheduled utility infrastructure repairs for the Water Resources Department 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 February 28, 2014.

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 sell the surplus, improved City-owned property located at 2901 Fairfield Avenue South, St. Petersburg, to Christopher J. Cantrelle for \$50,000, subject to the City's affordable housing program requirements.

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to sell the surplus, improved City-owned property located at 2901 Fairfield Avenue South, St. Petersburg, to Christopher J. Cantrelle for \$50,000, subject to the City's affordable housing program requirements; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management Department received an offer from Christopher J. Cantrelle to purchase the surplus City-owned property located at 2901 Fairfield Avenue South, St. Petersburg ("Property"). The Property is improved with a single-family dwelling consisting of approximately 1,376 square feet, which the proposed buyer intends to use as his homestead property.

The Property is legally described as follows:

Lot 18, Block 11, EAST ROSELAWN
Pinellas County Parcel I.D. No.: 23/31/16/24138/011/0180

The Property was acquired by the Housing & Community Development Department ("Housing") via certificate of title at a foreclosure sale in April 2008. The Property was declared surplus real estate after appropriate City Departments were queried. Housing placed the Property in the City's affordable housing inventory.

On March 30, 2012, the Property was appraised by Lee Brand, ASAP Appraisals of Tampa Bay, Inc., who indicated the estimated market value to be \$50,000, which is the contract price. The Property is being sold subject to Housing qualifying the proposed buyer, Christopher J. Cantrelle, for financing pursuant to the City's affordable housing program requirements. According to Billing and Collections Special Assessment and Utility Liens records, there are no City liens against the proposed buyer.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to sell the surplus, improved City-owned property located at 2901 Fairfield Avenue South, St. Petersburg, to Christopher J. Cantrelle for \$50,000, subject to the City's affordable housing program requirements; 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. Messett 1-17-13 EG

Budget: N/A

Legal: JS
(As to consistency w/attached legal documents)

Legal: 00168748.doc V. 1

ILLUSTRATION



Address: 2901 Fairfield Avenue South, St. Petersburg

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SELL THE SURPLUS, IMPROVED CITY-OWNED PROPERTY LOCATED AT 2901 FAIRFIELD AVENUE SOUTH, ST. PETERSBURG, TO CHRISTOPHER J. CANTRELLE, FOR \$50,000, SUBJECT TO THE CITY'S AFFORDABLE HOUSING PROGRAM REQUIREMENTS, AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management Department received an offer from Christopher J. Cantrelle to purchase the surplus City-owned property located at 2901 Fairfield Avenue South, St. Petersburg ("Property"); and

WHEREAS, the Property is improved with a single-family dwelling consisting of approximately 1,376 square feet, which the proposed buyer intends to use as his homestead property; and

WHEREAS, the Property is legally described as follows:

Lot 18, Block 11, EAST ROSELAWN
Pinellas County Parcel I.D. No.: 23/31/16/24138/011/0180

WHEREAS, the Property was acquired by the Housing & Community Development Department ("Housing") via certificate of title at a foreclosure sale in April 2008; and

WHEREAS, the Property was declared surplus real estate after appropriate City Departments were queried; and

WHEREAS, Housing placed the Property in the City's affordable housing inventory; and

WHEREAS, on March 30, 2012, the Property was appraised by Lee Brand, ASAP Appraisals of Tampa Bay, Inc., who indicated the estimated market value to be \$50,000, which is the contract price; and

WHEREAS, the Property is being sold subject to Housing qualifying the proposed buyer, Christopher J. Cantrelle, for financing pursuant to the City's affordable housing program requirements; and

WHEREAS, according to Billing and Collections Special Assessment and Utility Liens records, there are no City liens against the proposed buyer.

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 sell the surplus, improved City-owned property located at 2901 Fairfield Avenue South, St. Petersburg, as legally described above, to Christopher J. Cantrelle for \$50,000, subject to the City's affordable housing program requirements; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

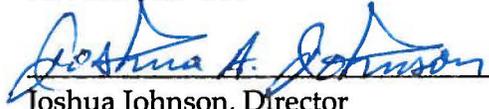
LEGAL:



City Attorney (Designee)

Legal: 00168748.doc V. 1

APPROVED BY:



Joshua Johnson, Director

Housing and Community Development

APPROVED BY:



Bruce E. Grimes, Director

Real Estate and Property Management

Attached documents for item Authorizing the Mayor or his designee to execute a First Amendment to Lease Agreement with VK, Inc., a Florida profit corporation, for the use of facilities located at 421 Eighth Avenue S.E., St. Petersburg (“Premises”), within Albert Whitted Airport for

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a First Amendment to Lease Agreement with VK, Inc., a Florida profit corporation, for the use of facilities located at 421 Eighth Avenue S.E., St. Petersburg ("Premises"), within Albert Whitted Airport for a period of five (5) years at a rental rate of \$1,027.00 per month, with the right to request extensions for two (2) additional five (5) year terms, subject to approval by City Council; authorizing VK, Inc. to sublease variable space within the Premises to Aristiz, Inc. for the operation of an aircraft upholstery fabrication and repair service; and to execute all documents necessary to effectuate same; and providing an effective date. *(Requires affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate & Property Management received a request from VK, Inc. ("Tenant"), asking the City to extend its lease of an aeronautical hangar and office space ("Premises") within Albert Whitted Airport ("Airport") located at 421 Eighth Avenue S.E., St. Petersburg for an additional five (5) year term. The Tenant had previously been granted the right to construct a ±2,880 sq. ft. aeronautical hangar with a 200 sq. ft. climate controlled office within the Airport at the Tenant's sole cost and expense. Through the adoption of Resolution No. 2008-627 on December 18, 2008, City Council approved a four-year Lease Agreement ("Lease"), with extensions for up to three (3) successive five (5) year terms, that allowed the Tenant to complete the final four (4) years of the amortization of its cost to construct the hangar, including repairs and maintenance. The Lease provided for the Tenant to pay \$250.00 monthly as rent to the City during the initial four (4) year term and be adjusted to \$12,326.00 annually if the Tenant exercised its right to renew or extend the Lease.

The Tenant operates an aviation company engaged in the businesses of buying, selling and maintaining aircraft, designing and building experimental aircraft, obtaining Supplemental Type Certificates (e.g. patents for aircraft) from the Federal Aviation Administration for approved modifications to aircraft, and international sales and installation of aviation parts and accessories.

The Tenant has executed a First Amendment to the Lease, subject to approval by City Council. Effective January 1, 2013, rent will increase to \$12,326.00 annually (\$1,027.00 monthly), plus any applicable taxes, and the Tenant will pay the City a refuse fee at a rate of \$15.00 per month. At the beginning of each 12-month period ("Lease Year") during the term, the monthly rent will be increased by the percentage increase of the Consumer Price Index ("CPI") with the maximum increase in any single Lease Year being 3.5%, unless the CPI remains unchanged or shows a decrease, in which case the rent will not be changed for that Lease Year. The Tenant has agreed to continue leasing the Premises in "as is" condition and will be responsible for making all repairs to the interior of the Premises. The Tenant will be billed separately by the City for water, sewer, and stormwater and will continue payment of all other costs associated with utilities, applicable taxes, security and maintenance of the hangar. Additionally, the Tenant will maintain a commercial

general liability insurance policy in the amount of at least \$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 Tenant's use of the Premises.

The Tenant received a request from John Aristizabal, who formerly leased a building space at the Airport under Aristiz, Inc. ("Aristiz"), to sublease a variable amount of space within the Premises for operation of an aircraft upholstery fabrication and repair service. The Tenant is requesting permission from the City to sublease space to Aristiz depending on the Tenant's space availability due to aircraft inventory changes. Instead of paying rent to the Tenant, Aristiz would keep the Premises clean, organized and look after the Tenant's aircraft and equipment in his absence. The Downtown Enterprise Facilities Department recommends approval of the Tenant's request.

This Lease is in compliance with Section 1.02(c)(4)1., of the City Charter, which permits the leasing of property at Albert Whitted Airport for a term not to exceed twenty-five (25) years, with an affirmative vote of at least six (6) members of City Council.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a First Amendment to Lease Agreement with VK, Inc., a Florida profit corporation, for the use of facilities located at 421 Eighth Avenue S.E., St. Petersburg ("Premises"), within Albert Whitted Airport for a period of five (5) years at a rental rate of \$1,027.00 per month, with the right to request extensions for two (2) additional five (5) year terms, subject to approval by City Council; authorizing VK, Inc. to sublease variable space within the Premises to Aristiz, Inc. for the operation of an aircraft upholstery fabrication and repair service; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustrations and Resolution

APPROVALS:

Administration:	<u></u> <u>BG</u>
Budget:	<u>N/A</u>
Legal:	<u></u>

(As to consistency w/attached legal documents)
Legal: 00168801.doc V. 3

ILLUSTRATION
(Hangar Floor Plan)

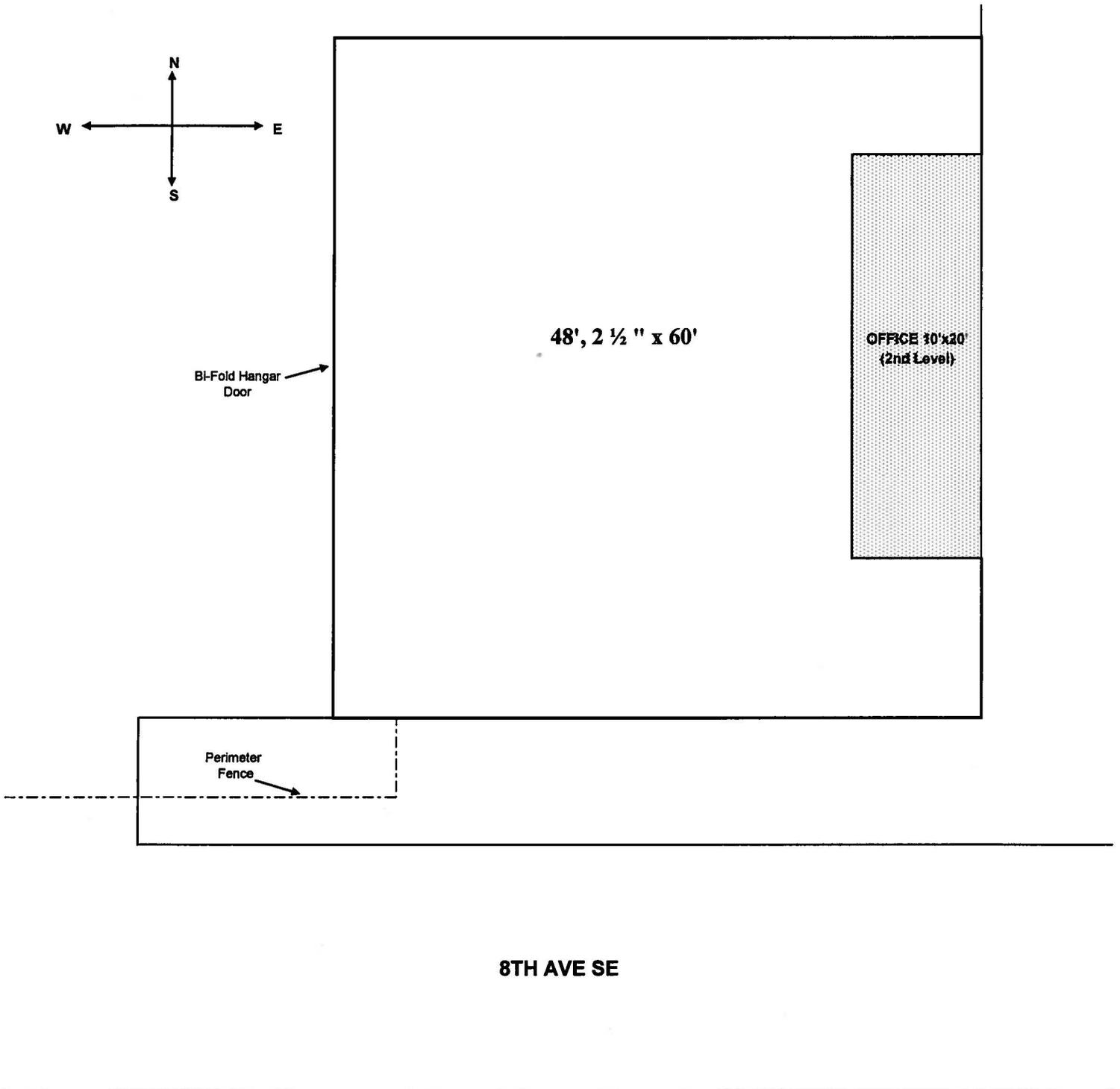
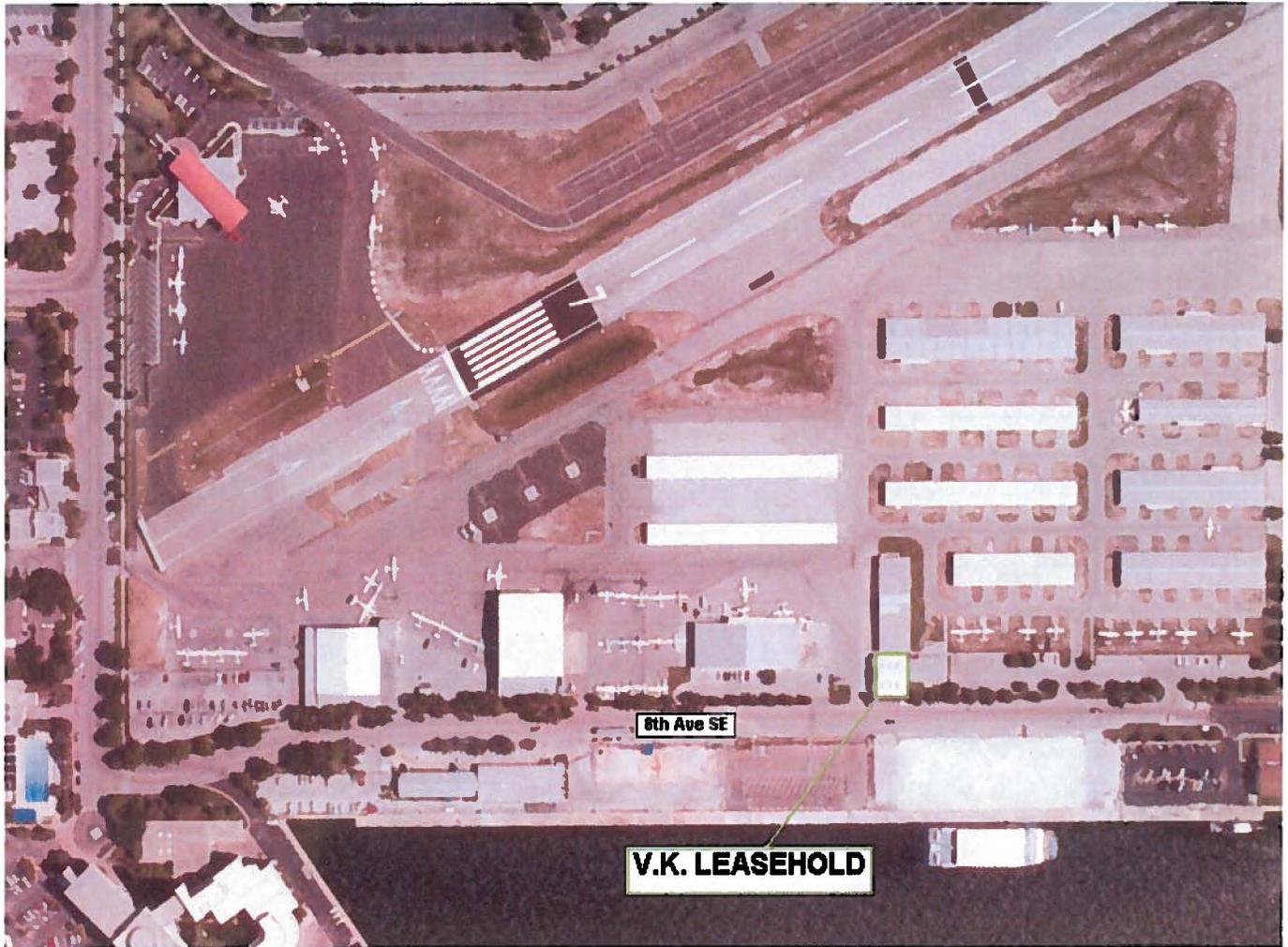


ILLUSTRATION
(Location of Hangar on Airport)



A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A FIRST AMENDMENT TO LEASE AGREEMENT WITH VK, INC., A FLORIDA PROFIT CORPORATION, FOR THE USE OF FACILITIES LOCATED AT 421 EIGHTH AVENUE S.E., ST. PETERSBURG ("PREMISES"), WITHIN ALBERT WHITTED AIRPORT FOR A PERIOD OF FIVE (5) YEARS AT A RENTAL RATE OF \$1,027.00 PER MONTH, WITH THE RIGHT TO REQUEST EXTENSIONS FOR TWO (2) ADDITIONAL FIVE (5) YEAR TERMS, SUBJECT TO APPROVAL BY CITY COUNCIL; AUTHORIZING VK, INC. TO SUBLEASE VARIABLE SPACE WITHIN THE PREMISES TO ARISTIZ, INC. FOR THE OPERATION OF AN AIRCRAFT UPHOLSTERY FABRICATION AND REPAIR SERVICE; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management received a request from VK, Inc. ("Tenant"), asking the City to extend its lease of an aeronautical hangar and office space ("Premises") within Albert Whitted Airport ("Airport") located at 421 Eighth Avenue S.E., St. Petersburg for an additional five (5) year term; and

WHEREAS, the Tenant had previously been granted the right to construct a ±2,880 sq. ft. aeronautical hangar with a 200 sq. ft. climate controlled office within the Airport at the Tenant's sole cost and expense; and

WHEREAS, through the adoption of Resolution No. 2008-627 on December 18, 2008, City Council approved a four-year Lease Agreement ("Lease"), with extensions for up to three (3) successive five (5) year terms, that allowed the Tenant to complete the final four (4) years of the amortization of its cost to construct the hangar, including repairs and maintenance; and

WHEREAS, the Lease provided for the Tenant to pay \$250.00 monthly as rent to the City during the initial four (4) year term and be adjusted to \$12,326.00 annually if the Tenant exercised its right to renew or extend the Lease; and

WHEREAS, the Tenant operates an aviation company engaged in the businesses of buying, selling and maintaining aircraft, designing and building experimental aircraft, obtaining Supplemental Type Certificates (e.g. patents for aircraft) from Federal Aviation Administration for approved modifications to aircraft, and international sales and installation of aviation parts and accessories; and

WHEREAS, the Tenant has executed a First Amendment to the Lease, subject to approval by City Council; and

WHEREAS, effective January 1, 2013, rent will increase to \$12,326.00 annually (\$1,027.00 monthly), plus any applicable taxes, and the Tenant will pay the City a refuse fee at a rate of \$15.00 per month; and

WHEREAS, at the beginning of each 12-month period ("Lease Year") during the term, the monthly rent will be increased by the percentage increase of the Consumer Price Index ("CPI") with the maximum increase in any single Lease Year being 3.5%, unless the CPI remains unchanged or shows a decrease, in which case the rent will not be changed for that Lease Year; and

WHEREAS, the Tenant has agreed to continue leasing the Premises in "as is" condition and will be responsible for making all repairs to the interior of the Premises; and

WHEREAS, the Tenant will be billed separately by the City for water, sewer, and stormwater and will continue payment of all other costs associated with utilities, applicable taxes, security and maintenance of the hangar; and

WHEREAS, the Tenant will maintain a commercial general liability insurance policy in the amount of at least \$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 Tenant's use of the Premises; and

WHEREAS, the Tenant received a request from John Aristizabal, who formerly leased a building space at the Airport under Aristiz, Inc. ("Aristiz"), to sublease a variable amount of space within the Premises for operation of an aircraft upholstery fabrication and repair service; and

WHEREAS, the Tenant is requesting permission from the City to sublease space to Aristiz depending on the Tenant's space availability due to aircraft inventory changes; and

WHEREAS, instead of paying rent to the Tenant, Aristiz would keep the Premises clean, organized and look after the Tenant's aircraft and equipment in his absence; and

WHEREAS, the Downtown Enterprise Facilities Department recommends approval of the Tenant's request; and

WHEREAS, the Lease is in compliance with Section 1.02(c)(4)1., of the City Charter, which permits the leasing of property at Albert Whitted Airport for a term not to exceed twenty-five (25) years, with an affirmative vote of at least six (6) members of City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his Designee, is hereby authorized to execute a First Amendment to Lease Agreement with VK, Inc., a Florida for profit corporation, for the use of facilities located at 421 Eighth Avenue S.E., St. Petersburg, within Albert Whitted Airport for a period of five (5) years at a rental rate of \$1,027.17 per month, with the right to request extensions for two (2) additional five (5) year terms, subject to approval by City Council; authorizing VK, Inc. to sublease variable space within the Premises to Aristiz, Inc. for the operation of an aircraft upholstery fabrication and repair service and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



City Attorney (Designee)

Legal: 00168801.doc V. 3

APPROVED BY:



David M. Metz, Director

Downtown Enterprise Facilities

APPROVED BY:



Bruce E. Grimes, Director

Real Estate & Property Management

Attached documents for item Authorizing the Mayor or his designee to execute an agreement between the City of St. Petersburg, Florida and the Early Learning Coalition of Pinellas County, Inc., to provide the school readiness program for qualified families for one year commencing Apr

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 7, 2013

TO: City Council Chair & Members of City Council

SUBJECT:

A Resolution authorizing the Mayor or his designee to execute an agreement between the City of St. Petersburg, Florida and the Early Learning Coalition of Pinellas County, Inc., to provide the school readiness program for qualified families for one year commencing April 1, 2013, and ending March 31, 2014; and providing an effective date.

EXPLANATION:

This Agreement reflects the continuation of services that has been in effect for the past eighteen years with the Early Learning Coalition of Pinellas County, Inc. ("ELC") and with Coordinated Child Care of Pinellas, Inc. (CCC) which allows the Parks and Recreation Department to be a year round school readiness program service provider (Playcamp programs) for children of families in Pinellas County who meet the defined financial need eligibility requirements. ELC evaluates each family's financial need and determines how much of the school readiness program cost a family can afford to pay themselves and then the agency pays the balance of the Playcamp cost to the Parks and Recreation Department.

In order to be eligible to be a school readiness program provider for ELC, the Parks and Recreation Department must meet all Pinellas County child care licensing requirements and also must score a minimum of 3 on a 4 point program assessment tool that is completed by ELC staff twice each year during site visits. In past years, the Parks and Recreation Playcamp sites have consistently passed each assessment conducted.

The Parks and Recreation Department originally researched securing this type of service contract at the repeated requests of several of our Playcamp parents. They were eligible for ELC assistance and wanted their children to be able to attend Parks and Recreation Department programs instead of the programs on the existing list of ELC approved subcontractors. Since then, we have continued to enjoy an excellent working relationship with ELC and have provided a service much appreciated by many of our citizens who need this type of assistance.

RECOMMENDATION

The Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to execute an agreement between the City of St. Petersburg, Florida and Early Learning Coalition of Pinellas County, Inc., to provide the school readiness program for qualified families for one year commencing April 1, 2013, and ending March 31, 2014; and

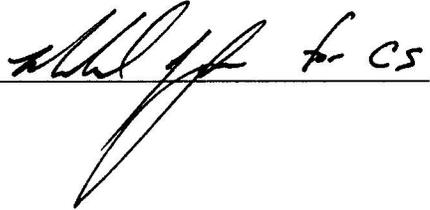
providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION:

There is no cost to the Parks and Recreation Department for providing this service as the complete cost of our programs is subsidized by ELC funds. Last fiscal year there was approximately \$585,000 paid by ELC to the Parks and Recreation Department to provide childcare services for their clients. These funds were returned to the General Fund as program revenue.

ATTACHMENTS: Resolution

APPROVALS:

Administration:  for CS

Resolution No. 2013-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND EARLY LEARNING COALITION OF PINELLAS COUNTY, INC. TO PROVIDE CHILD CARE SERVICES FOR QUALIFIED FAMILIES FOR ONE YEAR COMMENCING APRIL 1, 2013, AND ENDING MARCH 31, 2014; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg's youth are an important and valuable resource; and

WHEREAS, the City of St. Petersburg ("City") through its Parks and Recreation Department has been a year round child care provider for children of qualified families in Pinellas County under contract with Early Learning Coalition of Pinellas County, Inc. ("ELC"); and

WHEREAS, the City and ELC desire to continue this relationship; and

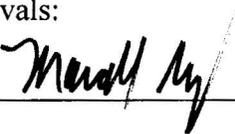
WHEREAS, in order to continue this relationship, it is necessary for the City to enter into an agreement with ELC to set forth the responsibilities of the Parties.

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 an agreement between the City of St. Petersburg and Early Learning Coalition of Pinellas County, Inc. to provide child care services for qualified families for one year commencing April 1, 2013 and ending March 31, 2014.

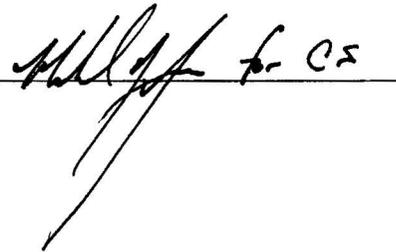
This resolution shall take effect immediately upon its adoption.

Approvals:

Legal:



Administration:



Attached documents for item Authorizing the Mayor or his designee to accept a grant of \$96,539 from the Florida Housing Finance Corporation (FHFC) for FY 2012-2013 to fund the State Housing Initiatives Partnership (“SHIP”) Program for the purpose of providing affordable housing opp

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair, and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to accept a grant of \$96,539 from the Florida Housing Finance Corporation (FHFC) for FY 2012-2013 to fund the State Housing Initiatives Partnership (“SHIP”) Program for the purpose of providing affordable housing opportunities for low- and moderate-income persons; authorizing the submission of the 2012-2013 SHIP Funding Strategies Summary Certification form to FHFC; authorizing the Mayor or his designee to execute a grant agreement with FHFC and all other documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of \$96,539 from the increase in the unappropriated balance of the SHIP Fund (1019), resulting in these additional revenues to the SHIP Program, Housing and Community Development Department (082) Division (1089); and providing an effective date.

EXPLANATION: The State Housing Initiatives Partnership (“SHIP”) Program was created through the William E. Sadowski Affordable Housing Act, pursuant to Chapter 420.907-420.9079, Florida Statutes for the purpose of providing assistance through the allocation of funds from documentary stamps generated from the sale of residential properties to provide funding for affordable housing. During the 2012 legislative session \$7.4 million in SHIP funds were allocated to disaster relief and subsequently deobligated and allocated to local governments to continue to implement their State Housing Initiatives Partnership (“SHIP”) Program, a program that provides affordable housing opportunities to residents of the City of St. Petersburg. The City of St. Petersburg was allocated \$96,539 in 2012-2013 to continue the program.

To accept the funding, the City has to budget the strategies in its Local Housing Assistance Plan (“LHAP”) under the State Housing Initiative Partnership (“SHIP”) Program for FY 2012-2015, where funding will be allocated to provide assistance to eligible applicants, and receive the funds.

The City is required to reserve at least 30 percent of the funds for awards to very-low income persons and at least 30 percent of the funds for awards to low-income persons as required in the regular SHIP Program. In addition, and there is a requirement to expend at least 75 percent of the funds for construction, rehabilitation or emergency repair and at least ~~65~~ percent of the funds for home ownership.

The City is in receipt of the allocation from the Florida Housing Finance Corporation (“FHFC”) in the amount of \$96,539, with 10% of the allocation for administration of the program. The City must expend the funding by June 30, 2015. The City is required to complete the SHIP Funding Strategies summary Certification Form provided with the FY2012-2013 funding and submit it to FHFC.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor or his designee to accept a grant of \$96,539 from the Florida Housing Finance Corporation (“FHFC”) for FY 2012-2013 to fund the State Housing Initiatives

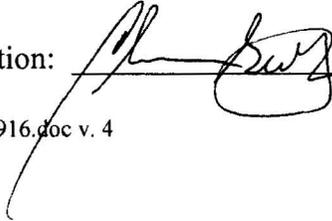
Partnership ("SHIP") Program for the purpose of providing affordable housing opportunities for low- and moderate-income persons; authorizing the submission of the 2012-2013 SHIP Funding Strategies Summary Certification form to the FHFC; authorizing the Mayor or his designee to execute a grant agreement with FHFC and all other documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of \$96,539 from the increase in the unappropriated balance of the SHIP Fund (1019), resulting in these additional revenues to the SHIP Program, Housing and Community Development Department (082) Division (1089); and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Revenues of \$96,359 will be received from the FHFC. A supplemental appropriation in the amount of \$96,539 from the increase in the unappropriated balance of the SHIP Fund (1019), resulting in these additional revenues to the SHIP Program, Housing and Community Development Department (082) Division (1089) is required.

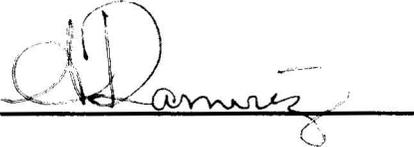
Attachments: Resolution
Certification Form

APPROVALS:

Administration:



Budget:



Legal: 00168916.doc v. 4

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A GRANT OF \$96,539 FROM THE FLORIDA HOUSING FINANCE CORPORATION ("FHFC") FOR FY 2012-2013 TO FUND THE STATE HOUSING INITIATIVES PARTNERSHIP ("SHIP") PROGRAM FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING OPPORTUNITIES FOR LOW- AND MODERATE-INCOME PERSONS; AUTHORIZING THE SUBMISSION OF THE 2012-2013 SHIP FUNDING STRATEGIES SUMMARY CERTIFICATION FORM TO FHFC; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A GRANT AGREEMENT WITH THE FHFC AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$96,539 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE SHIP FUND (1019), RESULTING IN THESE ADDITIONAL REVENUES TO THE SHIP FUND (1019), HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT (082), DIVISION (1089); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State Housing Initiatives Partnership ("SHIP") Program was created through the William E. Sadowski Affordable Housing Act, pursuant to Chapter 420.907-420.9079, Florida Statutes; and

WHEREAS, the SHIP Program transfers documentary stamp revenues to the Florida Housing Finance Corporation ("FHFC") and local governments for use in implementing partnership programs to produce and preserve affordable housing; and

WHEREAS, during the 2012 regular session of the Florida Legislature, \$7.4 million in SHIP funds were allocated to disaster relief and subsequently deobligated and allocated to local governments to continue to implement their State Housing Initiatives Partnership ("SHIP") Program; and

WHEREAS, the City is required to expend at least 75 percent of the funds for rehabilitation or emergency repair and at least 65 percent of the funds for home ownership and reserve at least 30 percent of the total funds for awards to very-low income persons and at least 30 percent of the total funds for awards to low-income persons as required by the regular SHIP Program, and;

WHEREAS, the City does not have to make any changes to its Local Housing Assistance Plan if it commits funding to its current eligible strategies; and

WHEREAS, in order to receive its 2012-2013 allocation, the City is required to complete a Ship Funding Strategies Summary Certification Form detailing the strategies that it plans to use and submit it to FHFC.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that a the Mayor or his designee is authorized to accept a grant of \$96,539 from the Florida Housing Finance Corporation ("FHFC") for FY 2012-2013 to fund the State Housing Initiatives Partnership ("SHIP") Program for the purpose of providing affordable housing opportunities for low- and moderate-income persons; and

BE IT FURTHER RESOLVED that the submission of the 2012-2013 SHIP Funding Strategies Summary Certification Form to the FHFC is authorized; and

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute a grant agreement with FHFC and all other documents necessary to effectuate this resolution; and

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the SHIP Fund (1019) resulting from these additional revenues, the following supplemental appropriation:

SHIP Fund (1019),
Housing and Community Development Department (082),
Division (1089) \$96,539

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal: RBB Administration: [Signature]
Budget: [Signature]

Legal: 00168910.doc v. 4

CERTIFICATION

On behalf of City of St. Petersburg, I hereby certify that the information presented
(NAME OF LOCAL GOVERNMENT)
herein is true and accurate as of the date of submission.

Date _____
Witness

Date _____
Chief Elected Official or Designee

Tish Elston

Date _____
Witness

City Administrator Date _____
(Type) Name and Title

Or

Date _____
Attest (Seal)

GENERAL INFORMATION

Name of Person to call regarding funding for the FY 2012-2013 Local Housing Assistance Plan:
Joshua A. Johnson Telephone Number: (727) 892-5585

2012-2013 SHIP Funding Strategies Summary

Total Anticipated Allocation:

Strategy Name*	# of Units**	Total \$
Emergency Repair	3	\$35,886
Purchase Assistance	3	\$42,000
Barrier Free	3	\$9,000
Administration		\$9,653
Total		\$ 96,539.00

*List strategy as it appears in your approved LHAP. If the strategy is not in your LHAP, it will need to be approved through the amendment process.

**Give total number of anticipated units for this strategy regardless of income category. The income category set-asides still need to be met according to statutory and rule guidelines.

Legislative Language Governing FY 2011-12

(2) Notwithstanding ss. 420.507(22)(a) and (23)(a), 420.5087(6)(l), 420.5088, 420.5095, and 420.9075(1)(b) and (5)(b), Florida Statutes, funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for use in the State Apartment Incentive Loan Program, Florida Homeownership Assistance Program, Community Workforce Housing Innovation Pilot Program, or the State Housing Initiatives Partnership Program may not be used to:

- (a) Finance or otherwise assist the construction or purchase of housing sold to eligible individuals, or
- (b) Finance or otherwise assist in the construction or purchase of rental housing, unless the development being financed or assisted received its initial certificate of occupancy prior to December 31, 1996.

I certify that all of the information above related to strategies is correct and complies with the restriction on new construction as stated above.

Authorized Signature

Date

Attached documents for item Authorizing the Mayor or his designee to enter into a Cooperative Funding Agreement with the Southwest Florida Water Management District for the City of St. Petersburg Phase Toilet Replacement Program Phase 13 in the amount of \$150,000. [MOVED to Reports

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of February 7, 2013

TO: Honorable Karl Nurse, Chair of Council, and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to enter into a Cooperative Funding Agreement with the Southwest Florida Water Management District for the City of St. Petersburg Toilet Replacement Program Phase 13 in the amount of \$150,000.

EXPLANATION: The St. Petersburg Water Resources Department and the Southwest Florida Water Management District (SWFWMD) are proposing to enter into a FY2013 Cooperative Funding Agreement for Phase 13 of a Toilet Replacement Program. The first twelve phases of the Program were highly successful in terms of citizen participation and conservation of potable water, with almost 32,000 toilets replaced at over 26,000 locations. Analysis of water savings has determined that over 700 gallons of water per toilet are saved each month in a single-family household.

During the FY2013 program, the City and SWFWMD anticipate providing rebates to single family, multi-family, and non-residential water customers to replace 900 high flush toilets with ultra-low flush (ULF) or high efficiency (HET) fixtures. Efforts will be made to target customers who have not previously participated in this program, including low-income residential households. To ensure that monies spent on this long-term conservation program meet the intended goal, the City will include educational materials on leak detection and proper replacement flapper selection and installation to program participants.

The agreement with the SWFWMD for this thirteenth phase has a total project cost of \$150,000. The City of St Petersburg agrees to fund 50% of the total cost or \$75,000 and the SWFWMD agrees to fund 50% of the total cost or \$75,000. Paragraph 5 of the District's form Co-funding Agreement specifically includes a provision for attorney's fees and costs to be repaid to the District, if the City fails to complete the Project in accordance with the scheduled completion dates, fails to maintain scheduled progress of the project thereby endangering the timely performance of the Agreement, the City fails to appropriate sufficient funds to meet the task deadlines or specified provisions are held invalid, illegal or unenforceable and the City fails to repay those funds. Historically the City has not entered into contracts with attorney fees provisions and the decision to accept funding from the District should be made taking the potential risk of having to pay such fees and costs into account. Staff is not aware of any breach of contract claims or litigation occurring with respect to any of the previous co-funding arrangements with the District.

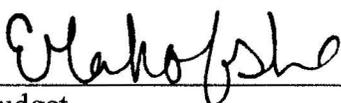
Administration recommends that the Mayor or his designee be authorized to execute the FY2013 Cooperative Funding Agreement with the Southwest Florida Water Management District for funding the City of St. Petersburg Toilet Replacement Program Phase 13.

COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in the Water Resources Operating Fund (4001), Water Conservation Administration (4202133), Toilet Replacement Program (Project #TBD).

ATTACHMENTS: SWFWMD Agreement, Resolution.

APPROVALS:


Administration
SKL


Budget

RESOLUTION NO. _____,

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A THIRTEENTH PHASE COOPERATIVE FUNDING AGREEMENT WITH THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR A TOILET REPLACEMENT AND EDUCATION PROJECT AT A TOTAL COST OF \$150,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Southwest Florida Water Management District ("District") and the City of St. Petersburg, Florida ("City") wish to implement the thirteenth phase of a residential and commercial toilet replacement and education project; and

WHEREAS, the District and the City have agreed upon the type and extent of the program to be completed and the amount and method of compensation to be paid by the District to the City for materials, development and distribution.

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 enter into a cooperative funding agreement with the District for the twelfth phase of a toilet replacement and education project at a total project cost of \$150,000.00 with the District's share not to exceed \$75,000.00.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:



City Attorney (Designee)

COOPERATIVE FUNDING AGREEMENT
BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
CITY OF ST. PETERSBURG
FOR
ST. PETERSBURG TOILET REPLACEMENT PROJECT – PHASE 13 (N498-1)

THIS COOPERATIVE FUNDING AGREEMENT is made and entered into by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida, whose address is 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as the "DISTRICT," and CITY OF ST. PETERSBURG, a municipal corporation of the State of Florida, whose address is 175 Fifth Street North, St. Petersburg, Florida 33701, hereinafter referred to as the "CITY."

WITNESSETH:

WHEREAS, the CITY proposed a project to the DISTRICT for funding consideration under the DISTRICT'S cooperative funding program; and

WHEREAS, the project consists of providing financial incentives to single family residential, multi-family residential and commercial accounts customers for replacing an estimated 900 conventional 3.5 gallon per flush or higher toilets with ultra low-flow toilets (ULFT) or high-efficiency toilets (HET), hereinafter referred to as the "PROJECT"; and

WHEREAS, the DISTRICT considers the resource benefits to be achieved by the PROJECT worthwhile and desires to assist the CITY in funding the PROJECT.

NOW THEREFORE, the DISTRICT and the CITY, in consideration of the mutual terms, covenants and conditions set forth herein, agree as follows:

1. PROJECT CONTACTS AND NOTICES. Each party hereby designates the individual set forth below as its prime contact for matters relating to this Agreement. Notices and reports shall be sent to the attention of each party's prime contact as set forth herein by U.S. mail, postage paid, by nationally recognized overnight courier, or personally to the parties' addresses as set forth below. Notice is effective upon receipt.

Contract Manager for the DISTRICT:
Scott D. McGookey, Contract Manager
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899

Project Manager for the CITY:
Chris Claus, Project Manager
City of St. Petersburg
1650 Third Avenue North
St. Petersburg, FL 33713

Any changes to the above representatives or addresses must be provided to the other party in writing.

- 1.1 The DISTRICT'S Contract Manager is authorized to approve requests to extend a PROJECT task deadline set forth in this Agreement. Such approval must be in writing, explain the reason for the extension and be signed by the Contract Manager and his or her Bureau Chief, or Director if the Bureau Chief is the Contract Manager, unless the DISTRICT'S Signature Authority provides otherwise. The DISTRICT'S Signature Authority supersedes the approval requirements provided in this provision. The DISTRICT'S Contract Manager is not authorized to approve any time extension which will result in an increased cost to the DISTRICT or which will exceed the expiration date set forth in this Agreement.
 - 1.2 The DISTRICT'S Contract Manager is authorized to adjust a line item amount of the PROJECT budget contained in the Project Plan set forth in Exhibit "A" or, if applicable, the refined budget as set forth in Subparagraph 3.2 below. The authorization must be in writing, explain the reason for the adjustment, and be signed by all appropriate DISTRICT staff in accordance with the DISTRICT'S Signature Authority. The DISTRICT'S Contract Manager is not authorized to make changes to the Scope of Work and is not authorized to approve any increase in the amounts set forth in the funding section of this Agreement.
2. SCOPE OF WORK. Upon receipt of written notice to proceed from the DISTRICT, the CITY shall perform the services necessary to complete the PROJECT in accordance with the CITY'S Project Plan set forth in Exhibit "A." Any changes to this Agreement, except as provided herein, must be mutually agreed to in a formal written amendment approved by the DISTRICT and the CITY prior to being performed by the CITY. The CITY shall be solely responsible for managing and controlling the PROJECT, including the hiring and supervising of any consultants or contractors it engages.

The parties agree that time is of the essence in the performance of each obligation under this Agreement.

3. FUNDING. The parties anticipate that the total cost of the PROJECT will be One Hundred Fifty Thousand Dollars (\$150,000). The DISTRICT agrees to fund PROJECT costs up to Seventy-Five Thousand Dollars (\$75,000) and shall have no obligation to pay any costs beyond this maximum amount. The CITY agrees to provide all remaining funds necessary for the satisfactory completion of the PROJECT. The CITY shall pay PROJECT costs prior to requesting reimbursement from the DISTRICT.
- 3.1 Any federal, state, local or grant monies received by the CITY for this PROJECT shall be applied to equally reduce each party's share of PROJECT costs. The CITY shall provide the DISTRICT with written documentation detailing its allocation of any such funds appropriated for this PROJECT.
 - 3.2 The DISTRICT shall reimburse the CITY for the DISTRICT'S share of the allowable PROJECT costs in accordance with the PROJECT budget contained in the Project Plan set forth in Exhibit "A." The CITY may contract with consultant(s), contractor(s) or both to accomplish the PROJECT. Upon written DISTRICT approval, the budget amounts for the work set forth in such contract(s) shall refine the amounts set forth in the PROJECT budget and be incorporated

herein by reference. The DISTRICT shall not reimburse the CITY for costs incurred under consultant and contractor agreements until the DISTRICT approvals required under this provision have been obtained. The DISTRICT shall reimburse the CITY for fifty (50%) percent of all allowable costs in each DISTRICT approved invoice received from the CITY, but at no point in time will the DISTRICT'S expenditure amount under this Agreement exceed expenditures made by the CITY. Payment shall be made to the CITY within forty-five (45) days of receipt of an invoice with adequate supporting documentation to satisfy auditing purposes. Invoices shall be submitted to the DISTRICT every two (2) months electronically at invoices@WaterMatters.org, or at the following address:

Accounts Payable Section
Southwest Florida Water Management District
Post Office Box 1166
Brooksville, Florida 34605-1166

In addition to sending an original invoice to the DISTRICT'S Accounts Payable Section as required above, copies of invoices may also be submitted to the DISTRICT'S Contract Manager in order to expedite the review process. Failure of the CITY to submit invoices to the DISTRICT in the manner provided herein shall relieve the DISTRICT of its obligation to pay within the aforementioned timeframe.

- 3.3 The parties acknowledge that the PROJECT was approved for funding by the DISTRICT based upon the resource benefits expected to be achieved by the PROJECT. The parties also acknowledge that the CITY is solely responsible for implementing the PROJECT in such a manner that the expected resource benefits are achieved. If at any point during the progression of the PROJECT, the DISTRICT determines that the expected resource benefits as set forth in the Project Plan may not be achieved the DISTRICT shall withhold payments to the CITY until such time as the CITY demonstrates that the PROJECT shall achieve the required resource benefits.
- 3.4 Any travel expenses which may be authorized under this Agreement shall be paid in accordance with Section 112.061, F.S., as may be amended from time to time.
- 3.5 The DISTRICT shall not reimburse the CITY for any purpose not specifically identified in Paragraph 2, Scope of Work.
- 3.6 Surcharges added to third party invoices are not considered an allowable cost under this Agreement.
- 3.7 Each CITY invoice must include the following certification, and the CITY hereby delegates authority by virtue of this Agreement to its Project Manager to affirm said certification:

"I hereby certify that the costs requested for reimbursement and the CITY'S matching funds, as represented in this invoice, are directly related to the performance under the St. Petersburg Toilet Replacement Project – Phase 13

(N498-1) agreement between the Southwest Florida Water Management District and City of St. Petersburg (Agreement No. 13C0000025), are allowable, allocable, properly documented, and are in accordance with the approved project budget. The CITY has been allocated a total of \$__ in federal, state, local or grant monies for this PROJECT. \$__ has been allocated to this invoice, reducing the DISTRICT'S and CITY'S share to \$__."

3.8 The DISTRICT'S performance and payment pursuant to this Agreement are contingent upon the DISTRICT'S Governing Board appropriating funds in its approved budget for the PROJECT in each Fiscal Year of this Agreement.

4. COMPLETION DATES. The CITY shall commence the PROJECT by April 1, 2013, shall complete the PROJECT by July 1, 2014, and shall otherwise meet the task deadlines established in this Agreement, as may be extended by the DISTRICT in accordance with Paragraph 1 of this Agreement. In the event of hurricanes, tornados, floods, acts of God, acts of war, or other such catastrophes, or other man-made emergencies such as labor strikes or riots, which are beyond the control of the CITY, the CITY'S obligations to meet the time frames provided in this Agreement shall be suspended for the period of time the condition continues to exist. During such suspension, this Agreement shall remain in effect. When the CITY is able to resume performance of its obligations under this Agreement, in whole or in part, it shall immediately give the DISTRICT written notice to that effect and shall resume performance no later than two (2) working days after the notice is delivered. The suspension of the CITY'S obligations provided for in this provision shall be the CITY'S sole remedy for the delays set forth herein.

5. REPAYMENT.

5.1 The CITY shall repay the DISTRICT all funds the DISTRICT paid to the CITY under this Agreement, if: a) the CITY fails to complete the PROJECT in accordance with the terms and conditions of this Agreement; b) the DISTRICT determines, in its sole discretion and judgment, that the CITY has failed to maintain scheduled progress of the PROJECT thereby endangering the timely performance of this Agreement; c) the CITY fails to appropriate sufficient funds to meet the task deadlines unless extended in accordance with Paragraph 1.1; or d) a provision or provisions of this Agreement setting forth the requirements or expectations of a measurable resource benefit resulting from the PROJECT is held to be invalid, illegal or unenforceable during the term of this Agreement. Should any of the above conditions exist that require the CITY to repay the DISTRICT, this Agreement shall terminate in accordance with the procedure set forth in Paragraph 10, Default.

5.2 In the event the CITY is obligated to repay the DISTRICT under any provision of this Agreement, the CITY shall repay the DISTRICT within a reasonable time, as determined by the DISTRICT in its sole discretion.

5.3 The CITY shall pay attorneys' fees and costs incurred by the DISTRICT, including appeals, as a result of CITY'S failure to repay the DISTRICT as required by this Agreement.

6. CONTRACT PERIOD. This Agreement shall be effective upon execution by the parties and shall remain in effect through December 30, 2014, or upon satisfactory completion of the PROJECT and subsequent reimbursement to the CITY, whichever occurs first, unless amended in writing by the parties. The CITY shall not be eligible for reimbursement for any work that is commenced, or costs that are incurred, prior to the effective date of this Agreement.

7. PROJECT RECORDS AND DOCUMENTS. Upon request by the DISTRICT, the CITY shall permit the DISTRICT to examine or audit all PROJECT related records and documents during or following completion of the PROJECT at no cost to the DISTRICT. Payments made to the CITY under this Agreement shall be reduced for amounts found to be not allowable under this Agreement by an audit. If an audit is undertaken by either party, all required records shall be maintained until the audit has been completed and all questions arising from it are resolved. Each party shall maintain all such records and documents for at least three (3) years following completion of the PROJECT. Each party shall allow public access to PROJECT documents and materials made or received by either party in accordance with the Public Records Act, Chapter 119, F.S. Should either party assert any exemption to the requirements of Chapter 119, F.S., the burden of establishing such exemption, by way of injunctive or other relief as provided by law, shall be upon the asserting party.

8. REPORTS.
 - 8.1 The CITY shall provide the DISTRICT with a quarterly report describing the progress of the PROJECT tasks, adherence to the performance schedule and any developments affecting the PROJECT. The CITY shall promptly advise the DISTRICT of issues that arise that may impact the successful and timely completion of the PROJECT.

 - 8.2 Upon request by the DISTRICT, the CITY shall provide the DISTRICT with copies of reports, models, studies, maps or other documents resulting from the PROJECT. Additionally, two (2) sets, electronic and hardcopy, of any final reports must be submitted to the DISTRICT as Record and Library copies.

 - 8.3 The CITY shall provide the reports and documents referenced in this provision at no cost to the DISTRICT.

9. RISK, LIABILITY, AND INDEMNITY.
 - 9.1 To the extent permitted by Florida law, the CITY assumes all risks relating to the PROJECT and agrees to be solely liable for, and to indemnify, defend and hold the DISTRICT harmless from all claims, loss, damage and other expenses, including attorneys' fees and costs and attorneys' fees and costs on appeal, arising from the implementation of the PROJECT. The acceptance of the DISTRICT'S funding by the CITY does not in any way constitute an agency relationship between the DISTRICT and the CITY.

9.2 The CITY agrees to indemnify, defend, and hold the DISTRICT harmless, to the extent allowed under Section 768.28, F.S., from all claims, loss, damage and other expenses, including attorneys' fees and costs and attorneys' fees and costs on appeal, arising from the negligent acts or omissions of the CITY'S officers, employees, contractors and agents related to its performance under this Agreement. The DISTRICT shall have the right to approve counsel selected by the CITY. This provision shall not be construed as a waiver of the CITY'S sovereign immunity or an extension of CITY'S liability beyond the limits established in Section 768.28, F.S. Additionally, this provision will not be construed to impose contractual liability on the CITY for underlying tort claims as described above beyond the limits specified in Section 768.28, F.S.

9.3 Nothing in this Agreement shall be interpreted as a waiver of the DISTRICT'S sovereign immunity or an extension of its liability beyond the limits established in Section 768.28, F.S.

10. DEFAULT. Either party may terminate this Agreement upon the other party's failure to comply with any term or condition of this Agreement, including the failure to meet task deadlines established in this Agreement, as long as the terminating party is not in default of any term or condition of this Agreement at the time of termination. To effect termination, the terminating party shall provide the defaulting party with a written "Notice of Termination" stating its intent to terminate and describing all terms and conditions with which the defaulting party has failed to comply. If the defaulting party has not remedied its default within thirty (30) days after receiving the Notice of Termination, this Agreement shall automatically terminate. If a default cannot reasonably be cured in thirty (30) days, then the thirty (30) days may be extended at the non-defaulting party's discretion, if the defaulting party is pursuing a cure of the default with reasonable diligence. The rights and remedies in this provision are in addition to any other rights and remedies provided by law or this Agreement.
11. RELEASE OF INFORMATION. The parties agree not to initiate any oral or written media interviews or issue press releases on or about the PROJECT without providing notices or copies to the other party no later than three (3) business days prior to the interview or press release. This provision shall not be construed as preventing the parties from complying with the public records disclosure laws set forth in Chapter 119, F.S.
12. DISTRICT RECOGNITION. The CITY shall recognize DISTRICT funding in any reports, models, studies, maps or other documents resulting from this Agreement, and the form of said recognition shall be subject to DISTRICT approval.
13. LAW COMPLIANCE. The CITY shall comply with all applicable federal, state and local laws, rules, regulations and guidelines, including those of the DISTRICT, related to performance under this Agreement.
14. DIVERSITY IN CONTRACTING AND SUBCONTRACTING. The DISTRICT is committed to supplier diversity in the performance of all contracts associated with DISTRICT cooperative funding projects. The DISTRICT requires the CITY to make good faith efforts to encourage the participation of minority owned and woman owned

and small business enterprises, both as prime contractors and subcontractors, in the performance of this Agreement, in accordance with applicable laws.

If requested, the DISTRICT shall assist the CITY by sharing information to help the CITY in ensuring that minority owned and woman owned and small businesses are afforded an opportunity to participate in the performance of this Agreement.

15. ASSIGNMENT. Except as otherwise provided in this Agreement, no party may assign any of its rights or delegate any of its obligations under this Agreement, including any operation or maintenance duties related to the PROJECT, without the prior written consent of the other party. Any attempted assignment in violation of this provision is void.
16. CONTRACTORS. Nothing in this Agreement shall be construed to create, or be implied to create, any relationship between the DISTRICT and any consultant or contractor of the CITY.
17. THIRD PARTY BENEFICIARIES. Nothing in this Agreement shall be construed to benefit any person or entity not a party to this Agreement.
18. LOBBYING PROHIBITION. Pursuant to Section 216.347, F.S., the CITY is prohibited from using funds provided by this Agreement for the purpose of lobbying the Legislature, the judicial branch or a state agency.
19. PUBLIC ENTITY CRIMES. Pursuant to Subsections 287.133(2) and (3), F.S., a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months following the date of being placed on the convicted vendor list. The CITY agrees to include this provision in all subcontracts issued as a result of this Agreement.
20. GOVERNING LAW. All aspects of this Agreement are governed by Florida law and venue shall be in Hernando County, Florida.
21. SEVERABILITY. If any provision or provisions of this Agreement shall be held to be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.
22. SURVIVAL. The provisions of this Agreement that require performance after the expiration or termination of this Agreement shall remain in force notwithstanding the expiration or termination of this Agreement including Subparagraph 3.1, and Paragraphs 5, 7, 9 and 21 and any provisions requiring an offset or other continuing resource benefit.

23. ENTIRE AGREEMENT. This Agreement and the attached exhibit listed below constitute the entire agreement between the parties and, unless otherwise provided herein, may be amended only in writing, signed by all parties to this Agreement.

24. DOCUMENTS. The following documents are attached and made a part of this Agreement. In the event of a conflict of contract terminology, priority shall first be given to the language in the body of this Agreement and then to Exhibit "A."

Exhibit "A" CITY'S Project Plan

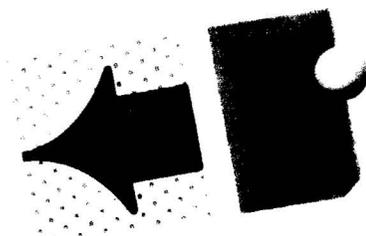
IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this Agreement on the day and year set forth next to their signatures below.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____ Date

CITY OF ST. PETERSBURG

By: _____ Date
Tish Elston, City Administrator



COOPERATIVE FUNDING AGREEMENT
BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
CITY OF ST. PETERSBURG
FOR THE
ST. PETERSBURG TOILET REPLACEMENT PROJECT - PHASE 13 (N498-1)

DISTRICT APPROVAL	INITIALS	DATE
LEGAL	<u>MMM</u>	<u>12/31/12</u>
RISK MGMT	<u>N/A</u>	
CONTRACTS	<u>JKK</u>	<u>1/4/13</u>
BUREAU CHIEF	<u>RCH</u>	<u>1/8/13</u>
DIRECTOR	<u>MMJ</u>	<u>1/9/13</u>
GOVERNING BOARD		<u>N/A</u>

EXHIBIT "A"
CITY'S PROJECT PLAN

PROJECT DESCRIPTION:

The PROJECT is a water conservation incentive program that will provide CITY retail water customers with up to a \$100 rebate per toilet for the purchase and installation of an ultra low flow toilet (ULFT) (1.6 gallons per flush) or high efficiency toilet (HET) (1.28 gallons per flush) that replaces a high-volume toilet installed prior to 1995.

MEASURABLE BENEFITS:

The PROJECT will replace approximately 900 high-volume toilets, producing a water savings of approximately 24,300 gallons per day. The PROJECT'S estimated cost/benefit ratio is \$1.53 per thousand gallons (20 years at 8% interest).

DELIVERABLES:

The CITY shall provide quarterly status reports and a final report. The final report shall be submitted with the final invoice and shall contain the following information: Number of toilets installed and rebate issued, reported by rebate type; full accounting of all funds expended during and in relation to the PROJECT; description of all public awareness efforts; customer surveys to determine the satisfaction with the toilets and the PROJECT; description of old toilet removal and disposal methods; calculation of water savings.

PROJECT BUDGET:

ITEM	CITY	DISTRICT	TOTAL
900 Toilet Rebates, to include: Single, Multi-family, and Commercial toilets @ \$100.00 each	\$45,000	\$45,000	\$90,000
Program Administration: 900 @ \$50.00 each	\$22,500	\$22,500	\$45,000
Educational Materials, Program Promotion, Surveys. Includes: printing, assembly & postage.	\$7,500	\$7,500	\$15,000
TOTAL PROJECT COSTS	\$75,000	\$75,000	\$150,000

*NOTE: In no instance will the rebate exceed the actual cost of the rebated toilet(s) and installation(s).

COMPLETION SCHEDULE:

TASK	START DATE	END DATE
Toilet Rebates	April 1, 2013	April 1, 2014
Final Report		July 1, 2014

IMPLEMENTATION:

The CITY is responsible for, but not limited to:

- Working with customers to guide them through the program.
- Tracking all program activity.
- Procuring and collecting customer survey data and performing subsequent data analysis.
- Promotion of the PROJECT through interaction with the plumbing industry.
- Establishing PROJECT policy.
- Providing program marketing.
- Overseeing program operations.
- Providing for collection and disposal of replaced toilets.

INSPECTIONS:

The CITY shall be responsible for ensuring that all installed toilets are inspected prior to issuance of rebates. All inspections shall include the following, at a minimum:

- Toilet(s) is secured and properly installed.
- Insure that the toilet(s) being replaced was installed prior to 1995.
- Installed HET(s) must be certified to meet WaterSense criteria through the Environmental Protection Agency's (EPA's) WaterSense labeling program. To be eligible for a rebate, the CITY shall verify that each HET installed is on the EPA's approved list.
- ULFT(s) flushes with no more than 1.6 gallons, and HET(s) flushes with no more than 1.28 gallons.
- Toilet(s) does not exhibit any evidence of leakage.
- Observation of the flush out and refill of the toilet(s) to ensure proper operation and to confirm the water level in the tank and bowl is consistent with the manufacturing standards.
- Mark the toilet(s) with the application number using permanent ink.

EDUCATION:

The CITY shall provide participants with educational materials on indoor water conservation, leak detection and proper maintenance practices specific to the make and model of the new toilet to ensure the low volume toilets remain water conservative fixtures.

Attached documents for item Confirming the appointment of Vito D. Sheeley as a regular member to the International Relations Committee to serve a three-year term ending December 31, 2015.



MEMORANDUM

Council Meeting of February 7, 2013

TO: Members of City Council

FROM: Mayor Bill Foster 

RE: Confirmation of Appointment to the International Relations Committee

I respectfully request that Council confirm the appointment of Vito D. Sheeley as a regular member to the International Relations Committee to serve a three-year term ending December 31, 2015.

A copy of Mr. Sheeley's resume has been provided to the Council office for your information.

DWF/ea

Attachment

cc: E. Herendeen, Marketing & Communications Director
E. Brincklow, Arts & International Relations Manager

A RESOLUTION CONFIRMING THE
APPOINTMENT OF A REGULAR
MEMBER TO THE INTERNATIONAL
RELATIONS COMMITTEE; AND
PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that this Council hereby confirms the appointment of Vito D. Sheeley as a regular member to the International Relations Committee to serve a three-year term ending December 31, 2015.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)

Attached documents for item Approving all programs/projects as approved by the Chief of Police as a part of the FY2013 Law Enforcement Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all of the documents necessary to effectuate these awards;

St. Petersburg City Council

Consent Agenda
Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair, and Members of City Council

SUBJECT: A resolution approving all programs/projects as approved by the Chief of Police as a part of the FY2013 Law Enforcement Fund Grant Award Program; authorizing the Mayor or his designee to execute agreements and all of the documents necessary to effectuate these awards; authorizing a supplemental appropriation in the amount of \$42,347.40 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Local Law Enforcement State Trust (140-2857) to fully fund the awards; and provide an effective date.

EXPLANATION: Pursuant to Section 932.7055, Florida Statutes, the St. Petersburg Police Department is required to expend at least 15% of the proceeds realized through the seizure and forfeiture of property used in violation of the Florida Contraband Forfeiture Act for the support of operation of eligible programs in the following categories: Crime Prevention, Neighborhood Safety, Drug Abuse Education and Prevention Programs, and School Resource Officer Program(s). Based upon the statutory formula (15%), a minimum of \$42,347.60 was available and approved for distribution in the FY13 award program.

The Funding Approval Committee met on October 26, 2012. The Committee approved thirty-three (33) applications for full or partial funding in the amount of \$42,347.60. The Chief of Police has approved the recommendations of the Committee.

For each applicant awarded funding, the administration will enter into a contract with the applicant. The contract will outline the requirements for completion of the project to include the expenditure documentation process, the disbursement of the awards, and the time line for completion of the funded projects.

RECOMMENDATION: The administration recommends that City Council adopt the attached resolution approving a supplemental appropriation in the amount of \$42,347.60 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department (140) Local Law Enforcement Fund (140-2857) to fully fund the awards; and providing an effective date.

COST/FUNDING INFORMATION: Funds for the 2013 Law Enforcement Grant Award Program will be available after approval of a supplemental appropriation in the amount of \$42,347.60 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Local Law Enforcement State Trust (140-2857).

Approvals:

Administration:  Budget: 

Legal: 00168986.doc v.2

Resolution No. _____

A RESOLUTION APPROVING ALL FORFEITURE FUND PROGRAM/PROJECTS AWARDED AS A PART OF THE FY 2013 LAW ENFORCEMENT TRUST FUND GRANT AWARD PROGRAM; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENTS AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE AWARDS; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$42,347.60 FROM THE UNAPPROPRIATED BALANCE OF THE LAW ENFORCEMENT FUND (1023), POLICE DEPARTMENT, LOCAL LAW ENFORCEMENT STATE TRUST (140-2857) TO FULLY FUND THE AWARDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg Police Department (“Department”) is required by Florida Statute 932.7055 to expend 15% of the total fiscal year deposits into its forfeiture trust fund for crime prevention, neighborhood safety, drug abuse education, drug prevention or school resource officer program(s); and

WHEREAS, the Department has developed a Law Enforcement Fund Grant Award Program (“Program”) in which neighborhood groups, organizations, or associations may apply for a portion of said funds; and

WHEREAS, the Department solicited applications and the Funding Approval Committee (“Committee”) approved thirty-three (33) programs/projects for full or partial funding for a total of \$42,347.60; and

WHEREAS, the one of the programs/projects is the Chief’s program to be used by the Chief of Police to fund programs/projects meeting the criteria of F.S. 932.7055; and

WHEREAS, the Chief of Police has approved the recommendations of the Committee.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that funding for thirty-three (33) forfeiture fund programs/projects awarded is hereby approved and the Mayor or his designee is authorized to execute agreements and all documents necessary to effectuate these awards.

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Law Enforcement Fund (1023), the following supplemental appropriation for FY 2013:

Successful Grant Applicants - 2012

Organization Name	Project Title	Area of Eligibility:	Amount Requested	Amount	Grant Notes:	Grant Restrictions, if any
Boy Scout Troop 223	Sand Hill Summer Camp 2013	Drug Prevention	\$1,500.00	\$950.00	Items being requested are: camping fees to participate in Sand Hill Summer Camp 2013.	Items being funded are equipment listed in the proposed budget except for food or transportation costs.
Boy Scouts Troop 218	Increase Young Boys Self Awareness	Drug Prevention	\$1,400.00	\$950.00	Items being requested are: tents, Dutch ovens, camp pots, Dutch oven stand, Dutch oven lid lift, packaway kitchen,	Items to be funded are: any items listed in the proposed budget except for food or transportation costs.
Brighton Preparatory School	Brighton's Attitude is Everything	Drug Abuse Education	\$426.00	\$370.00	Items being requested are: 30 t-shirts, safety patrol awards, pencils/ribbons, copy paper.	Items being funded are: t-shirts and safety patrol awards only.
Broadwater Civic Association	Broadwater Neighborhood Watch	Neighborhood Safety	\$575.13	\$300.00	Items being requested are: 50 magnetic car signs and 25 bicycle signs.	Items being funded are: magnetic car signs and bicycle signs.
Childs Park Neighborhood Association	Community Outreach	Drug Prevention	\$699.99	\$700.00	Items being requested are: ViewSonic DLP Projector.	Full funding.
Childs Park Rattlers Youth Athletics	Every Moment and Child Matters	Drug Prevention	\$10,000.00	\$600.00	Items being requested are: 600 color copies, 80 scholarships, 65 team uniforms, 350 trophies.	Items being funded are: Trophies only.
City of St. Petersburg Parks and Recreation	Campbell Park Community Fun Day	Drug Prevention	\$2,376.00	\$600.00	Items being requested are: 36 flag football uniforms and 24 basketball uniforms.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	Shore Acres Recreation Center Teen Programs	Drug Prevention	\$3,920.00	\$600.00	Items being requested are: uniforms for flag football, basketball and volleyball.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	Childs Park Fee Classes	Drug Prevention	\$6,000.00	\$600.00	Items being requested are: 5 months worth of fees for 20 persons to attend zumba exercise classes; 15 people to attend	Items being funded are class fees for youth 18 and younger.

Organization Name	Project Title	Area of Eligibility:	Amount Requested	Amount	Grant Notes:	Grant Restrictions, if any
City of St. Petersburg Parks and Recreation	Roberts Recreation Center Teen Programs	Drug Prevention	\$4,200.00	\$600.00	Items being requested are: flag football uniforms, basketball uniforms and volleyball uniforms.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	Willis S. Johns Recreation Center Teen Programs	Drug Prevention	\$1,780.00	\$600.00	Items being requested are: uniforms for flag football, basketball, and volleyball.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	Walter Fuller Recreation Center Teen Programs Sports Leagues	Drug Prevention	\$6,405.00	\$600.00	Items being requested are: 30 basketball uniforms, 30 volleyball uniforms, 30 football uniforms, 3 screen charges, TASCO	Items being requested are: uniforms only.
City of St. Petersburg Parks and Recreation	Lake Vista Recreation Center	Drug Prevention	\$3,920.00	\$600.00	Items being requested are: Uniforms for flag football, basketball and volleyball.	Items being funded are: uniforms.
City of St. Petersburg Parks and Recreation	J.W. Cate Recreation Center Teen Programs - Sports Leagues	Drug Prevention	\$6,600.00	\$600.00	Items being requested are: 50 volleyball uniforms, 50 flag football uniforms, 50 basketball uniforms; TASCO sports league	Items being funded are: uniforms only.
City of St. Petersburg Parks and Recreation	Campbell Park Thespians	Drug Prevention	\$1,019.96	\$600.00	Items being requested are: costume clothing pieces and Roland DR Dynamic Headset microphones.	Items being funded are: those items listed in the proposed budget.
City of St. Petersburg Parks and Recreation	2013 Miss Childs Park Pageant	Drug Prevention	\$1,250.00	\$600.00	Items being requested are: trophies, tiaras and decorations.	Items being funded are: trophies, tiaras and decorations.
City of St. Petersburg Parks and Recreation	Guess What? Teens Care! - Scrubbin' Da 'Burg	Drug Prevention	\$5,000.00	\$5,000.00	Items being requested are: facility rental for opening ceremonies, snacks for volunteers, t-shirts for volunteers.	Full funding for t-shirts.
City of St. Petersburg Parks and Recreation	St. Petersburg Youth Council	Drug Prevention	\$1,200.00	\$600.00	Items being requested are: T-shirts and end of the year awards.	Items being funded are; t-shirts.
Council of Neighborhood Associations of South Pinellas County	CONA Leadership 2013	Neighborhood Safety	\$1,000.00	\$250.00	Items being requested are: 8 scholarships.	Items being funded are: two scholarships.

Organization Name	Project Title	Area of Eligibility:	Amount Requested	Amount	Grant Notes:	Grant Restrictions, if any
Daystar Life Center, Inc.	Bicycle Theft Prevention Program	Crime Prevention	\$1,400.00	\$1,000.00	Items being requested are: 240 Avenir Interlock Bicycle locks.	Items being funded are: bicycle locks.
Delta Sigma Theta Sorority, Inc., St. Petersburg Alumnae Chapter	Dr. Betty Shabazz Delta Academy	Drug Prevention	\$1,040.00	\$1,040.00	Items being requested are: Books for Academy Exchange Book Club, scrapbooking supplies, and Academy logo t-	Full funding.
Front Porch Community Development Association, Inc.	Front Porch Youth 4H Gardening and Arts Camp-Winter Experience	Drug Prevention	\$2,250.00	\$600.00	Items being requested are: Insurance costs, supplies and materials such as paper, pens, soil, planting seeds, index cards, gardening	Items to be funded are: supplies and materials such as paper, pens, planting seeds, index cards, gardening tools, fertilizer, and plants.
Girl Scout Troops 2233, 1020 and 1023	Journeys	Drug Prevention	\$1,500.00	\$950.00	Items being requested are: funding for workshops and summer camp.	Items to be funded are: any items listed in the proposed budget except for food or transportation costs.
Historic Uptown Neighborhood Association	Historic Uptown Crime Prevention	Neighborhood Safety	\$1,992.75	\$360.00	Items being requested are: 1000 2-sided business cards, 10 double sided yard signs, 25 aluminum fence signs and 20	Items being funded are: t-shirts only.
Mt. Zion Human Services, Inc.	Mt. Zion Drum Line & Color Guard	Drug Prevention	\$1,993.47	\$1,500.00	Items being requested are: drum heads, mallets, slings and bass drums.	Items being funded are: drum heads, mallets, slings and bass drums.
Nite Riders Van Club	Nite Riders Van Club	Crime Prevention	\$2,500.00	\$2,000.00	Items being requested are: school supplies including notebooks, paper, pens, pencils, folders, backpacks and binders.	Items being funded are: school supplies.
Pinellas County Urban League	29th Annual Crime Prevention Run & Family Festival	Crime Prevention	\$1,200.00	\$1,200.00	Items being requested are: approximately 200 t-shirts commemorating the run.	Full funding.
SPPD Crime Prevention Division	Crime Watch Signs	Neighborhood Safety	\$3,700.00	\$3,700.00	Items being requested are: crime watch signs.	Items to be funded are: crime watch signs with priority given to neighborhood tracts that lack any signs at this time.
St Petersburg Police Explorer Post #980	St. Petersburg Police Explorer Post #980	Drug Prevention	\$14,437.86	\$6,000.00	Items being requested are: State competition fees, raincoats, jackets, handcuffs, reporters' notebooks, external vest covers,	Items being funded are: State competition fees and flags.

Organization Name	Project Title	Area of Eligibility:	Amount Requested	Amount	Grant Notes:	Grant Restrictions, if any
St. Petersburg Police Department	Chief's Programs	Crime Prevention	\$6,277.40	\$6,277.40	Items funded will be determined throughout the coming year.	Full Funding
University of South Florida/St. Petersburg Police Department	Bicycle Theft Prevention and Registration Program	Crime Prevention	\$2,000.00	\$1,000.00	Items being requested are: 100 u-bolt bicycle locks	Items being funded are: bicycle locks.
YMCA of Greater St. Petersburg	YMCA Y-Achievers Program	Crime Prevention	\$1,096.97	\$500.00	Items being requested are: Books on life lessons and manners, flashcards, manners posters, easel pads and copy paper.	Items being funded are any items listed in the proposed budget
Your Place, Inc.	Youth Entrepreneur Academy	Drug Prevention	\$708.00	\$500.00	Items being requested are: graduation T-shirts, journals/composition books, easel pads, graduation certificates,	Items being funded are: graduation t-shirts, journals/composition books, and easel pads.
Total Requested:			\$101,368.53			
				Total Granted:	\$42,347.40	

Unsuccessful Grant Applicants - 2012

<i>Organization Name</i>	<i>Project Title</i>	<i>Amount Requested</i>	<i>Reason for Rejection</i>
Big Brothers Big Sisters of Pinellas County	Think First and Stay Safe	\$1,103.90	Greatest portion of funds would be used to service non St. Petersburg residents.
Childs Park Neighborhood Association	Breaching Digital Divide	\$699.99	This project would have to be approved and funded through the City of St. Petersburg's IT Department.
Greater Pinellas Point Civic Association	Greater Pinellas Point Civic Association Neighborhood Watch	\$1,278.65	The items requested are prohibited from funding as are newsletters or other advertising mediums.
Historic Roser Park Neighborhood Association	On behalf of the Moreans Arts Center	\$1,500.00	While promoting interest in the arts is a commendable goal, the program did not adequately address the criteria set forth by Florida Statute regarding crime prevention, neighborhood safety, drug education/prevention or school resource officer programs.
Lakewood Estates Civic Association, Inc.	Lakewood Estates Civic Association House Numbers	\$2,471.66	Conformity in house numbers does not meet the criteria for funding required by Florida Statute.
Lightning Bolt Youth Sports Academy, Inc.	All Sports Program	\$7,500.00	Organization suspended from future funding for failing to comply with required accounting procedures.
LITH, Inc.	We Can Make A Difference	\$2,000.00	Current location of program raised fears of improper venue and code enforcement issues. Program must seek a more appropriate location before additional funding is granted.
Northeast High School Band Boosters	Northeast High School Scarlet Movement	\$2,527.62	This program did not adequately address the criteria set forth by Florida Statute regarding crime prevention, neighborhood safety, drug education/prevention or school resource officer programs.
Ready for Life, Inc.	Ready for Life Youth Council and Youth Engagement Activities	\$2,000.00	Greatest portion of funds would be used to service non St. Petersburg residents.

<i>Organization Name</i>	<i>Project Title</i>	<i>Amount Requested</i>	<i>Reason for Rejection</i>
Split Second Track & Field Club	Split Second Track & Field Club	\$1,143.95	The application did not have enough information to make an informed decision.
SunRise Performing Arts Academy Booster Club	SunRise Performing Arts Academy	\$4,920.00	The items being requested are start up expenses unrelated to the criteria set forth by Florida Statute of crime prevention, drug abuse education/prevention, neighborhood safety or school resource officer programs.
Total Requested:		\$27,145.77	

Attached documents for item Approving a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law enforcement Fund (1023) to the Police Department, Local Law enforcement state fund (140-2857) to pay monetary awards to citizens for criminal tips p

St. Petersburg City Council

Consent Agenda
Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair, and Members of City Council

SUBJECT: A resolution approving a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law Enforcement Fund (1023) to the Police Department, Local Law Enforcement State Fund (140-2857) to pay monetary awards to citizens for criminal tips pertaining to the illegal gun bounty program; authorizing the mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: The Chief of Police has requested a supplemental appropriation of \$58,200 from the Law Enforcement Fund to the Police Department for the Illegal Gun Bounty Program ("IGBP") to fund a tip award of \$1,000 for any weapon and \$1,500 for any assault rifle as a cash award to a citizen who provides anonymous information on a crime of suspicious activity that leads to recovery of an illegal weapon, an arrest and a weapons charge.

The Chief of Police has executed a Memorandum of Understanding to form a partnership with Crime Stoppers of Pinellas County, Inc. ("Crime Stoppers") for the purpose of operation of the IGBP. The partnership will provide citizens with the option of providing anonymous tips through Crime Stoppers' tipline or website, or by text to a dedicated cell phone number to provide law enforcement with tips on a crime or suspicious activity. If the information provided leads to an arrest, confiscation of an illegal weapon, and weapons charge, the tipster will receive a cash award.

RECOMMENDATION: The administration recommends that City Council adopt the attached resolution approving a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law Enforcement Fund (1023) to the Police Department, Local Law Enforcement State Fund (140-2857) to pay monetary awards to citizens for criminal tips pertaining to the illegal gun bounty program; authorizing the mayor or his designee to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING INFORMATION: Funds for the Illegal Gun Bounty Program ("IGBP") will be available after approval of a supplemental appropriation in the amount of \$58,200 from the unappropriated balance of the Law Enforcement Fund (1023), to the Police Department, Local Law Enforcement State Trust (140-2857).

Approvals:

Administration:  Budget: 

Legal: 00169331.doc v. 2

Resolution No. 2013-_____

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$58,200 FROM THE UNAPPROPRIATED BALANCE OF THE LAW ENFORCEMENT FUND (1023) TO THE POLICE DEPARTMENT, LOCAL LAW ENFORCEMENT STATE FUND (140-2857) TO PAY MONETARY AWARDS TO CITIZENS FOR CRIMINAL TIPS PERTAINING TO THE ILLEGAL GUN BOUNTY PROGRAM; 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 \$58,200 from the Law Enforcement Fund to the Police Department for the Illegal Gun Bounty Program (“IGBP”) to offer a tip award of \$1,000 for any weapon and \$1,500 for assault rifles as a cash award to a citizen who provides anonymous information on a crime of suspicious activity that leads to recovery of an illegal weapon, an arrest and a weapons charge; and

WHEREAS, the Chief of Police has executed a Memorandum of Understanding to form a partnership with Crime Stoppers of Pinellas County, Inc. (“Crime Stoppers”) for the purpose of operation of the IGBP; and

WHEREAS, citizens will have the option to call an established Crime Stoppers’ number anonymously, provide tips via a website, or text a tip to a dedicated cell phone number to provide law enforcement tips on a crime or suspicious activity. If the information provided leads to an arrest, confiscation of an illegal weapon, and a weapons charge a cash award will result; and

WHEREAS, citizens who meet those three requirements for an award, as determined by the Board of Directors of Crime Stoppers, are eligible for a reward of \$1,000 for any weapon and \$1,500 for an assault rifle. All rewards and tips will be handled within the policy and procedures of Crime Stoppers; and

WHEREAS, a supplemental appropriation in the amount of \$58,200 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 FY13:

Law Enforcement Fund (1023)

Police Department, Local Law Enforcement State Trust (1402857) \$58,200

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: 00169329.doc v. 2

Attached documents for item Authorizing the Mayor or his designee to accept \$47,604 from Pinellas County as the City's share of the FY2009 JAG ARRA Edward Byrne Memorial Justice Assistance Grant earmarked for the Countywide Prison Transport Service to fund special project overtime,

St. Petersburg City Council
Consent Agenda
Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair, and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to accept \$47,604 from Pinellas County as the City's share of the FY2009 JAG ARRA Edward Byrne Memorial Justice Assistance Grant earmarked for the Countywide Prison Transport Service, to fund special project overtime and to execute all documents necessary to effectuate this transaction; and providing an effective date.

EXPLANATION: The City of St. Petersburg and the Pinellas County Board of County Commissioners ("County") entered into a Memorandum of Understanding (MOU) agreeing to allocate \$50,000 of the FY2009 JAG ARRA Edward Byrne Memorial Justice Assistance Grant ("Grant") to fund the countywide Prisoner Transport Service. The County as the Grant applicant and fiscal agent retained these funds and charged City directly as part of the Grant agreement. Because the City's portion of the Prisoner Transport Fund has not been fully expended and the Grant expiration date is February 28, 2013, The City of St Petersburg Police Department requested, submitted and received approval of a budget amendment to re-purpose the remaining \$47,604 to overtime for special projects.

The City's \$47,604 will be used to fund special project overtime for law enforcement officers. A full awareness campaign will be implemented using the special project overtime funds to inform the public about the City's Illegal Gun Bounty Program, and tipster programs. Overtime costs are calculated by averaging hourly overtime rates associated with a police officer.

RECOMMENDATION: The administration recommends that City Council adopt the attached resolution authorizing the Mayor or his designee to accept \$47,604 from Pinellas County as the City's share of the FY2009 JAG ARRA Edward Byrne Memorial Justice Assistance Grant earmarked for the Countywide Prison Transport Service to fund special project overtime, and to execute all documents necessary to effectuate this transaction; and providing an effective date.

COST/FUNDING Information: The Grant will fund law enforcement special project overtime. Funds are available in the Police Grant Fund (1702), JAG 2009 ARRA Project (12617).

Approvals:

Administration: _____

Budget: _____



Attached documents for item Authorizing the Mayor to execute a 5-year renewal of the existing Interlocal Agreement by and among Pinellas County Law Enforcement Agencies for information sharing.

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of February 7, 2013

TO: The Honorable Karl Nurse, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor to execute a 5-year renewal of the existing Interlocal Agreement by and among Pinellas County law enforcement agencies for information sharing; and providing an effective date.

EXPLANATION: The Pinellas County Department of Justice and Consumer Services has developed a law enforcement data initiative to expand information sharing through a secure network. Access to the network is limited to the Pinellas County law enforcement agencies who enter into the subject Information Sharing Agreement.

City Council has previously approved the execution of an Interlocal Agreement ("Agreement") by and among the City and other Pinellas County Law Enforcement Agencies ("Agencies") to participate in a law enforcement data initiative to expand information sharing between the Agencies which includes data integration, secure networking and over twenty (20) analysis applications ("Project"). The agreement is non-assignable, contains a fiscal non-funding clause, and insurance requirements, including self insurance.

The Agreement has expired and the Agencies wish to renew the Agreement effective November 1, 2012 and continuing for five (5) years from that date (through November 1, 2017) unless terminated, or cancelled as provided in the Agreement.

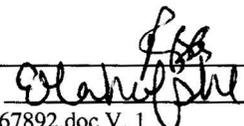
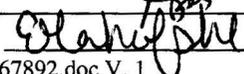
Continued participation in the Project will enable the Police Department, using existing technology and equipment to enhance its investigative capabilities operate in a more efficient environment and will benefit the citizens of St. Petersburg and Pinellas County. The Florida Department of Law Enforcement requires that separate agreements be executed in order to gain access to the state and federal law enforcement systems.

RECOMMENDATION: The Administration recommends that City Council adopt the attached resolution authorizing the Mayor to execute a 5-year renewal of the existing Interlocal Agreement by and among Pinellas County law enforcement agencies for information sharing; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: There are no recognized or anticipated costs associated with continuing to participate in the Project.

ATTACHMENTS: Resolution.

APPROVALS:

Legal: 
Budget: 
Legal: 00167892.doc V. 1

Administration: 

Resolution No. 2013-_____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A 5-YEAR RENEWAL OF THE EXISTING INTERLOCAL AGREEMENT BY AND AMONG PINELLAS COUNTY LAW ENFORCEMENT AGENCIES FOR INFORMATION SHARING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Council has previously approved the execution of an Interlocal Agreement (“Agreement”) by and among the City and other Pinellas County Law Enforcement Agencies (“Agencies”) to participate in a law enforcement data initiative to expand information sharing between the Agencies which includes data integration, secure networking and over twenty (20) analysis applications (“Project”); and

WHEREAS, the Agreement has expired and the Agencies wish to renew the Agreement effective November 1, 2012 and continuing for five (5) years from that date (through November 1, 2017) unless terminated, or cancelled as provided in the Agreement; and

WHEREAS, continued participation in the Project will enable the Police Department, using existing technology and equipment to enhance its investigative capabilities operate in a more efficient environment; and

WHEREAS, continued participation in the Project will benefit the citizens of St. Petersburg and Pinellas County.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor is authorized to execute a 5-year renewal of the existing Interlocal Agreement by and among Pinellas County law enforcement agencies for information sharing.

This resolution shall become effective immediately upon adoption.

Approvals:

Legal

Legal: 00167891.doc V. 1



Police Department

Attached documents for item Arts Advisory Committee

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 Allocation Committee