COUNCIL MEETING

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

CITY OF ST. PETERSBURG

June 20, 2013
3:00 PM

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

1. If you are speaking under the Public Hearings, Appeals or Open Forum sections of the agenda, please observe the time limits indicated on the agenda.

2. Placards and posters are not permitted in the Chamber. Applause is not permitted except in connection with Awards and Presentations.

3. Please do not address Council from your seat. If asked by Council to speak to an issue, please do so from the podium.

4. Please do not pass notes to Council during the meeting.

5. Please be courteous to other members of the audience by keeping side conversations to a minimum.

6. The Fire Code prohibits anyone from standing in the aisles or in the back of the room.

7. If other seating is available, please do not occupy the seats reserved for individuals who are deaf/hard of hearing.

GENERAL AGENDA INFORMATION

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

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

A. Meeting Called to Order and Roll Call.

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

B. Approval of Agenda with Additions and Deletions.

Open Forum

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

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

C. Consent Agenda (see attached)

D. Awards and Presentations

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

Setting July 11, 2013 as the public hearing date for the following proposed Ordinance(s):

F. Reports

1. Fire Quarterly Update.

2. Tourist Development Council. (Councilmember Curran) (Oral) [DELETED]

3. WorkNet Pinellas. (Councilmember Newton) (Oral)

4. Tampa Bay Regional Planning Council. (Councilmember Newton) (Oral)

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

G. New Business

1. Referring to the Public Safety & Infrastructure Committee a discussion on how to reduce the noise of leaf blowers. (Chair Nurse)

2. Requesting a discussion regarding funds for education of the Lens Project. (Councilmember Danner)

H. Council Committee Reports

1. Budget, Finance & Taxation Committee. (6/13/13)

   (a) Resolution authorizing the Mayor or his designee to advertise the draft FY 2013/14 Annual Action Plan and to execute all other documents necessary to effectuate this resolution.

2. Public Services & Infrastructure Committee. (6/13/13)

I. Legal - 3:30 p.m.

1. An Attorney-Client Session, pursuant to Florida Statute 286.011(8), to be heard at 3:30 p.m., or soon thereafter as the same may be heard, in conjunction with the lawsuit styled Raymond E. Young v. City of St. Petersburg, Florida, Case No. 12-2013-CI-19.

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

Public Hearings

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

1. Confirming the preliminary assessment for Lot Clearing Number 1518.

2. Confirming the preliminary assessment for Building Securing Number 1177.

3. Confirming the preliminary assessment for Building Demolition Numbers 404 and 500.

4. Approving the Southside St. Petersburg Blight Study; making a "findings of necessity" as required by Florida Statutes pursuant to establishing a community redevelopment area; requesting City Administration to prepare a redevelopment plan for the Southside St. Petersburg Community Redevelopment Area; requesting the Pinellas County Board of County Commissioners to delegate redevelopment powers to the City of St. Petersburg City Council, as defined under the Florida Community Redevelopment Act of 1969; and requesting authority from the Pinellas County Board of County Commissioners to establish two (2) tax increment financing districts and two (2) redevelopment trust funds within the Southside St. Petersburg Community Redevelopment Area, as generally defined in Exhibit B of attached staff report.

5. Ordinance 1048-V approving the vacation of a 16 foot wide east-west alley located south of 2818, 2826 & 2834 - 35th Avenue North. (City File 13-33000003)

6. Ordinance 74-H in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") and the Assurances ("Grant Assurances") which are attached to the JPA, to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") Grant in the amount of $100,000 which require that the City will make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, use the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of acceptance of the Grant; authorizing

the Mayor or his designee to accept the Grant in the amount of $100,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a transfer of $25,000 in the Airport Operating Fund (4031) from the increased revenue from the advance rent payment of Sheltair Albert Whitted, LLC to the Airport Capital Fund (4033); approving supplemental appropriations from the increase in the un-appropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues in the amount of $125,000 to the Airport – Hangar #1 Rehab Project (Project #TBD); providing an effective date; and providing for expiration. (Requires affirmative vote of at least six (6) members of City Council).

7. Ordinance 75-H in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in the amount of $115,740 which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in the amount of $115,740 to conduct a Wildlife Hazard Assessment and complete a corresponding wildlife mitigation plan; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration. (Requires affirmative vote of at least six (6) members of City Council).

8. Intersection Public Safety Program:

   (a) Ordinance 76-H of the City of St. Petersburg deleting the existing Article VII of Chapter 26; creating a new Article VII of Chapter 26, Intersection Public Safety Program; providing a purpose; authorizing the use of traffic infraction detectors; adding definitions; providing for one or more local hearing officers to exercise the powers as provided in this Article and State Law related to the use of traffic infraction detectors; and providing for an appeals process for a notice of violation, which includes the assessment of administrative charges.

   (b) Resolution approving a First Amendment to Agreement with American Traffic Solutions, Inc.

   (c) Resolution appointing Local Hearing Officers to exercise the powers as provided in applicable Florida Laws and City Ordinance 76-H.

   (d) Resolution appointing the City Clerk's Office as Clerk to the Local Hearing Officers as required by applicable Florida Laws to perform the duties as provided in applicable Florida Laws and City Ordinance 76-H.

9. Ordinance 77-H providing for an election on a Proposed Ordinance submitted by an initiative petition pursuant to Article Seven of the City Charter of the City of St. Petersburg; providing for the calling of a Special Municipal Election to be held in conjunction with the City's Primary Election on August 27, 2013 to present the Proposed Ordinance to the voters; providing for the form of the title and the question to appear on the ballot; providing for the Proposed Ordinance to become an Ordinance of the City if it is approved by a majority of the voters voting on the question of the adoption of the Ordinance in the August 27, 2013 election; and providing for findings.

10. Ordinance 78-H providing for the sale and consumption of alcoholic beverages In Lake Maggiore Park on September 28, 2013.

11. Resolution establishing a new Brownfield Area designation at the southwest corner of 29th Street North and 22nd Avenue North.

K. Open Forum

L. Adjournment

1. On Thursday, June 20, 2013, in City Council Chambers at 3:30 p.m. or as soon thereafter as the same may be heard, an attorney-client session, pursuant to Florida Statute 286.011(8), will be held in conjunction with the lawsuit styled Raymond E. Young v. City of St. Petersburg, Florida, Case No. 12-2013-CI-19. Any or all of the following persons will be attending: Karl Nurse, Chair, Bill Dudley, Vice Chair, Charles Gerdes, James Kennedy, Steve Kornell, Leslie Curran, Jeff Danner, Wengay "Newt" Newton, Mayor Bill Foster; John C. Wolfe, City Attorney, Mark A. Winn, Chief Assistant City Attorney, and Joseph P. Patner, Assistant City Attorney. The session will commence in City Council Chambers, 175 Fifth Street North, St. Petersburg, Florida. After the commencement of the session at the public meeting, the session will be closed and only those persons described above together with a certified court reporter will be allowed to be present. The subject matter of the meeting shall be confined to settlement negotiations and/or strategy related to litigation expenditures. At the conclusion of the session the meeting will be re-opened and the session will be terminated.

CONSENT AGENDA

COUNCIL MEETING CITY OF ST. PETERSBURG

Consent Agenda A
June 20, 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. Renewing a blanket purchase agreement with HD Supply Waterworks, LTD (HDSW) for water and sewer supplies for the Water Resources Department at an annual cost of $1,300,000.

2. Accepting a proposal from Premier Magnesia, LLC, a sole source supplier, for wastewater odor control services for the Water Resources Department at an estimated annual cost of $500,000.

CONSENT AGENDA

COUNCIL MEETING **CITY OF ST. PETERSBURG**

Consent Agenda B
June 20, 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. Awarding a contract to Sonny Glasbrenner, Inc., in the amount of $341,500 for the construction of the Grandview Park Boat Ramp Improvement Project. (Engineering Project No. 11236-017; Oracle Project No. 13181)

(City Development)

2. Authorizing the Mayor or his designee to execute a Lease Agreement with Northwest Youth Baseball, Inc., a not-for-profit corporation, for the use of a restroom/concession stand/storage building within a portion of City-owned Northwest Park located at 5801 – 22nd Avenue North, St. Petersburg, for a period of three (3) years at an aggregate rent of $36.00; and to waive the reserve for replacement requirement. (Requires affirmative vote of at least six (6) members of City Council.)

3. Authorizing the Mayor or his designee to execute a Third Amendment to Lease Agreement with BiPlane Rides, Inc., a Florida corporation, for the use of a fifty (50) square foot area of interior retail floor space on the first floor of the Galbraith Terminal Building at Albert Whitted Airport for a period of one (1) year at a rental rate of $55.00 per month, plus utility expense at a rate of $55.00 per month, with the right to request an extension for an additional one (1) year term, subject to approval by City Council. (Requires affirmative vote of at least six (6) members of City Council.)

4. Authorizing the Mayor or his designee to sell a City-owned property in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of the Housing and Economic Recovery Act of 2008 located at 3443 - 17th Avenue South , St. Petersburg, for the sum of $95,000; and to pay appropriate closing related costs and down payment assistance in accordance with the Neighborhood Stabilization Program.

5. Authorizing the Mayor or his designee to execute a five (5) year License Agreement with Richard and Elizabeth Widera, for an annual fee of $50.00, to fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main.

6. Authorizing the Mayor or his designee to execute an Agreement To Terminate License for the existing license agreement dated October 6, 2011 between the City of St. Petersburg ("City") and the Pinellas Core Management Services, Inc. for the use of ±4,688 sq. ft. of office and meeting room space within City-owned Enoch Davis Center located at 1111 – 18th Avenue South, St. Petersburg ("Premises"); to execute a twenty-seven (27) month

License Agreement between the City and the Florida Department of Health, a Florida state agency providing services in Pinellas County, for the use of the Premises.

7. Confirming the appointment of Monica Abbott, Richard J. Beaupre and Corey D. Givens, Jr. as regular members to the City Beautiful Commission to serve unexpired three-year terms ending December 31, 2015.

8. Authorizing the Mayor or his designee to accept a grant from the National Highway Traffic Safety Administration ("NHTSA") and the Florida Department of Transportation ("FDOT") in the amount of $33,306 to fund Police Department overtime costs for the purpose of conducting pedestrian safety enforcement operations; and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $33,306 from the increase in the unappropriated balance of the Operating Grants Fund (1720) resulting from these additional revenues to the Police Department, Traffic & Marine (140-1477), Pedestrian Safety Grant Project (12774).

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MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

Fiscal Year 2014 Budget Public Summit
Wednesday, June 12, 2013 - Enoch Davis Center - 1111 - 18th Ave. S., 6:00 p.m.

Budget, Finance & Taxation Committee
Thursday, June 13, 2013, 8:00 a.m., Room 100

Public Services & Infrastructure Committee
Thursday, June 13, 2013, immediately following BFT Committee, Room 100

CRA/Agenda Review & Administrative Updates
Thursday, June 13, 2013, 1:00 p.m., Room 100

City Council Meeting
Thursday, June 13, 2013, 2:00 p.m., Council Chamber

Housing Services Committee
Thursday, June 20, 2013, 10:30 a.m., Room 100

CITY OF ST. PETERSBURG
Board and Commission Vacancies

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 Fire Quarterly Update.

Attached documents for item Tourist Development Council. (Councilmember Curran) (Oral)
[DELETED]

Attached documents for item WorkNet Pinellas. (Councilmember Newton) (Oral)

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

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)

Attached documents for item Referring to the Public Safety & Infrastructure Committee a discussion on how to reduce the noise of leaf blowers. (Chair Nurse)

COUNCIL AGENDA
NEW BUSINESS ITEM

TO: The Mayor and Members of City Council

DATE: June 10, 2013

COUNCIL DATE: June 20, 2013

RE: Leaf Blowers – How to Reduce the Noise

ACTION DESIRED:

Respectfully request a referral to the Public Safety and Infrastructure Committee a discussion on how to reduce the noise of leaf blowers.

RATIONALE:

Many cities across the country have adopted ordinances to reduce the noise from leaf blowers. Ordinances include outlawing them for noise, air pollution, and street sewer pollution reasons. More modest ordinances sometimes limit leaf blowers to certain hours or to the "leaf" season which in St. Petersburg would be February to April. I would like to open a discussion about possible options.

Karl Nurse, Chair
City Council

Attached documents for item Requesting a discussion regarding funds for education of the Lens Project. (Councilmember Danner)

COUNCIL AGENDA
NEW BUSINESS

To: **The Honorable Members of City Council**

Date: **June 13, 2013**

Council Date: **June 20, 2013**

RE: **Lens Project**

Action Requested:

Respectfully requesting a discussion regarding funds for education of the Lens project.

Jeff Danner
Member of City Council

Attached documents for item Budget, Finance & Taxation Committee. (6/13/13)

ST. PETERSBURG CITY COUNCIL
BUDGET, FINANCE & TAXATION COMMITTEE

Committee Report for June 13, 2013

Members: **Chair James R. "Jim" Kennedy, Jr.; Vice-Chair Charles Gerdes; Karl Nurse; Leslie Curran and William Dudley (alternate).**

Support Staff: **Tom Hoffman, Controller, Finance Department**
Angela Ramirez, Budget Analyst II, Budget Department

Call to Order
Approval of Agenda
Approval of Minutes - May 30, 2013

1. New / Deferred Business

Community Brownfield Fund – Follow up (Sophia Sorolis)

Sophia Sorolis, Manager, Economic Development Division, provided an update from the January 31, 2013 BF&T meeting regarding the creation of a "Community Brownfield Fund", providing to the Committee an update on subsequent activities.

Ms. Sorolis reported the City's application for Brownfield Assessment Grant funds from the U.S. Environmental Protection Agency, seeking $400,000, was unsuccessful and the City will seek input from the Agency to determine improvements to future grant applications which may lead to success in garnering funding.

Two non-profit organizations - Green Energy Living Systems (GELS) and Grand Central – have expressed interest in working with the City on Brownfield initiatives and Ms. Sorolis reported that City staff will continue with the education and evaluation efforts with the two organizations in determining whether the development of a Community Brownfield Fund would assist each in fulfilling their missions.

The Committee members engaged in discussion relative to incentives to have consultants assist the City in the grant writing process which included paying for professional services to write the grant application and allow consultants to administer the grant. The Chairman requested administration to place the topic on a future BF&T agenda, providing responses to – 1) the Legal Department's research regarding any changes to ordinances and compliance with statutes to effectuate the consultant's administration of grants upon successful award of the grants which the consultant has written, 2) the availability of funding to engage a professional grant writer in the amount of $7,500 to $10,000, and 3) the availability of Florida Environmental Lawyer Michael Goldsmith, managing partner of The Goldstein Environmental Law Firm and one of the co-founders of the Florida Brownfields Association, to assist the City in conducting a Brownfield workshop.

2013-14 Annual Action Plan (Joshua Johnson)

Joshua Johnson, Director, Housing and Community Development Department, requested approval by the BF&T committee to authorize the Mayor or his designee to advertise the proposed FY2013-14

Annual Action Plan budget in the Tampa Bay Times and to notify the general public of a July 25, 2013 public hearing to be convened by City Council on the FY2013-14 Annual Action Plan.

The FY2013/14 Annual Action Plan reports the annual allocations for the third year of the City's five-year Consolidated Plan, a plan which articulates the addressing by the City of housing and community development needs. The FY2013/14 budget, including a carryover amount of $572,126, is $4,323,960.

Committee members made inquiries regarding utilization of carryover funds, interim reporting and the availability of spending by geographical areas. Mr. Johnson responded that carryover funds are expended pursuant to the stated purpose in the Housing Plan, periodic reporting is presented at the Housing Services Committee and reporting of expenditures by geographic areas will be provided at a future Housing Services Committee meeting.

A motion was made and approved to forward the resolution to full Council.

2. New Business Item Referrals – None

3. Continued Business / Deferred Business – None

4. Reports –

Chairman Kennedy reported from the June 11, 2013 Investment Oversight Committee meeting, Council Chairman Nurse and Council Member Gerdes attended and participated in a discussion of consideration of a change in the City's Investment Policy to allow a portion of the Water Cost Stabilization Fund to be invested in instruments other than fixed income. As members of the Investment Oversight Committee expressed a number of issues with the contemplated change to the City's Investment Policy, the Investment Oversight Committee members will study the issue at the next Investment Oversight Committee meeting to be held on September 10, 2013.

5. Upcoming Meetings Agenda Tentative Issues

1. **<u>July 18, 2013</u>**
   a. **3rd Quarter Grants Update (Tom Greene)**

2. **<u>August 8, 2013</u>**
   a. **3rd Quarter Financials Report (Anne Fritz/Tom Greene)**

3. **<u>August 29 2013</u>**
   a. **3rd Quarter Lease Report (Bruce Grimes)**
   b. **Utility Rate Study – Water Resources, Stormwater & Sanitation (Mike Connors / Tammy Jerome)**

6. Adjournment – Meeting adjourned at 8:32.

Resolution No. 2013- _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ADVERTISE THE CITY'S DRAFT FY 2013/14 ANNUAL ACTION PLAN AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, applications submitted by non-profits for funding under the FY 2013/14 Annual Action Plan ("Action Plan") were evaluated by the City's Consolidated Plan Ad Hoc Application Review Committee ("Committee") on May 16, 2013; and

WHEREAS, the Committee has made its recommendations for funding non-profit applications and City initiated projects which comprise the draft Action Plan; and

WHEREAS, the submission of the Action Plan to The U.S. Department of Housing and Urban Development ("HUD") is required for the City to receive its annual Formula Allocations; and

WHEREAS, the draft Action Plan must be advertised for thirty days for public comment, after which the full City Council will hold a public hearing on July 25, 2013.

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 advertise the City's draft FY 2013/14 Action Plan, and to execute all other documents necessary to effectuate this resolution.

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: _____ Administration: _____

Legal: 00175459.doc v. 2

FY 2013/14 Consolidated Plan Budget

Line No.	Approved Projects	Budget Basis/Description	G / L / P / H**	CDBG	HOME	ESG	SHIP	HCIP	GEN FUND	Budget Total	FY 2012/2013 Carry Over *	Source	Total Funds Available
	Housing Programs												
1	Housing Rehabilitation Program (RAP): S/F, O/O, <80% MFI	8 loans @ $60,000 +/- ea								0			0
2	Emergency Repair Program: S/F, O/O, <80% MFI	29 loans @ $20,000 +/- ea								0			0
3	Purchase Assistance: S/F, H/B, <80% MFI	20 loans between $8,000 and $15,000 +/- ea								0			0
4	Multi-Family Housing Development Program	Projects recommended for consideration by project review team								0			0
5	Community Housing Development Organizations (CHDO): <80% MFI	Contracts to develop and provide affordable housing: Homes for Independence			225,000					225,000			225,000
6	Construction Warranty Program: S/F, O/O <80% MFI	Warranty items not resolved by contractors								0			0
7	Homeownership Counseling/Foreclosure Prevention Counseling	Reimbursement to agencies for educational services								0	0		0
8		Sub Total - Housing Programs		0	225,000	0	0	0	0	225,000	0		225,000
	Public Improvements & Economic Development Initiatives												
9	Jordan School	Repayment of City Bond for construction of the historic school		403,326						403,326			403,326
10		Sub Total - Public Improvements & Economic Development Initiatives		403,326	0	0	0	0	0	403,326	0		403 326
	Subrecipient Projects												
11	211 Tampa Bay Cares - Referral Service	Reimburse referral service per call for assistance provided to homeless persons	1,250 P	4,737						4,737			4,737
12	211 Tampa Bay Cares - TBIN	Operating support for the TBIN Information Network		19,137						19,137			19,137
13	Boley Centers - Safe Haven	Provide match for operating expenses for safe haven at 555 31st Street South	20 P	47,937						47,937			47,937
14	Boley Centers - TBRA	Provide funding for rental vouchers for homeless persons	25 H		230,480					230,480			230,480
15	Catholic Charities - Pinellas HOPE	Operating support for homeless services	670 P	23,937						23,937			23,937
16	Catholic Charities - homeless prevention/rapid re-housing	Provide rental assistance (up to 3 months) to households at-risk of becoming homeless and help re-house the homeless	23 H			45,676				45,676			45,676
17	Community Action Stops Abuse (CASA)	Operating support for emergency shelter at a confidential location	171 H	14,337		15,001				29,338			29,338
18	Neighborhood Home Solutions	Provide funding for housing counseling	35 H	6,657						6,657			6,657
19	New Frontiers	Operating support for facility at 440 10th Avenue South	126 P	8,577						8,577			8,577
20	PARC	Provide funding to rehabilitate the facility at 3190 75th Street North	5 P	9,021						9,021			9,021
21	PARC	Provide funding to rehabilitate the facility at 3025/3101 76th Way North	16 P	55,612						55,612			55,612
22	Pinellas Opportunity Council	Provide funding to assist the elderly with house cleaning and yard work	26 P	19,137						19,137			19,137
23	St. Vincent dePaul - food kitchen	Provide funding for the purchase of food and supplies for soup kitchen at 401 15th Street North	1,248 P	22,020						22,020			22,020
24	Westcare - Davis Bradley	Operating support for transitonal housing shelter at 1735 Dr. ML King Street South	62 P	9,537		14,947				24,484			24,484
25	Westcare - Turning Point	Operating support for inebriate receiving center at 1801 5th Avenue North	484 P	9,537		15,001				24,538			24,538
26	YMCA	Operating support for educational programs in tutorial to youth at 691 43rd Street South	31 P	28,737						28,737			28,737
27	YWCA	Operating support for shelter at 429 6th Avenue South	38 H	18,177		15,001				33,178			33,178
28		Sub Total - Subrecipient Projects		297,097	230,480	105,626	0	0	0	600,025	0		600,025

FY 2013/14 Consolidated Plan Budget

Line No.	Approved Projects	Budget Basis/Description	G / L / P / H**	CDBG	HOME	ESG	SHIP	HCIP	GEN FUND	Budget Total	FY 2012/2013 Carry Over *	Source	Total Funds Available
	Support Services												
29	CHDO Operations (HFI, PAL)	Operating support for the City's CHDOs (HFI, PAL)			33,407					33,407			33,407
30	Administration	General administrative and Planning Costs		332,661	79,315	8,564	10,926		418,738	850,204			850,204
31	Legal Administration	Administrative funding of a legal staff person to resolve departmental legal action cases						25,000		25,000			25,000
32	TBRA Voucher Program Administration	Administrative costs for voucher program			10,000					10,000			10,000
33	Program Delivery Costs	Operating expenses to implement the City's Housing Programs		322,869	25,000		25,000			372,869			372,869
34	Section 108 Loan Repayment	Interest payment		307,353						307,353			307,353
35		Sub Total - Support Services		962,883	147,722	8,564	35,926	25,000	418,738	1,598,833	0		1,598,833
36		Total All Projects/Support Services		1,663,306	693,202	114,190	35,926	25,000	418,738	2,860,362	0		2,860,362
	Sources												
37	Grant/Revenue			1,613,306	668,159	114,190	364,213	25,000	418,738	3,203,606			3,203,606
38	Estimated Income			50,000	225,000	0	275,000	0		550,000			550,000
39	Recaptured/Reprogram Funds									0			0
40		Total Sources		1,663,306	893,159	114,190	639,213	25,000	418,738	3,753,606	0		3,753,606

S/F-Single Family units
M/F-Multi-Family units
O/O-Owner Occupied
H/B-Home Buyer
MFI-Median Family Income

CDBG - Community Development Block Grant
HOME - HOME Investment Partnership Program
SHIP - State Housing Initiative Partnership
ESG - Emergency Solutions Grant
HCIP - Housing Capital Improvement Program
GF - General Fund

Note: (*) Carryover amounts are based on estimates made on current fiscal year costs through April 30, 2013, and will need to be adjusted as of September 30, 2013 to reflect actual carryover amounts.

(**) L=Loans / G=Grants / P=Persons / H=Households
Loans are not units, a client may benefit from multiple programs

approved by City Council

5/29/2013

Attached documents for item Public Services & Infrastructure Committee. (6/13/13)

City of St. Petersburg

Public Services & Infrastructure Committee

Meeting of June 13, 2013 – Immediately following BFT Committee
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: David Dickerson, primary staff support

Others Present: Council members Leslie Curran, Charlie Gerdes, and Jim Kennedy; Tish Elston, John Wolfe, Mark Winn, Dave Goodwin, Lt. Cleven Wyatt, Glenn MacKinnon

A. Call to Order and Roll Call: 8:47 a.m.

B. Approval of Agenda: 4-0

C. Approval of Minutes: 4-0

1. Minutes of May 30, 2013

D. New & Continued Business

1.	*Red Light Camera Ordinance*	Macall Dyer, Mike Frederick, Joe Kubicki
2.	*Urban Farming*	Derek Kilborn
3.	*Use of Golf Carts/Similar Vehicles on Public Streets*	Kim Proano, Cheryl Stacks, Ofc. Jockers, Tammy Jerome

<u>Opening Discussion and Presentation</u>

Red Light Camera Ordinance

The discussion began with Macall Dyer briefing the committee on recent changes to Florida's red light camera law, which becomes effective 7/1/13. In order to comply with the upcoming change in law, City Council will need to pass the proposed ordinance that was provided to the committee on June 20th.
The second portion of the discussion focused on yellow traffic light timing and upcoming changes in state regulations. Mike Frederick reported to the committee the FDOT has determined the standard 1.0 second reaction time for traffic signals has increased and the state has adopted a new standard of 1.4 seconds. As a result, approximately 41% of the approaches to traffic signals will be retimed to meet the new regulations.

<u>Committee and Staff Discussion</u>

The committee had general discussion on the two components of the item. The discussion focused on the new processes to be created as a result of the changes in HB 7125, including appeal hearings, magistrate selection, and administrative costs. The committee also considered the different causes for the increase in traffic signal time, the differences between FDOT and USDOT regulations, the 85th percentile standard versus the speed limit standard, and different methods of determining yellow light timing.

Presentation

Urban Farming or Urban Agriculture

The presentation began with Council Chair Nurse providing a brief overview of his referral of the topic and a synopsis of its history. Following the introductory remarks, Derek Kilborn provided a slide presentation consisting of an overview of urban agriculture and the different components, benefits, impacts/public concerns and factors for success for the program. A history of community gardens in the City was provided, listed a current inventory of permitted gardens, and an overview of the existing process for permitting. Mr. Kilborn identified five key factors for staff/Council to consider during the development of an urban farming program: approvals, land uses, lot sizes, farm equipment/machinery, and onsite sales. Mr. Kilborn noted the development of the Sustainable Urban Agriculture Coalition and a Sustainability Council. The presentation concluded with suggested next steps, which included: synthesizing committee discussion, meeting with interested parties, scheduling a follow-up discussion with the committee to consider text amendments and public outreach.

Committee and Staff Discussion

The committee had general discussion on the presentation and expressed interest in moving the item forward through the next stages. Comments were made to consider: Involving Tampa Bay Estuary and the County Cooperative Extension in the development of the program, consider methods used by other municipalities during program development, an emphasis on maintenance of the gardens/property, and potentially partnering with schools.

Presentation

Golf Carts

Kim Proano began the presentation with a brief history on the topic and noted that the use of golf carts on public streets is prohibited by state statues, unless a local designation by Council was adopted. The designation would come through Council consideration of certain factors including speed, volume and location. Statutes already provide for legal operation of golf carts on public streets, provided the golf cart has been converted into a low speed vehicle (LSV) and registered with the state as such. The conversion requires specific components be installed on the golf cart and cost can vary. Officer Michael Jockers presented to the committee his police experience with golf carts on public streets and the many safety concerns. Ms. Proano also noted the need to amend the City ordinance concerning vehicles for hire. The proposed changes will bring the City ordinance in unison with state regulations. Ms. Proano stated that the changes to the ordinance would be drafted and brought before Council.

Committee and Staff Discussion

The committee discussion began with Chair Dudley providing a background on his referral. The committee discussed the current use of golf carts in many different areas of the city and the need to have better education of the public on regulations regarding their use. A suggestion was made to include information regarding the current law in the City utility bill and adding information to the City's website. A general consensus was held that outside of educating the public on current laws and the process of converting and registering a golf cart as a LSV, there was little need for Council action.

E. Next Meeting – July 18, 2013

1. Sidewalk Cafes — Philip Lazzara
2. After Hours Permits — Mark Winn

F. Adjournment: Meeting Adjourned at 10:30 a.m.

Attached documents for item An Attorney-Client Session, pursuant to Florida Statute 286.011(8), to be heard at 3:30 p.m., or soon thereafter as the same may be heard, in conjunction with the lawsuit styled Raymond E. Young v. City of St. Petersburg, Florida, Case No. 12-2013-CI-19.

Attached documents for item Confirming the preliminary assessment for Lot Clearing Number 1518.

ST. PETERSBURG CITY COUNCIL

MEETING OF: June 20, 2013

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Lot Clearing Number **LCA 1518**

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

LCA:	**1518**
NUMBER OF STRUCTURES:	**43**
ASSESSABLE AMOUNT:	**$8,289.18**

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

COST/FUNDING/ASSESSMENT INFORMATION:
The total assessable amount of **$8,289.18** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR:_____

COUNCIL ACTION:_____

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

PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
1518	A B F C 2006-HE1 TRUST	4650 8TH AVE S	184.38
	ADMIRE, HAZEL EST	850 44TH AVE N	184.38
	ANDERSON, LARRY	1035 8TH AVE S	184.38
	BAYSIDE CAPITAL INVESTMENT GRO	991 MELROSE AVE S	184.38
	BROWN, DOZIE	1146 JAMES AVE S	184.38
	BULLOCK, ADRANA	727 19TH ST S	184.38
	COLLASHAW, RICHARD	6426 31ST ST S	184.38
	COTTMAN, PURITY	670 26TH AVE S	244.52
	CUSTOM AFFORDABILITY INC	1136 JAMES AVE S	184.38
	DILLON, DARYL	4148 2ND AVE N	204.43
	DONOHUE, KEVIN	4101 38TH WAY S	184.38
	FRED, GLORIA E	2579 38TH AVE N	204.43
	GARNER, DARELL	3510 13TH AVE S	184.38
	GENERAL HOME DEVELOPMENT CORP	2641 20TH ST S	344.74
	HORN VI LLC	6910 2ND ST N	184.38
	HUYNH, TOMMY	1832 35TH ST S	204.43
	JANKE, AARON	4690 15TH AVE S	184.38
	JOHNSON, AURELLA E	3036 FAIRFIELD AVE S	184.38
	JONES, MAURICE	4643 QUEENSBORO AVE S	184.38
	JOY ZION INTERDENOMINATIONAL	1217 18TH AVE S	184.38
	LENDHOLDERS TRUST LLC	1861 12TH ST S	184.38
	LIONS BREATH HOLDINGS LLC	4517 21ST AVE S	184.38
	LOREVIL LAND TRUST AGM NO 13	1773 TIFTON TERR S	184.38
	LOREVIL LAND TRUST AGM NO 7	4640 QUEENSBORO AVE S	184.38
	MALCOLM, VINESHA	4634 9TH AVE S	184.38
	MC CORMICK, DARRIN	611 21ST ST N	184.38

PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	MERCURY 1 LLC	1216 19TH ST S	184.38
	MODERN HOME BUILDERS INC	1811 16TH AVE S	184.38
	MONDELLO, DANIEL ANDREW	4734 15TH AVE S	184.38
	MORROW, BERLE	1825 AUBURN ST S	224.47
	MOTOS, ROMAN S JR	6918 DR. ML KING JR ST N	184.38
	NAPOLITANO, SHERI	5001 41ST ST S	184.38
	PARTNERS IN CHARITY INC	1755 16TH AVE S	184.38
	PHILLIP, BARRYMORE	1725 18TH ST S	184.38
	REPPY, ROBERT	4105 12TH AVE S	184.38
	SUN PALM INVESTMENTS CORP	1729 RUSSELL ST S	184.38
	TARPON IV LLC	731 36TH AVE S	184.38
	TRUST NO 3887	3887 12TH AVE S	184.38
	VALDES, KATHERINE	1831 10TH ST S	204.43
	VOGT-NICHOLLS, NAOMI M	5945 4TH AVE S	184.38
	2045 43RD ST TRUST	2045 43RD ST S	184.38
	617 GROVE ST LAND TRUST	617 GROVE ST N	184.38
	776 19TH LAND TRUST	776 19TH AVE S	204.43

PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
		PROJECT TOTAL	8,289.18
	*** END OF REPORT ***	GRAND TOTAL	8,289.18

LOT CLEARING NUMBER 1518

COST / FUNDING / ASSESSMENT INFORMATION

CATEGORY ASSESSED	AMOUNT TO BE ASSESSED
LOT CLEARING COST	$ 5,494.18
ADMINISTRATIVE FEE	$ 2,795.00
TOTAL:	**$ 8,289.18**

A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1518; PROVIDING FOR AN INTEREST RATE ON UNPAID ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, preliminary assessment rolls for Lot Clearing No. 1518 has been submitted by the Mayor to the City Council pursuant to St. Petersburg Code Section 16.40.060.4.4; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the preliminary assessment rolls for Lot Clearing No. 1518 is approved; and

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

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)

Attached documents for item Confirming the preliminary assessment for Building Securing Number 1177.

ST. PETERSBURG CITY COUNCIL

MEETING OF: June 20, 2013

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Securing Number **SEC 1177**

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

SEC:	**1177**
NUMBER OF STRUCTURES	**46**
ASSESSABLE AMOUNT:	**$7,275.58**

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

COST/FUNDING/ASSESSMENT INFORMATION:

The total assessable amount of **$7,275.58** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR:_____

COUNCIL ACTION:_____

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

PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
1177	BANK OF NEW YORK MELLON TRUST	3435 22ND AVE S	103.28
	BOGSTED, MICHAEL	1023 9TH PL S	213.05
	CHRISWELL, MARGARET	1919 42ND ST S	99.08
	DEUTSCHE ALT A SECURITIES MTG	4642 10TH AVE S	130.58
	DILLON, DARYL	4148 2ND AVE N	286.13
	ENCORE CREDIT RECEIVABLES TRUS	647 5TH AVE N	87.99
	FAY, PATRICIA R EST	310 APPIAN WAY NE	145.98
	FERGUSON, ARLETTE	2849 1ST AVE S	114.58
	FOX FUND	836 14TH AVE S	263.58
	GARNER, DARELL	1021 10TH AVE S	522.88
	GOLDBERGER, DAVID J	196 38TH AVE SE	192.13
	GRAY, LASHANDRA NICOLE	2826 4TH AVE S	150.13
	GREENBENCH HOLDINGS LLC	2561 17TH AVE S	220.63
	GYDEN, HENRY G	4635 12TH AVE S	130.58
	INTERCONTINENTAL RESOURCES INC	4519 18TH AVE S	152.85
	JACKSON, LINDSEY JR	3019 17TH AVE S	77.05
	JENKINS, ACIE	2346 GROVE ST S	112.49
	JIREH PROPERTY HOLDINGS LLC	635 5TH AVE N	177.13
	JOHN S RHODES INC	328 7TH AVE N	166.73
	JOHNSON, CLARENCE M JR	5211 2ND AVE S	138.78
	JOHNSON, JOHN A EST	3801 19TH AVE S	77.05
	KHARGIE, CHANDRA	1675 15TH AVE S	281.45
	KROLICK, JAMES	4455 4TH AVE S	264.15
	LEITENBERGER, JOHN A	865 21ST AVE N	123.78
	LENDERS DIRECT CAPITAL CORP	4613 YARMOUTH AVE S	177.13
	LORD, BRYAN D	1735 MICHIGAN AVE NE	126.63

PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	LOREVIL LAND TRUST AGM NO 15	1520 SCRANTON ST S	75.13
	MAHARAJ, WINSTON	2951 FREEMONT TERR S	124.08
	MARTINEZ, ANTONIO M	7118 39TH AVE N	219.08
	MASSIMINI, MICHAEL P	2855 37TH AVE N	114.99
	MONDELLO, DANIEL ANDREW	4734 15TH AVE S	125.63
	NEWMAN, JAMES E	3636 20TH ST N	78.17
	PANIAN, LAURIE M	967 14TH AVE S	79.08
	PAPPAS, DONA-ROSE	1722 PRESCOTT ST S	228.13
	PUSCULLI, MICHAEL J	4944 EMERSON AVE S	129.58
	RONEY, PAUL H JR EST	556 BEACH DR NE	157.55
	S T P HOLDINGS LLC	3610 16TH AVE S	126.63
	SEGARS, RONALD	5000 EMERSON AVE S	144.58
	SENISSE, NETTI	2860 1ST AVE S	75.13
	SMITH, RAYMOND	711 16TH AVE S	107.05
	SUBRIAN, JONATHAN K	1701 13TH AVE S	126.85
	TITAN DEVELOPMENT GROUP LLC	4659 QUEENSBORO AVE S	130.58
	TRUST 959	959 MELROSE AVE S	125.63
	WILLIAMS, GERALDINE	3475 QUEENSBORO AVE S	126.63
	WILSHIRE HOLDING GROUP INC	3218 4TH AVE S	289.63
	WILSON, THOMAS JR	766 21ST AVE S	155.63

PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
		PROJECT TOTAL	7,275.58
	*** END OF REPORT ***	GRAND TOTAL	7,275.58

BUILDING SECURING NUMBER SEC 1177

COST/FUNDING/ASSESSMENT INFORMATION

CATEGORY	AMOUNT TO BE ASSESSED
SECURING COST	$ 2,710.00
MATERIAL COST	$ 1,641.50
LEGAL AD	$ 854.08
ADMIN. FEE	$ 2,070.00
TOTAL:	**$ 7,275.58**

A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1177 ("SEC 1177") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the structures so secured are listed on Securing Building No. 1177 ("SEC 1177"); and

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

WHEREAS, the City Council has held a public hearing on June 20, 2013, to hear all persons who wished to be heard concerning this matter.

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of securing listed on Securing Building No. 1177 ("SEC 1177") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

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

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

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)

Attached documents for item Confirming the preliminary assessment for Building Demolition Numbers 404 and 500.

ST. PETERSBURG CITY COUNCIL

MEETING OF: June 20, 2013

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Demolition Number **DMO 404**

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

DMO:	**404**
NUMBER OF STRUCTURES:	**5**
ASSESSABLE AMOUNT:	**$34,627.04**

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

COST/FUNDING/ASSESSMENT INFORMATION:
The total assessable amount of **$34,627.04** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR:_____

COUNCIL ACTION:_____

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

BUILDING DEMOLITION NUMBER DMO 404

OWNERS NAME AND ADDRESS LISTING

RELATED PARTY NAME	PROPERTY ADDRESS	ASSESSMENT AMOUNT
Cottage Fry 3472 14th Ave S LA	3472 14t Ave S	$ 5,609.94
LeDee, Debra L	317 Indiana Ct S	$ 7,510.45
Livingston, Cedric B	4040 1st Ave N	$ 8,873.45
Miller, Sandra L	2045 27th Ave N	$ 6,157.45
Snyder, Glenn C	3456 14th Ave S	$ 6,475.75
TOTAL		$ 34,627.04

BUILDING DEMOLITION NUMBER DMO 404
COST/FUNDING/ASSESSMENT INFORMATION

CATEGORY	AMOUNT TO BE ASSESSED
Demolition Cost	$ 17,513.00
Asbestos Cost	$ 15,369.49
Legal Ad	$ 619.55
Engineer's Chg	$ 00.00
Administrative Fee	$ 1,125.00
TOTAL:	**$ 34,627.04**

ST. PETERSBURG CITY COUNCIL

MEETING OF: June 20, 2013

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Demolition Number **DMO 500**

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

DMO:	**500**
NUMBER OF STRUCTURES:	**2**
ASSESSABLE AMOUNT:	**$18,399.57**

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

COST/FUNDING/ASSESSMENT INFORMATION:

The total assessable amount of **$18,399.57** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR:_____

COUNCIL ACTION:_____

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

BUILDING DEMOLITION NUMBER DMO 500

OWNERS NAME AND ADDRESS LISTING

RELATED PARTY NAME	PROPERTY ADDRESS	ASSESSMENT AMOUNT
Layman, Jason R	935 20th Ave S	$ 7,584.45
Yung, Amelia Ranesas	1785 Russell St S	$ 10,815.12
TOTAL		$ 18,399.57

BUILDING DEMOLITION NUMBER DMO 500
COST/FUNDING/ASSESSMENT INFORMATION

CATEGORY	AMOUNT TO BE ASSESSED
Demolition Cost	$ 12,665.00
Asbestos Cost	$ 4,997.00
Legal Ad	$ 287.57
Engineer's Chg	$ 00.00
Administrative Fee	$ 450.00
TOTAL:	**$ 18,399.57**

A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NOS. 404 AND 500 ("DMO 404 AND 500") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the structures so demolished are listed on Building Demolition Nos. 404 and 500 ("DMO 404 and 500"); and

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

WHEREAS, the City Council has held a public hearing on June 20, 2013, to hear all persons who wished to be heard concerning this matter.

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of the demolition listed on Building Demolition Nos. 404 and 500 ("DMO 404 and 500") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

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

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

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)

Attached documents for item Approving the Southside St. Petersburg Blight Study; making a "findings of necessity" as required by Florida Statutes pursuant to establishing a community redevelopment area; requesting City Administration to prepare a redevelopment plan for the Southside

ST. PETERSBURG CITY COUNCIL
Meeting of June 20, 2013

TO	The Honorable Karl Nurse, Chair, and Members of City Council
SUBJECT	Resolution approving the Southside St. Petersburg Blight Study; making a "findings of necessity" as required by Florida Statutes pursuant to establishing a community redevelopment area; requesting City Administration to prepare a redevelopment plan for the Southside St. Petersburg Community Redevelopment Area; requesting the Pinellas County Board of County Commissioners to delegate redevelopment powers to the City of St. Petersburg City Council as defined under the Florida Community Redevelopment Act of 1969; and requesting authority from the Pinellas County Board of County Commissioners to establish two tax increment financing districts and two redevelopment trust funds within the Southside St. Petersburg Community Redevelopment Area as generally defined in Exhibit B of resolution.
RECOMMENDATION	Administration recommends City Council approve the attached Resolution to establish the Southside St. Petersburg Community Redevelopment Area.

INTRODUCTION

On September 6, 2012, St. Petersburg City Council approved Resolution 2012-416 requesting feedback from the Pinellas County Board of County Commissioners concerning the establishment of a tax increment financing (TIF) district to "improve the quality of life for St. Petersburg residents living in at-risk communities with a high concentration of poverty." This resolution resulted from community concerns regarding the findings of Pinellas County's May 17, 2012, study entitled "The Economic Impact of Poverty" (Poverty Study), which identified a large area of St. Petersburg that has 25 percent of its population living at or below 100 percent of the Federal Poverty Level.

Since City Council passage of the resolution, Administration has worked with Pinellas County leadership and Agenda 2010 to identify boundaries for a community redevelopment area prior to establishing a TIF district (see Attachment A). The Southside St. Petersburg Blight Study is the necessary first step in identifying a community redevelopment area, preparing a redevelopment plan and establishing a TIF district. If City Council approves the resolution and makes a "finding of necessity", Administration will forward the Blight Study to the Pinellas County Board of County Commissioners requesting it delegate redevelopment authority as it is required to do by Section 163.410, FS, pursuant to its status as a "home rule" county.

OVERVIEW OF SOUTHSIDE ST. PETERSBURG BLIGHT STUDY

The Southside St. Petersburg Blight Study analyzes the physical and economic conditions of the area generally known as Midtown and Greater Childs Park for the purpose of establishing a community redevelopment area (CRA) pursuant to Florida's Community Redevelopment Act of 1969. Because Pinellas County has a home rule charter, the Board of County Commission (BCC) must first delegate redevelopment authority to St. Petersburg before the city can undertake planning and redevelopment activities. Creating a CRA for Southside St. Petersburg will avail tax increment financing and favorable land disposition powers that are unique to redevelopment areas. In fact, Administration will be requesting authority from the BCC to establish two tax increment financing districts and two redevelopment trust funds in the proposed CRA along the 34th Street corridor and the area generally encompassed by the Melrose-Mercy/Pine Acres Neighborhood Association (see description in Exhibit 2).

The Southside St. Petersburg study area is generally bounded by 2nd Avenue North, Interstate 275, Interstate 175 and Booker Creek on the north; 4th Street South on the east; 30th Avenue South on the south; and 49th Street North and South on the west (see Map 1 and the legal description in Exhibit A of the resolution.) Its nearly 4,700 acres are comprised of more than twenty neighborhood associations, four community redevelopment areas, and two Florida Main Street Districts, and is home to an estimated 34,000 people, or 14 percent of St. Petersburg's total population.

The Southside St. Petersburg Blight Study is the necessary first step in establishing a CRA under Florida Statutes. It must demonstrate that Southside St. Petersburg meets the statutory definition of a "blighted area" and that its rehabilitation and/or redevelopment is necessary and in the interest of the community's welfare.

As defined by Section 163.340(8), F.S., "blight" includes emergency conditions as well as those conditions that impede the long-term social and economic vitality of an area by discouraging private investment and substantially impairing or arresting the sound growth of a county or municipality. These include:

- Predominance of defective or inadequate street layout
- Stagnant or falling assessed real property values for the last five years
- Faulty lot layout
- Unsanitary or unsafe conditions
- Deteriorated site or other improvements
- Inadequate and outdated building density patterns
- Falling lease rates on nonresidential property relative to community at large
- Tax or special assessment delinquency exceeding the fair value of the land
- High comparative residential and commercial vacancy rates

- Incidence of crime in the area higher than in the remainder of the city
- Fire and emergency medical service calls to the area are higher than in the remainder of the city
- Violations of Florida Building Code in excess of those in the remainder of city
- Diversity of ownership or conditions of title preventing the free alienability of land; and
- Governmentally owned property with adverse environmental conditions caused by a public or private entity.

DISCUSSION

To make a formal finding of blight, the Community Redevelopment Act requires a locality to document the existence of at least two of the above conditions to meet the definition of "blight." The Southside St. Petersburg Blight Study identifies two conditions that have advanced blight in the area and contribute to its economic underperformance: declining property values within the proposed study area and deteriorated site or other improvements. A summary of these deficiencies follows and is described in detail in Exhibit 2 of the attached resolution.

1. DECLINING PROPERTY VALUES

Section 163.340(b), F.S., indicates that blight conditions have been met if

> "aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions."

The Southside St. Petersburg study area meets this criterion by dramatic declines in its assessed property values over the past five years. Since the onset of the Great Recession in 2007 dramatic declines in property values have been the norm throughout Florida, Tampa Bay and St. Petersburg. In St. Petersburg, citywide assessed values have dropped 22 percent, from $1.53 billion in 2007 to $892.5 million in 2012.

***

Table 1: Decline in Property Valuations in Proposed Southside St. Petersburg CRA , 2007-2012

	Pinellas PAO Valuation Methods		
	Assessed Value[1]	Just Market Value[2]	Taxable Value[3]
Number of Parcels		14,833	
2007 Total Aggregate Value	$1,529,885,437	$1,890,123,300	$1,109,751,339
2012 Total Aggregate Value	$892,494,604	$910,483,715	$487,401,188
Change in Aggregate Value	($637,390,833)	($979,639,585)	($622,350,151)
% Change in Proposed CRA Value	***(41.7%)***	***(51.8%)***	***(56.1%)***
% Change in Citywide Value	***(22.3%)***	***(37.3%)***	***(32.8%)***

As shown in Table 1, the percentage decline of 41.7 percent in the Southside St. Petersburg study area has been even larger, nearly twice the city at large. The percentage decline in the study area as well as the city is even greater using Pinellas County's two other appraisal methods – just market value and taxable value. It is worth noting that if the decline in taxable value in Southside St. Petersburg had mirrored that of the city, the City of St. Petersburg would have realized another $1.74 million in property tax revenue and Pinellas County approximately $1.3 million.

The Southside St. Petersburg study area meets the statutory requirement by failing to show any "appreciable increase" in its aggregate assessed values over the last five years. Moreover, its sharp decline has been even more dramatic than the percentage decline in citywide assessed property values.

2. DETERIORATION OF SITE OR OTHER IMPROVEMENTS

Section 163.340(e), F.S., identifies "deterioration of site or other improvements" as an indicator of blight. Relative to this criterion, the Southside St. Petersburg study area has a significantly higher rate of deterioration than does the city at large. To quantify the extent of deteriorated properties in the study area, staff utilized information from the detailed code enforcement case database maintained by St. Petersburg's Code Compliance Assistant Department. The five-thousand cases currently being processed concern violations of property standards identified in Chapters 8, 16 and 29 of the City Code of Ordinances. The violations range from illegal units and sign citations to vacant/boarded and unsafe structures and those in unfit condition.

---

[1] The value that has been capped by an assessment cap, such as the Save Our Homes Cap or the 10% assessment cap on non-homestead parcels.
[2] The price at which a property, if offered for sale in the open market, with a reasonable time for the seller to find a purchaser, would transfer for cash or its equivalent.
[3] The assessed value less any exemptions.

City staff prioritized the violations most indicative of site and structural deterioration. The primary violations are "Demolition" cases, which are identified separately in the table below. The "Vacant/Boarded" category includes cases related to securing structures, structures deemed unfit and unsafe, and those identified as vacant and boarded in the database. The next tier of classification concerns "Junk and Outdoor Storage" cases, which also include inoperative vehicle citations. "Property Maintenance" cases such as overgrown lawns, rotting boards, exposed paint, etc, make up the bottom tier of classification.

Table 2: Extent of Deteriorated Properties in Proposed CRA and St. Petersburg

	Southside CRA		St. Petersburg		
Type	#	#/1000	#	#/1000	Ratio Difference
Population (2012 estimate)	34,730		212,943		
Code Enforcement Actions					
Demolition	101	2.91	61	0.29	1,015%
Vacant/Boarded	677	19.5	350	1.64	1,186%
Junk and Outdoor Storage	66	1.9	231	1.1	175%
Property Maintenance	733	21.11	1,160	5.5	387%
Deteriorated Properties	***1,577***	***45.4***	***1,802***	***8.5***	***537%***

Table 2 and Attachment 1 clearly demonstrate that the proposed CRA has much higher concentrations of demolition and vacant/boarded cases – the most serious indicators of blight -- than the rest of St. Petersburg. The proportion of cases involving demolition of blighted properties in Southside St. Petersburg are more than 10 times as prevalent as in the remainder of St. Petersburg. Vacant and boarded houses are nearly 12 times as prevalent in the proposed CRA. Furthermore, property maintenance and junk and outdoor storage cases in the CRA are also higher than the rest of St. Petersburg, but not to the same level of magnitude.

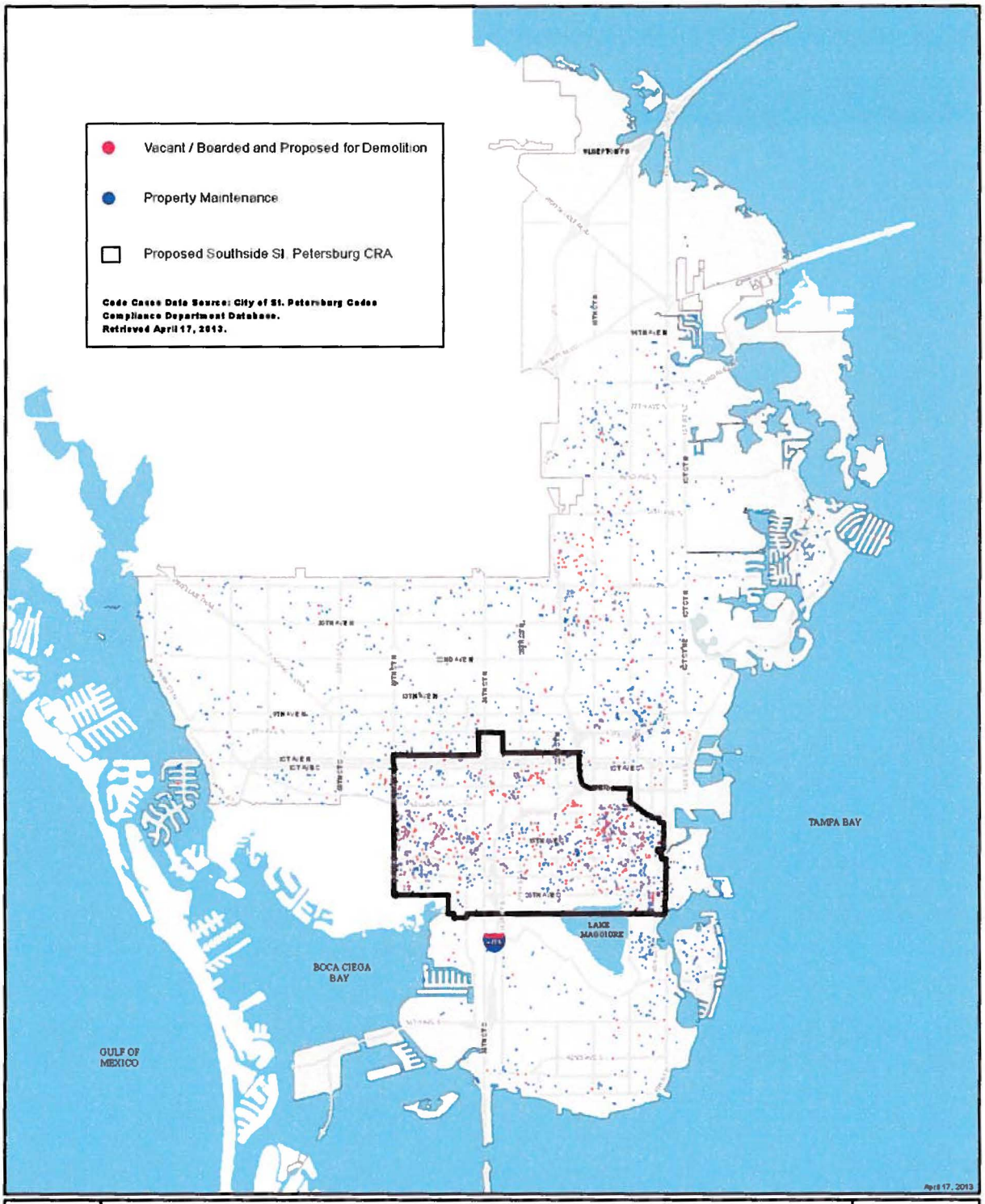
RECOMMENDATION

Administration recommends City Council approve the attached Resolution that makes a "findings of necessity" as required by Florida Statutes pursuant to establishing the Southside St. Petersburg Community Redevelopment Area.

Attachments: Attachment 1 - Map of Deteriorated Site and Other Improvements
Attachment 2 - Resolution
Exhibit A - Map/Legal Description of Southside St. Petersburg CRA
Exhibit B - Southside St. Petersburg Blight Study

ATTACHMENT 1

Deterioration of Site and Other Improvements



Deterioration of Site and Other Improvements

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ATTACHMENT 2
NO. 2013 - ____

A RESOLUTION FINDING THAT THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA WITHIN THE CITY OF ST. PETERSBURG IS A BLIGHTED AREA, AS DEFINED IN THE COMMUNITY REDEVELOPMENT ACT (CHAPTER 163, PART III OF THE FLORIDA STATUTES) AND THE REHABILITATION, CONSERVATION, OR REDEVELOPMENT, OR A COMBINATION THEREOF, OF SAID AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF THE CITY; FINDING THAT THERE IS A NEED FOR A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT COMMUNITY REDEVELOPMENT WITHIN THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; REQUESTING CITY ADMINISTRATION TO PREPARE A REDEVELOPMENT PLAN FOR THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; REQUESTING THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS DELEGATE REDEVELOPMENT POWERS TO THE CITY OF ST. PETERSBURG CITY COUNCIL, AS DEFINED UNDER THE COMMUNITY REDEVELOPMENT ACT OF 1969 (CHAPTER 163, PART III OF THE FLORIDA STATUTES) AS AMENDED, FOR THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; REQUESTING AUTHORITY FROM THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS TO ESTABLISH TWO TAX INCREMENT FINANCING DISTRICTS AND REDEVELOPMENT TRUST FUNDS WITHIN THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Legislature of Florida enacted the Community Redevelopment Act of 1969; and

WHEREAS, The Legislature of Florida has amended said Act from time to time and it is presently codified in Part III of Chapter 163 of the Florida Statutes; and

WHEREAS, in counties with home rule charters, all powers arising through the aforesaid enactment are conferred by that enactment upon the county and the county in turn is authorized to delegate such powers to municipalities within its boundaries when such municipalities wish to undertake redevelopment projects within their respective municipal boundaries; and

WHEREAS, such authorization for counties to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes, which states:

> 163.410 Exercise of powers in counties with home rule charters.--In any county which has adopted a home rule charter, the powers conferred by this

part shall be exercised exclusively by the governing body of such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by this part within the boundaries of a municipality to the governing body of such a municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the county. This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter. Unless otherwise provided by an existing ordinance, resolution, or interlocal agreement between any such county and a municipality, the governing body of the county that has adopted a home rule charter shall act on any request from a municipality for a delegation of powers or a change in an existing delegation of powers within 120 days after the receipt of all required documentation or such request shall be immediately sent to the governing body for consideration. Within 30 days after receipt of the request, the county shall notify the municipality by registered mail whether the request is complete or if additional information is required. Any request by the county for additional documentation shall specify the deficiencies in the submitted documentation, if any. The county shall notify the municipality by registered mail within 30 days after receiving the additional information whether such additional documentation is complete. If the meeting of the county commission at which the request for a delegation of powers or a change in an existing delegation of powers is unable to be held due to events beyond the control of the county, the request shall be acted upon at the next regularly scheduled meeting of the county commission without regard to the 120-day limitation. If the county does not act upon the request at the next regularly scheduled meeting, the request shall be deemed granted; and

WHEREAS, The County of Pinellas has adopted a Home Rule Charter; and

WHEREAS, The City of St. Petersburg desires to increase the tax base of all taxing authorities; and,

WHEREAS, The City of St. Petersburg finds that the delegation of Florida Statute Chapter 163, Part III, redevelopment powers and authority to the City of St. Petersburg City Council is an appropriate vehicle with which to accomplish redevelopment of slum and/or blighted areas to serve the best interest of the public; and,

WHEREAS, The City of St. Petersburg City Council must determine that the Southside St. Petersburg Community Redevelopment Area is an area of slum and/or blight and make such

finding prior to the delegation of redevelopment powers by the Pinellas County Board of County Commissioners; and,

WHEREAS, the appropriate taxing authorities which levy taxes in the Southside St. Petersburg Community Redevelopment Area, as defined herein, have been notified of this proposed resolution as required under Florida Statute Section 163.346.; and,

WHEREAS, appropriate notice has been given by publication in accordance with Florida Statute Section 166.041(3)(a); and

WHEREAS, a public hearing has been held on the day noticed by said publication.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of St. Petersburg, Florida:

1. That the following described property and inclusive of rights-of-way (hereinafter referred to as "Southside St. Petersburg Community Redevelopment Area") is within the City of St. Petersburg, Florida, and is described verbally in and shown graphically as Exhibit "A".

2. That the Southside St. Petersburg Community Redevelopment Area is hereby found and declared to be a blighted area as defined in Florida Statute 163.340(8), as supported by the documentation found in Exhibit "B" of this Resolution, in that the above-described area has:

    a. Declining assessed property values over the five years prior to making this finding; and
    b. A significant number of deteriorated site or other improvements relative to the remainder of St. Petersburg.

3. That it is hereby found that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the Southside St. Petersburg Community Redevelopment Area is necessary in the interest of the public health, safety, morals, and welfare of the residents of the City of St. Petersburg.

4. That based upon the foregoing findings this City Council hereby finds that there is a need for a community redevelopment agency to function in the City of St. Petersburg to carry out the community redevelopment purposes of Part III of Chapter 163 of the Florida Statutes in the Southside St. Petersburg Community Redevelopment Area.

BE IT FURTHER RESOLVED that the City Council of the City of St. Petersburg

1. Requests that the Board of County Commissioners of Pinellas County delegate to the City Council of the City of St. Petersburg all authority and powers conferred upon Pinellas County through the Community Redevelopment Act of 1969, as amended (Chapter 163, Part III, Florida Statutes) for the Southside St. Petersburg Community Redevelopment Area;

2. Requests authority from the Board of County Commissioners of Pinellas County to establish two tax increment financing districts and two redevelopment trust funds within the Southside St. Petersburg Community Redevelopment Area, the general boundaries of which are shown graphically in Exhibit "B", under the authority provided by Florida Statute 163.370 and 163.387 to implement needed improvements that will remedy the stated blighted conditions; and

3. Requests City Administration to prepare a redevelopment plan for the Southside St. Petersburg Community Redevelopment Area pursuant to the requirements of Chapter 163, Part III, Florida Statutes.

This resolution shall become effective immediately upon its adoption.

Passed by St. Petersburg City Council in regular session on the 20th day of June, 2013.

APPROVED AS TO FORM AND CONTENT:

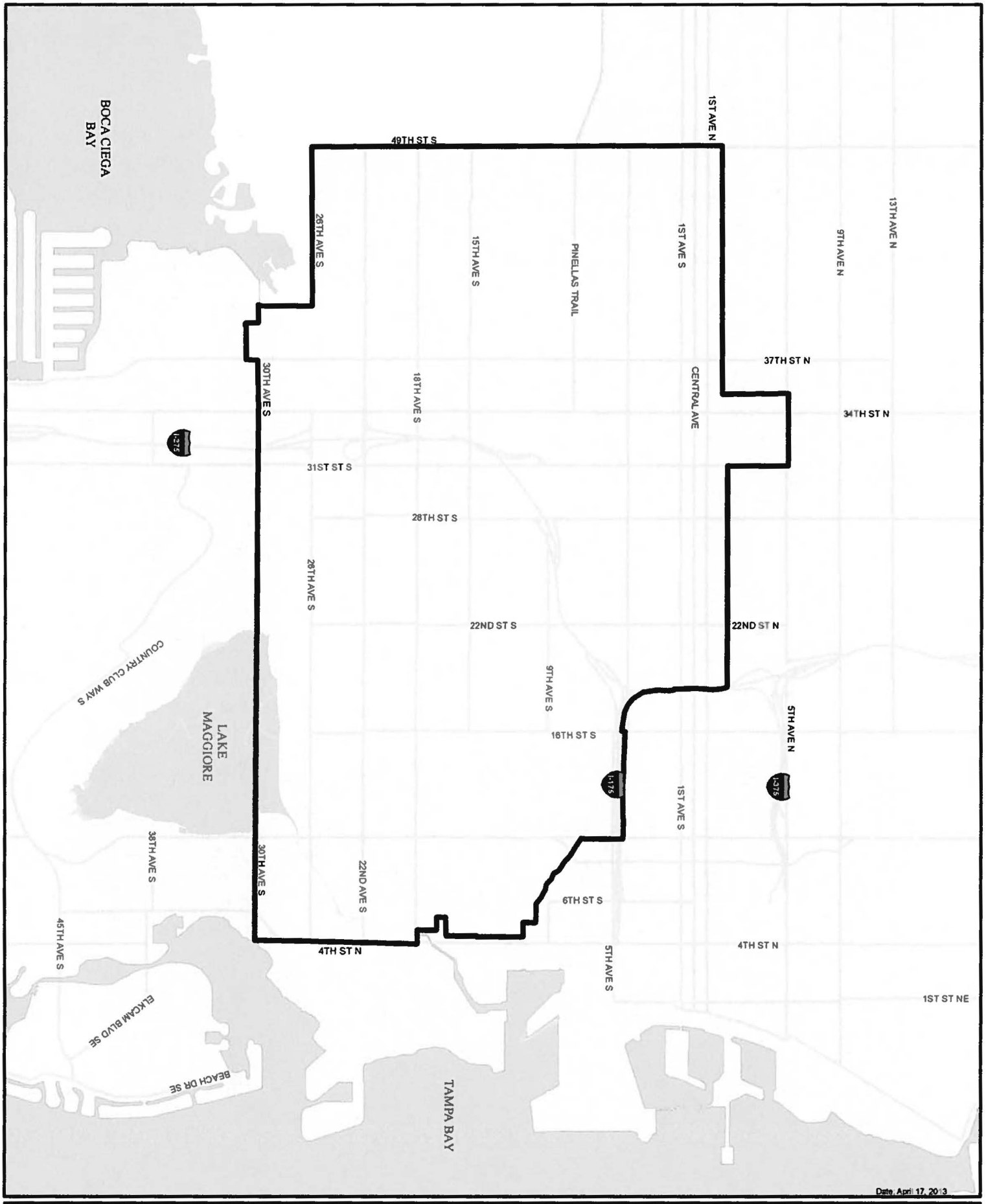
City Attorney (Designee)

APPROVED BY:

Dave Goodwin, Director
Planning and Economic Development
Department

Exhibit A

Map and Legal Description
Southside St. Petersburg Community Redevelopment Area



Proposed Southside St. Petersburg Community Redevelopment Area

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BEGINNING AT A POINT AT THE SOUTHWEST CORNER of the intersection of 26th Avenue South and 49th Street South and proceeding North along the West right-of-way line of 49th Street until intersecting with the North right-of-way line of 2nd Avenue North; and

Proceeding East along the North right-of-way line of 2nd Avenue North to its intersection with the West right-of-way line of 35th Street North and then heading North along the West right-of-way line of 35th Street North until intersecting with the North right-of-way line of 5th Avenue North; and

Proceeding East along the North right-of-way line of 5th Avenue North until intersecting with the East right-of-way line of 31st Street North, and then heading South along the east right-of-way line of 31st Street North until intersecting with the alley at the Southwest corner of Lot 8, Block 16 of Hall's Central Avenue Subdivision, as recorded in Plat Book 3, Page 39 of the Public Records of Pinellas County; and

Proceeding East from the Southwest corner of the aforementioned Lot 8, along the North right-of-way line of the alley until intersecting with the East right-of-way line of Interstate 275, and then heading South along Interstate 275 until intersecting with the North right-of-way line of Interstate 175;

Proceeding East along Interstate 175 until intersecting with the East right-of-way line of Dr. Martin Luther King, Jr. Street South, and then heading South along the East right-of-way line of Dr. Martin Luther King, Jr. Street South until intersecting with the North bank of Booker Creek;

Proceeding Southeast along Booker Creek until intersecting with the North right-of-way line of Roser Park Drive South, and then heading East along Roser Park Drive South until intersecting the centerline of the 5th Street South right-of-way, and then heading South to the North right-of-way line of 11th Avenue South; and

Proceeding East along the North right-of-way line of 11th Avenue South until intersecting the centerline of the north-south alley separating Lots 1 through 6 of the Royal Poinciana Subdivision, as recorded in Plat Book 7, Pages 8 and 9 of the Public Records of Pinellas County, from Lot 1 of the Kamman Partial Replat of the Royal Poinciana Subdivision as recorded in Plat Book 61, Page 91, of the Public Records of Pinellas County; and

Proceeding South along said alley to a point due West of the Southwest corner of Lot 17 of Royal Poinciana as recorded in Plat Book 7, Pages 8 and 9 of the Public Records of Pinellas County, and then East until intersecting with the Southwest corner of said lot; and

Proceeding South from Lot 17 of Royal Poinciana along the West property line of the

property described as follows

FROM SE COR OF NW 1/4 TH N 240FT & W 50FT FOR POB TH W 110FT TH N 90FT TH E 110 FT TH S 90FT TO POB

and then South until intersecting with the South right-of-way line of Newton Avenue South; and

Proceeding West along Newton Avenue South until reaching the centerline of the alleyway separating Lots 3 through 6 from Lot 2, which are part of Block 2 of Croxton Subdivision, as recorded in Plat Book 5, Page 49 of the Public Records of Pinellas County, and then heading South along said alleyway until intersecting the North right-of-way line of Preston Avenue South; and

Proceeding West along Preston Avenue South until reaching the centerline of the 6th Street South right-of-way, and then heading South until intersecting the centerline of the 17th Avenue South right-of-way; and

Proceeding East along 17th Avenue South until intersecting the centerline of the 5th Street South right-of-way, and then heading South until intersecting the centerline of the 18th Avenue South right-of-way; and

Proceeding East along 18th Avenue South until intersecting the East right-of-way line of 4th Street South, and then heading South until intersecting the South right-of-way line of 30th Avenue South; and

Proceeding West along 30th Avenue South, its linear extension through Lake Maggiore and parts west and its segment West of I-275 until intersecting with the East right-of-way line of 37th Street South; and

Proceeding South along 37th Street South until intersecting with the South right-of-way line of 31st Avenue South, and then heading due West along 31st Avenue South and its extension until reaching its terminus and then heading North along the West right-of-way line of 31st Avenue South to the Southwest corner of Lot 8, Block 11 of Bayview Terrace as recorded in Plat Book 8, Page 11 of the Public Records of Pinellas County; and

Proceeding North along the West property line of the aforementioned Lot 8 until intersecting the centerline of the 30th Avenue South right-of-way, and then heading West along 30th Avenue South and its extension until intersecting with the city limits; and

Proceeding North along the city limits until reaching the property commonly known as Twin Brooks Golf Course and described as follows:

W 638 FT OF NW 1/4 OF NE 1/4 & E 335 FT OF NE 1/4 OF NW 1/4 LESS ST ON N AKA LOTS 9 & 24 CONT 29.18 AC (C)

and West along the city limits, which follows 26th Avenue South until intersecting with 49th Street South and **THE POINT OF BEGINNING.**

Exhibit B

Blight Study
Southside St. Petersburg Community Redevelopment Area

A Blight Study to Establish

The Southside St. Petersburg Community Redevelopment Area

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Prepared by

Planning and Economic Development Department
City of St. Petersburg
PO Box 2842
St. Petersburg, Fl 33731

May 2013

On September 6, 2012, St. Petersburg City Council approved Resolution 2012-416 which requested feedback from the Pinellas County Board of County Commissioners concerning the establishment of a community redevelopment area and tax increment financing district to "improve the quality of life for St. Petersburg residents living in at-risk communities with a high concentration of poverty." This resolution resulted from community concerns regarding the findings of Pinellas County's May 17, 2012, study entitled "The Economic Impact of Poverty" (Poverty Report) that identified a large area of St. Petersburg with 25 percent of its population living at or below 100 percent of the Federal Poverty Level.

Since City Council passage of the resolution, Administration has worked with Pinellas County leadership and Agenda 2010 to identify boundaries for a community redevelopment area (CRA) that is a necessary pre-condition for establishing a tax increment financing district. What follows is the Blight Study for the CRA, which provides the evidence on which City Council must base its "findings of necessity" in order to establish a community redevelopment area.

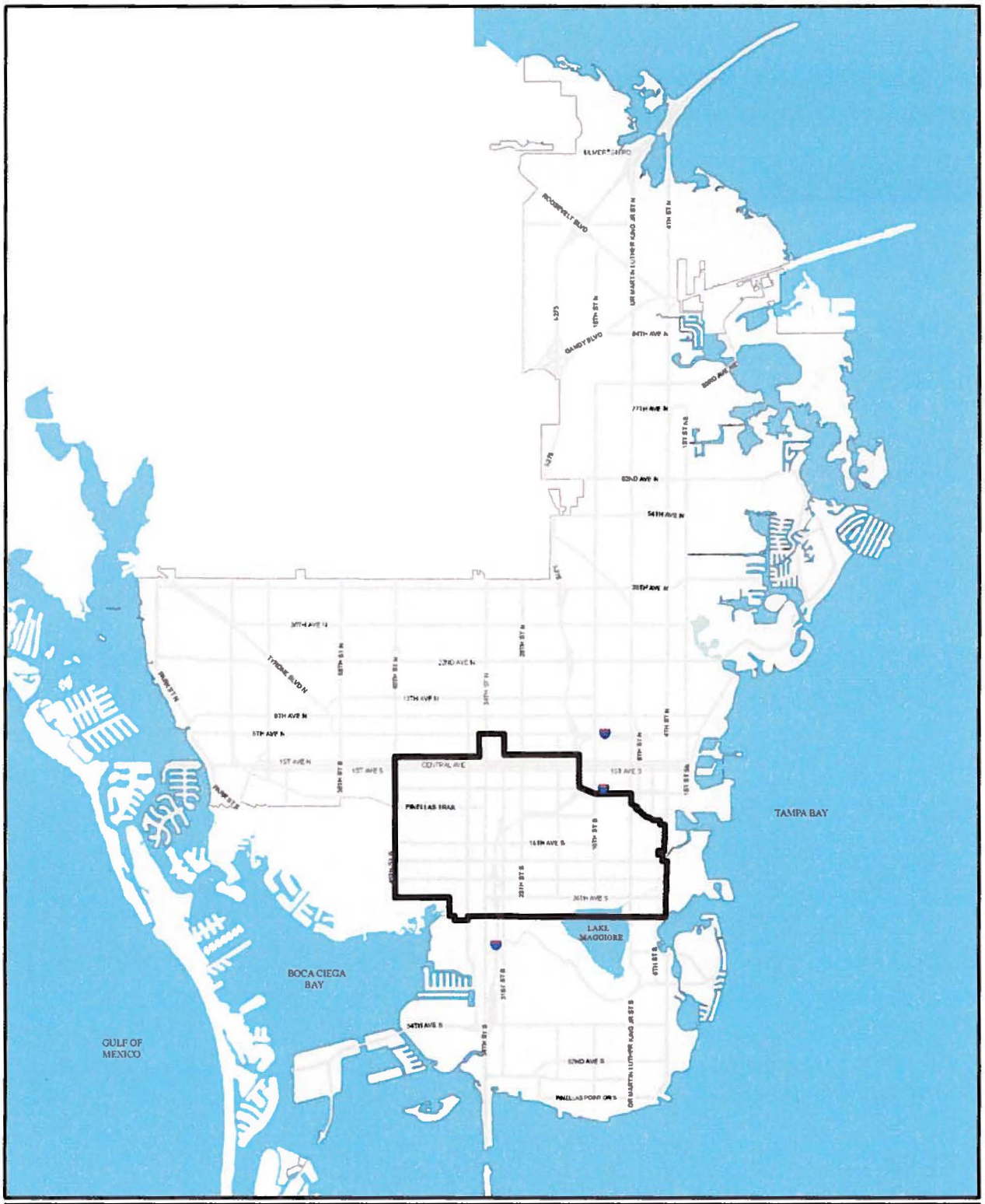
I. Establishing a Community Redevelopment Area

The Community Redevelopment Act (Act), Chapter 163, Part III of the Florida Statutes, provides legislative authority for local governments to overcome the burdens of slum and/or blighted areas within the state. The Act outlines a comprehensive program that provides the legal framework and financing mechanisms with which local governments can undertake the highly complex task of redeveloping Florida's cities. To take advantage of these increased powers authorized by the Act, a local government must follow statutory procedures for declaring areas in need of redevelopment through a blight study, making a finding of necessity, establishing redevelopment powers, preparing a redevelopment plan, instituting a redevelopment trust fund and designating a tax increment financing district, if needed.

The Southside St. Petersburg Blight Study is the necessary first step to establish a community redevelopment area and creating and implementing a redevelopment plan for it. If City Council approves the resolution and makes a "finding of necessity", Administration will forward the Blight Study to the Pinellas County Board of County Commissioners requesting it delegate redevelopment authority as it is required to do by Section 163.410, FS, pursuant to its status as a "home rule" county.

II. Overview of the Southside St. Petersburg Study Area

The Southside St. Petersburg study area is generally bounded by 2nd Avenue North, Interstate 275, Interstate 175 and Booker Creek on the north; 4th Street South on the east; 30th Avenue South on the south; and 49th Street on the west (see map on following page and the legal description in Exhibit A of the resolution.) Its nearly 4,700 acres are comprised of the Greater Childs Park Strategic Planning Area, most of the Midtown Strategic Planning



Proposed Southside St. Petersburg CRA Boundary

Area, more than twenty neighborhood and business associations, four community redevelopment areas created in accordance with Florida's Community Redevelopment Act, and two Florida Main Street Districts. The proposed CRA is also home to an estimated 34,400 people, or 14 percent of St. Petersburg's total population.[1]

The Southside St. Petersburg Blight Study area is loosely based on "Zone 5" in the Poverty Report, portions of which stretch to 38th Avenue North and through Downtown, the Greater Childs Park and Midtown strategic planning areas, Harbordale and portions of Lakewood Estates and Pinellas Point. The boundaries for the five zones in the Report necessarily follow census tracts to capitalize on available socioeconomic data compiled by the U.S. Census Bureau. Census tracts are large geographical areas and can include both neighborhoods of genuine need as well as those that are flourishing.

While the Report convincingly demonstrates the economic distress in Zone 5, the criteria in Florida Statutes for establishing a community redevelopment area largely requires a demonstration of "blight" through physical evidence, such as deteriorated properties, disproportionate fire and emergency medical responses, inadequate physical development patterns, unsanitary and unsafe conditions, and falling lease rates. Consequently, staff undertook an analysis independent from that of the Poverty Report which led to a different boundary.

III. The Economic Challenges Facing Southside St. Petersburg

The Poverty Report evaluated five "at-risk" communities, including Zone 5, which all had more than 19 percent of its residents living at or below poverty.[2] According to the study, the low-income individuals residing within these zones account for approximately 45 percent of the County's total low-income population.

Within Zone 5, the Report noted that twenty-five percent of its residents live below poverty. Since the boundaries of the proposed CRA and Zone 5 are dissimilar, staff examined the poverty levels and found an even higher poverty rate; nearly 31 percent of the proposed CRA residents live in poverty, which is twice the level of St. Petersburg as a whole. As Table 1 below demonstrates, even more striking is the persistence and high level of poverty over time and across age groups in the proposed CRA, where poverty rates for the total population, children and seniors has been at least twice the city since 2000. When comparing poverty rates and educational attainment, since 2000 poverty has increased among high school and college graduates in both Southside St. Petersburg and citywide.

[1] U.S. Census Bureau's American Community Survey 2007-2011 5-year Estimates: DP05 Demographic and Housing Estimates. Where census tracts are split by the study boundary, estimates from are based on ESRI Business Analyst.
[2] The other communities are East Tarpon Springs, Clearwater's North Greenwood, the Highpoint area west of St. Petersburg/Clearwater International Airport and north of Ulmerton Road, and the Lealman corridor.

Table 1 Population Below Poverty Level in Proposed CRA and St. Petersburg, 2000 and 2011[3]

	2000		2011	
	Southside	City	Southside	City
Poverty by Age Group				
Total Population	29.1%	13.3%	30.7%	15.3%
under 18	39.7%	19.5%	45.2%	23.0%
65 and older	23.4%	10.8%	22.0%	11.8%
Poverty by Educational Attainment				
Population over 25 below Poverty	22.8%	10.9%	24.8%	12.7%
Less than High School Graduate	11.9%	4.2%	36.0%	27.5%
High School Graduate or Equivalent	7.2%	3.4%	27.0%	15.8%
Some College/Associates Degree	3.1%	2.3%	18.0%	10.3%
Bachelor's Degree or Higher	0.5%	1.0%	9.6%	5.4%

The Poverty Report outlined the many devastating human costs from living in poverty. While recognizing that low income individuals reside within all parts of Pinellas County, the authors noted that the effects of poverty and the social patterns and costs associated with it are compounded greatly in these areas of high concentration. The study concludes that

> *these effects are amplified by raising children in poor environments, which contribute to poor development, increased illnesses, lower educational attainment, lack of recreational activities and role models, disengagement in the community, lower paying jobs, risk of homelessness, increased arrests and recidivism rates, and a lower lifetime monetary contribution to society.*

That statement tolls an ominous bell for the economic prospects of the next generation of working adults in Southside St. Petersburg, where an estimated 45 percent of its children live below poverty. This high rate cannot be explained by the Great Recession; the child poverty rate for Southside St. Petersburg was 39.7 percent in 2000 at the end of the 1990s technology boom.[4]

The Poverty Report found that residents within the at-risk communities face interrelated social, economic, and geographic challenges that compound the problems they have to overcome. These include inadequate transportation, limited access to food and health care, poorer health, lower educational attainment, increased crime rates, high unemployment and inadequate and insufficient housing. Among these issues facing the impoverished, insufficient transportation, costly housing and low educational attainment are at their root. The section below examines the extent to which these issues exist in Southside.

[3] U.S. Census Bureau. Census 2000. Table PO 87-Poverty Status in 1999 by Age. Census 2000 Summary File 4. PCT-145 - Ratio of Income in 1999 to Poverty Level by Age by Educational Attainment for Population 18 years and over. U.S. Census Bureau. American Community Survey 2007-2011 5year Estimates. S1701 - Poverty Status in Past 12 months. Where Census tracts were split by the CRA boundary, staff used population data from ESRI estimates and applying poverty percentages from underlying Census data.

[4] U.S. Census Bureau. American Community Survey, 2007-2011. 5-year Estimates. S1701 - Poverty Status in Past 12 months. U.S. Census Bureau. Census 2000. Table PO 87-Poverty Status in 1999 by Age. Where Census tracts were split by the CRA boundary, staff used population data from ESRI estimates and applying poverty percentages from underlying Census data.

Insufficient Transportation

Access to employment, health care, groceries and safe and affordable housing is critical among populations with limited resources, who often do not have a reliable method of transportation. The Report found that within Pinellas County's five at-risk communities, 11 percent of households do not have a vehicle available, and a combined 52 percent have one vehicle or less. This causes these communities to rely heavily on public transportation, which does not always have a bus stop nearby their home or destination.

In Southside St. Petersburg, one sees a continuation of the same transportation problems identified in the Poverty Report. Table 2 below shows that approximately 7 percent of households with workers aged 16 or older in Southside have no vehicle available, while 38.3 percent have only one vehicle, a combined percentage of 45 percent. The same combined percentage for St. Petersburg is 33.4 percent.

Table 2. Select Transportation Data in Southside and St. Petersburg in 2011.[5]

	Southside	St. Petersburg
Vehicle Availability		
No vehicle available	6.6%	3.8%
1 vehicle available	38.3	29.6
2 vehicles available	37.3	46.7
3 or more vehicles available	17.8	19.9
1 or fewer vehicles available	***45.0%***	***33.4%***
Percentage Taking Public Transit	5.6%	2.1%
Commuting 20 Minutes or Longer	61.6%	52.8%
Percentage Leaving St. Petersburg for Work	36.3%	44.4%

Those who are transportation disadvantaged in Southside St. Petersburg have longer commutes, rely more on public transportation, and have less mobility than residents in St. Petersburg. With an employment market that is regional and the continued suburbanization of employment, St. Petersburg's workforce must be geographically mobile to take advantage of all available employment opportunities.

Lower Educational Attainment

Education is the primary foundation for families to advance their economic prospects. In the years following the Second World War, the American economy was unrivalled and a high school degree was sufficient to enter the middle class. In the 21st century economy, a college education is the bare minimum necessary for economic success as the American worker competes in a global marketplace against both cheaper labor and labor-saving technologies.

[5] U.S. Census Bureau. American Community Survey, 2007-2011 5-Year Estimates. S0801 – Commuting Characteristics by Sex.

Reducing poverty by improving educational attainment among our citizens is vitally important to withstand these economic challenges. The authors of the Poverty Report note that

> *poverty is linked to lower educational attainment within a community and affects individuals from early childhood...In addition, they are more likely to live in neighborhoods that have limited resources and low-performing schools. Neighborhoods with concentrated poverty impede children from socializing, having positive role models, and experiencing other factors crucial for healthy child development.*

Although educational attainment levels in Southside St. Petersburg have not yet reached citywide levels, Table 3 demonstrates that there has been marked improvement in the last decade. Since 2000, residents of Southside without a high school degree have declined by 27 percent, while those with a high school diploma and bachelor's degree have risen by 25 percent and 114 percent respectively.

Table 3. Educational Attainment in Southside St. Petersburg and City, 2000 and 2011[6]

	2000		2011	
	Southside	City	Southside	City
Less than High School Graduate	34.9%	18.1%	25.4%	12.5%
High School Graduate or Equivalent	30.8%	28.0%	38.6%	29.2%
Some College/Associates Degree	20.5%	31.1%	23.0%	30.5%
Bachelor's Degree	4.2%	14.8%	9.0%	18.7%
Master's/Professional or PhD	2.6%	8.0%	3.9%	9.1%
Bachelor's Degree or Higher	***6.8%***	***22.8%***	***12.9%***	***27.8%***

The population with at least a bachelor's degree has risen by 90 percent since 2000. While still trailing the city in percentage of residents with a post-secondary degree, Southside St. Petersburg's rate of increase in educational performance eclipses that of the city since 2000.

Inadequate and Insufficient Housing

Inadequate and unaffordable housing is the final element that magnifies the problems associated with poverty. When households pay too much for housing, it becomes a drain on the local economy as money that could be used to build financial assets or spent on groceries, clothing, or leisure and entertainment is spent on shelter. The Poverty Report indicates that "historically, housing expenditures exceeding 30 percent of household income have been an indicator of a housing affordability problem."

[6] U.S. Census Bureau. Census 2000. QT-P20-Popgroup. Total Population: Educational Attainment by Sex. U.S. Census Bureau. 2007-2011 American Community Survey 5-Year Estimates. Table B15002: Sex by Educational Attainment for the Population 25 Years and Over. Where Census tracts were split by the CRA boundary, staff used population data from ESRI estimates and applied educational percentages from underlying Census data.

Housing affordability is a serious issue in Southside St. Petersburg, but it is also spread throughout the city as well. Table 4 below compares housing costs in Southside with the city at-large. In 2011, the percentage of households with housing costs in excess of 30 percent of income was 53.2 percent in Southside and 46 percent in the city, both rising sharply from 2000.

Table 4. Comparison of Housing Costs as a Percentage of Household Income[7]

	2000		2011	
	Southside	City	Southside	City
Total Housing	**12,254**	**97,316**	**11,605**	**101,536**
Less than 20 percent	35.5%	41.7%	24.8%	30.2%
20 to 29 percent	19.5%	24.2%	22.0%	23.7%
Greater than 30 percent	40.7%	31.3%	53.2%	46.0%
Owner Occupied	**7,190**	**57,517**	**6,743**	**65,331**
Less than 20 percent	43.4%	50.6%	33.7%	36.4%
20 to 29 percent	20.8%	23.2%	23.9%	23.2%
Greater than 30 percent	34.4%	25.3%	42.4%	40.4%
Renter Occupied	**5,064**	**39,799**	**4,862**	**36,205**
Less than 20 percent	24.2%	28.8%	12.4%	19.1%
20 to 29 percent	17.6%	25.6%	19.4%	24.8%
Greater than 30 percent	49.7%	39.9%	68.2%	56.1%

Not surprisingly, renter households in both Southside and city were highly likely to be paying more than 30 percent of their income in housing costs – 68 percent and 56 percent respectively. However, among owner-occupied households paying more than 30 percent of income, the Southside and city percentage was nearly the same. What is notable, between 2000 and 2011, the percentage of households paying more than 30 percent of income rose 2.7 times greater throughout the city than in Southside.

Section III provided a brief overview of the findings of the Poverty Report, refined some of the data to apply specifically to Southside St. Petersburg and outlined the economic implications for those who live in these at-risk communities. The following sections will document the conditions necessary to establish the Southside St. Petersburg Community Redevelopment Area.

IV. Statutory Criteria in Making a Finding of Blight

According to the Florida Statutes, the first step in establishing a community redevelopment area is to determine if the subject area meets the statutory definition of "slum or blighted area" and that the rehabilitation and/or redevelopment of that area is necessary and in the interest of the community's welfare. For the purposes of establishing Southside St.

[7] U.S. Census Bureau. 2000 Census. Table DP-4-Profile of Selected Housing Characteristics. U.S. Census Bureau. American Community Survey, 2007-2011 5-Year Estimates. DP04: Selected Housing Characteristics.

Petersburg as a community redevelopment area, the City needs only to demonstrate that blight conditions are evident.[8]

"Blight" includes emergency conditions as well as those which impede the long-term social and economic vitality of an area by discouraging private investment. Section 163.340(8), F.S., defines a blighted area as one in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions that lead to economic distress or endanger life or property by fire or other causes; or one or more of the following factors that substantially impairs or arrests the sound growth of a county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use. These include:

- Predominance of defective or inadequate street layout
- Stagnant or falling assessed real property values for the last five years
- Faulty lot layout
- Unsanitary or unsafe conditions
- Deteriorated site or other improvements
- Inadequate and outdated building density patterns
- Falling lease rates on nonresidential property relative to community at large
- Tax or special assessment delinquency exceeding the fair value of the land
- High comparative residential and commercial vacancy rates
- Incidence of crime in the area higher than in the remainder of the city
- Fire and emergency medical service calls to the area are higher than in the remainder of the city
- Violations of Florida Building Code in excess of those in the remainder of city
- Diversity of ownership or conditions of title which prevent the free alienability of land; and
- Governmentally owned property with adverse environmental conditions caused by a public or private entity.

V. Blight Findings for the Southside St. Petersburg Study Area

To make a formal finding of blight, the Community Redevelopment Act requires a locality to substantiate the existence of at least two of the above conditions to meet the definition of "blight."[9] The Southside St. Petersburg Blight Study identifies two conditions that have advanced blight in the area and contribute to its economic underperformance: declining

[8] "Slum" conditions are those which immediately imperil the residents of the subject area and require timely assistance. Section 163.340(7), F.S., defines slum area as one having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason of dilapidation, deterioration, age, or obsolescence, and exhibiting one or more of the following factors: 1) Inadequate provision for ventilation, light, air, sanitation or open spaces; 2) High density of population, compared to the population density of adjacent areas within the county or municipality and overcrowding, as indicated by government maintained statistics or other studies and the requirements of the Florida Building Code; or 3) The existence of conditions that endanger life or property by fire and other causes.

[9] This condition is waived if all taxing authorities impacted by a redevelopment plan trust fund formally agree to only one condition (see Ch. 163.340(n), F.S.).

property values and deteriorated site or other improvements. A summary of deficiencies follows.

1. Declining Property Values

Section 163.340(b), F.S., indicates that blight conditions have been met if

> *aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions.*

The Southside St. Petersburg study area meets this criterion by dramatic declines in its assessed property values over the past five years. Since the onset of the Great Recession in 2007 dramatic declines in property values have been the norm throughout Florida, Tampa Bay and St. Petersburg. In St. Petersburg, citywide assessed values have dropped 22 percent, from $1.53 billion in 2007 to $892.5 million in 2012. As shown in Table 1, the percentage decline of 41.7 percent in the Southside St. Petersburg study area has been even larger, nearly twice the city at large. The percentage decline in the study area as well as the city is even greater using Pinellas County's two other appraisal methods – just market value and taxable value.

Table 5. Decline in Property Valuations in Proposed Southside St. Petersburg CRA , 2007-2012

	Property Appraiser Valuation Method		
	Assessed[10]	**Just Market[11]**	**Taxable[12]**
Number of Parcels		14,833	
2007 Total Assessed Value	$1,529,885,437	$1,890,123,300	$1,109,751,339
2012 Total Assessed Value	$892,494,604	$910,483,715	$487,401,188
Change in Assessed Value	($637,390,833)	($979,639,585)	($622,350,151)
% Change in Proposed CRA Value	***(41.7%)***	***(51.8%)***	***(56.1%)***
% Change in Citywide Value	***(22.3%)***	***(37.3%)***	***(32.8%)***

The Southside St. Petersburg study area meets the statutory requirement by failing to show any "appreciable increase" in its aggregate assessed values over the last five years. Moreover, its sharp decline has been even more dramatic than the percentage decline in citywide assessed property values. It is worth noting that if the decline in taxable value in Southside had mirrored that of the city, the City of St. Petersburg would have realized another $1.74 million in property tax revenue and Pinellas County approximately $1.3 million.

[10] The value that has been capped by an assessment cap, such as the Save Our Homes Cap or the 10% assessment cap on non-homestead parcels.
[11] The price at which a property, if offered for sale in the open market, with a reasonable time for the seller to find a purchaser, would transfer for cash or its equivalent.
[12] The assessed value less any exemptions.

2. Deterioration of site or other improvements

Section 163.340(e), F.S., identifies "deterioration of site or other improvements" as an indicator of blight. Relative to this criterion, the Southside St. Petersburg study area has a significantly higher rate of deterioration than does the city at large. To quantify the extent of deteriorated properties in the study area, staff utilized information from the detailed code enforcement case database maintained by St. Petersburg's Code Compliance Assistant Department. The five-thousand cases currently being processed concern violations of property standards identified in Chapters 8, 16 and 29 of the City Code of Ordinances. The violations range from illegal units and sign citations to vacant/boarded and unsafe structures and those in unfit condition.

City staff prioritized the violations most indicative of site and structural deterioration. The primary violations are "Demolition" cases, which are identified separately in the tables below. The "Vacant/Boarded" category includes cases related to securing structures, structures deemed unfit and unsafe, and those identified as vacant and boarded in the database. The next tier of classification concerns "Junk and Outdoor Storage" cases, which also include inoperative vehicle citations. "Property Maintenance" cases such as overgrown lawns, rotting boards, exposed paint, etc, make up final classification. Each case was geocoded and mapped. The maps on the following pages have been broken into two categories - "Vacant/Boarded and Proposed for Demolition" and "Property Maintenance" (including "Junk and Outdoor Storage") - to clearly distinguish the most significant indicators of blight.

The resulting analysis shows that the proposed CRA has much higher concentrations of demolition and vacant/boarded cases than the rest of St. Petersburg. Furthermore, property maintenance and junk and outdoor storage cases in the CRA are also higher than the rest of St. Petersburg, but not to the same level of magnitude.

Table 6 Deteriorated Properties in Southside and St. Petersburg (#/1000 persons)[13]

	Southside		St. Petersburg		Ratio
Type	**#**	**#/1000**	**#**	**#/1000**	**Difference**
Population (2012 Estimated)	34,730		212,943		
Code Enforcement Actions					
Demolition	101	2.91	61	0.29	1,015%
Vacant/Boarded	677	19.5	350	1.64	1,186%
Junk and Outdoor Storage	66	1.9	231	1.1	175%
Property Maintenance	733	21.11	1,160	5.5	387%
Deteriorated Properties	***1,577***	***45.4***	***1,802***	***8.5***	***537%***

[13] Note: The population for both the proposed CRA and City is based on a 1.1% increase over their ACS 2011 5-year estimate. This percentage increase is based on the difference between the 2012 BEBR population estimate for St. Petersburg and its ACS 2011 5-year estimate.

Table 6 clearly shows that the proposed CRA has much higher concentrations of demolition and vacant/boarded cases – the most serious indicators of blight -- than the rest of St. Petersburg. The proportion of cases involving demolition of blighted properties in Southside St. Petersburg are more than ten times as prevalent as in the remainder of St. Petersburg. Vacant and boarded houses are nearly twelve times as prevalent in the proposed CRA. Furthermore, property maintenance and junk and outdoor storage cases in the CRA are also higher than the rest of St. Petersburg, but not to the same level of magnitude.

VI. Impact of Creating the Southside St. Petersburg CRA

Establishing the Southside St. Petersburg Community Redevelopment Area will have an impact on the current community redevelopment plans, disposition of City-owned properties within the proposed CRA, and establishment of tax increment financing. The final section discusses the changes in Florida law in 2006 concerning eminent domain law that affect redevelopment planning.

Status of Existing Community Redevelopment Plans

Several existing community redevelopment areas are located within Midtown. These are noted below with their adoption dates

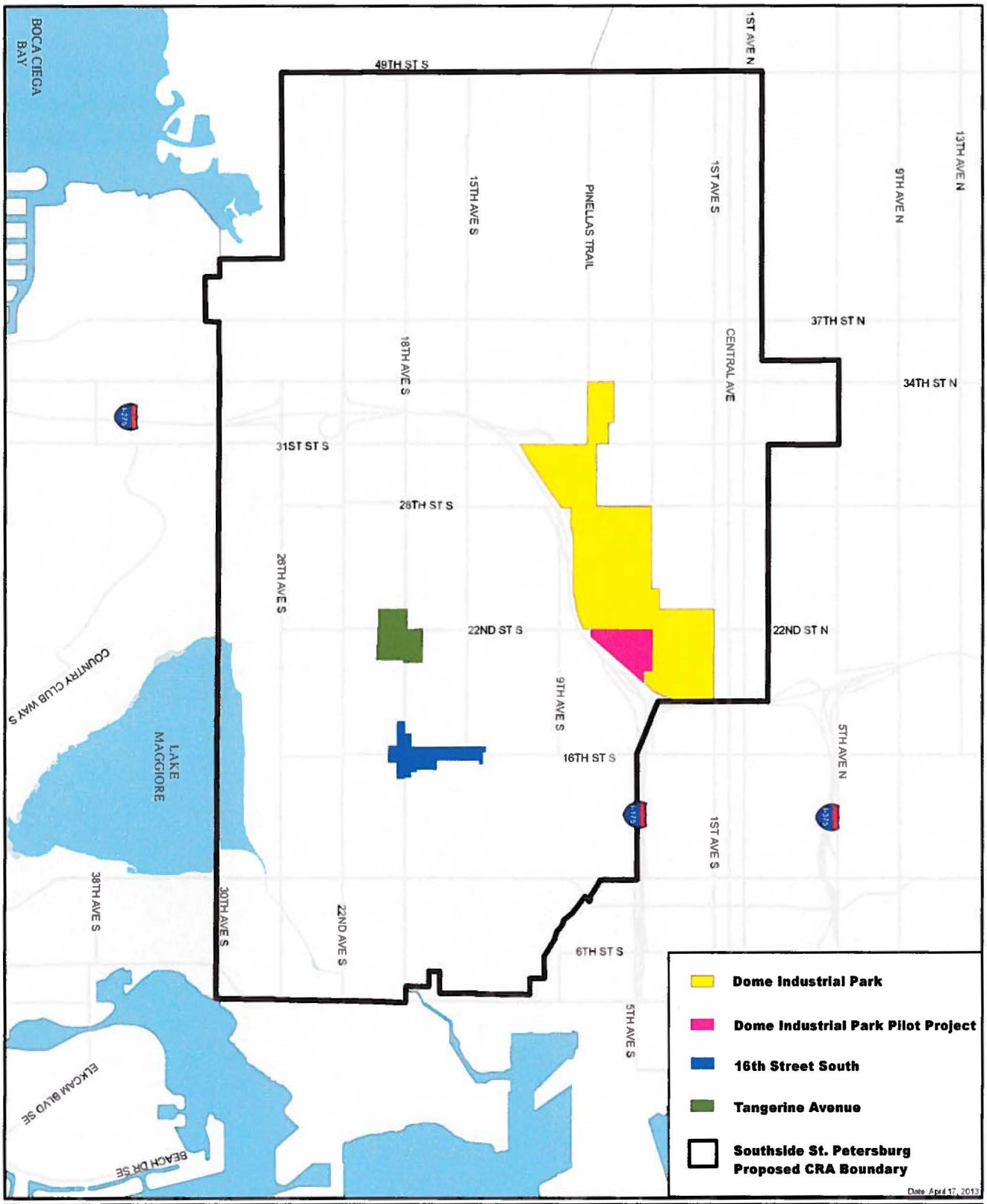
- 16th St. South Revitalization Plan (1982)
- Dome Industrial Park Pilot Project (2000)
- Tangerine Avenue (2003)
- Dome Industrial Park (2007)

These four plans will be "sunsetted" and folded into the Southside St. Petersburg CRA with the adoption of the Redevelopment Plan. The specific planning strategies unique to each of these redevelopment areas will be included within the Redevelopment Plan where still relevant (see map on page 12).

Land Disposition Policy

For the purposes of this Plan, the Community Redevelopment Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. To the extent permitted by law, the Agency is authorized to dispose of real property in accordance with Florida Statute Chapter 163 and in compliance with this Plan.

The Community Redevelopment Agency may determine that it is in the best interest of the City to acquire such property for development by the City or disposition through competitive bidding. The CRA shall reserve such powers and controls through disposition and development agreements with the purchaser or lessee of the property as may be necessary to ensure that development conforms to the adopted redevelopment plan.



Existing Community Redevelopment Areas

Should any real property be owned, leased or otherwise come under the control of the City, the City's administrative staff will provide supervision and management. The City shall enter into contracts, leases or management agreements as necessary to insure the preservation and maintenance of any such real property, and shall insure the greatest return feasible to the Agency.

Tax Increment Financing

With the establishment of the Southside St. Petersburg Community Redevelopment Area, the City intends to establish two tax increment financing districts – Mercy Melrose and 34th Street South (see map on page 14). The proposed 34th Street TIF district is 371 acres, while Melrose Mercy is 356 acres.

Tax increment financing directs all future increases in St. Petersburg and Pinellas County property tax revenues generated within a TIF district into a special redevelopment trust fund. This increased revenue, known as the "increment", is then used to fund eligible redevelopment projects within the boundaries of the TIF district. Projects can be funded on a "pay-as-you-go" basis or financed through redevelopment bonds where the annual increment is used to pay down the bond debt. Projects that use redevelopment bonds, such as a parking garage, require large upfront capital and thus need to be financed. Examples of projects that can be funded with TIF include developing affordable housing, constructing or extending sewer and water facilities to accommodate new commercial development, building a regional stormwater management facility, or constructing a public parking garage or lot.

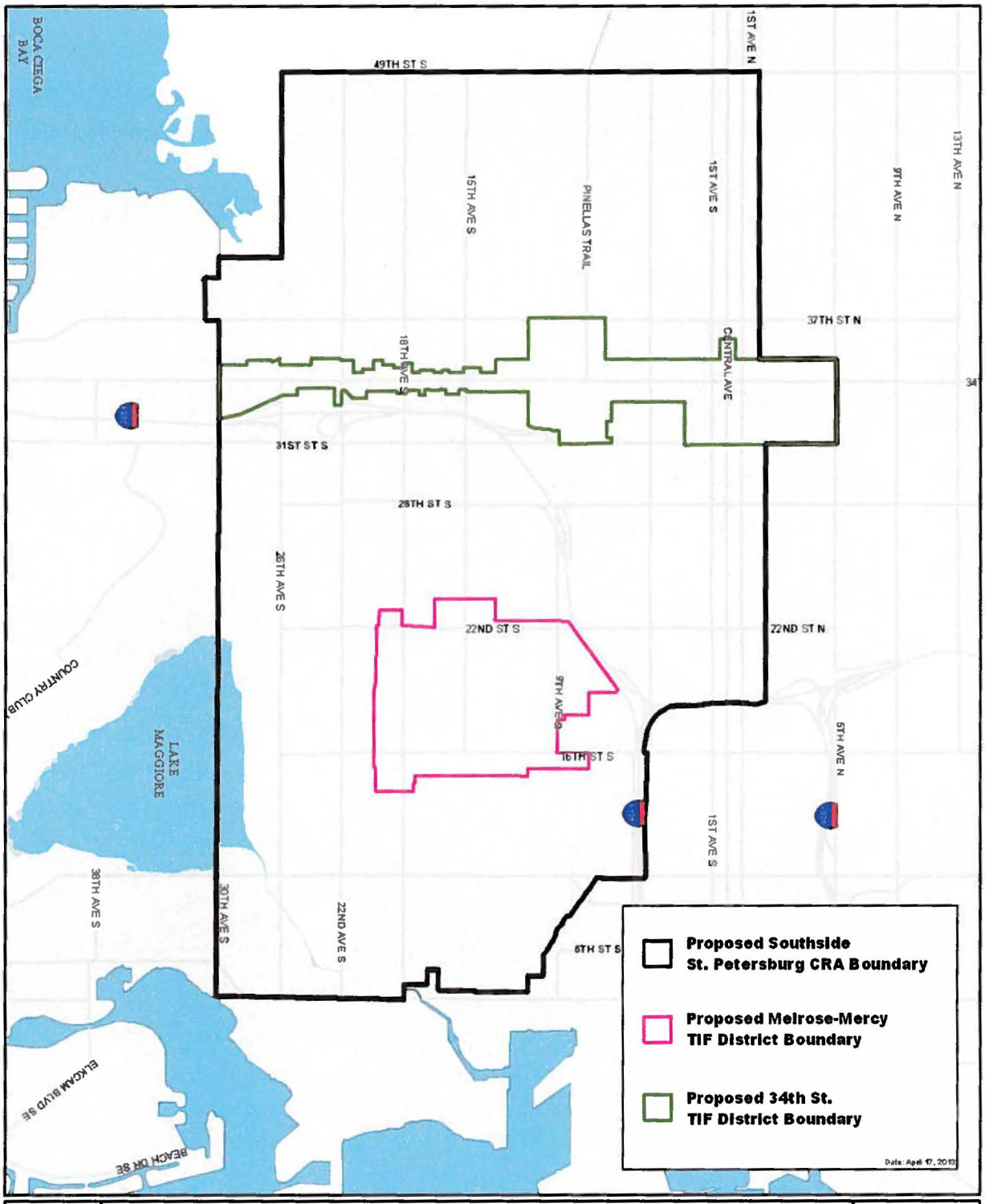
The proposed TIF districts will help fund land acquisition and capital improvements to support economic development projects. Under current Florida law, the proposed TIF districts, if approved, will expire forty years after their establishment.

Policy on Eminent Domain

Florida's Community Redevelopment Act once allowed localities to acquire by eminent domain private property within a community redevelopment area and convey it to private developers as a tool to remedy blight within the CRA. However, the City of St. Petersburg has a long-standing policy of only using eminent domain to acquire land as a last resort, preferring instead to negotiate with landowners to implement its revitalization goals.

The City's self-limiting policy was codified by Florida lawmakers in 2006, when through Sec. 73.014, F.S., the Legislature declared that

> *taking private property for the purpose of preventing or eliminating slum or blight conditions is not a valid public purpose or use for which private*



Proposed Southside St. Petersburg CRA Boundary and TIF Districts

> *property may be taken by eminent domain and does not satisfy the public purpose requirement of s. 6(a), Art. X of the State Constitution.*

The restriction was restated in amendments to several sections of the Community Redevelopment Act, including sections. 163.335(7), 163.370, and 163.380. The Legislature was responding to the United States Supreme Court's decision in *Kelo v. New London, Connecticut* (2005), which upheld local government's right to condemn property for economic development purposes. Now, Florida law permits localities to condemn property only for public "use" such as utilities, parking garages, stormwater facilities, infrastructure and roadways.

Attached documents for item Ordinance 1048-V approving the vacation of a 16 foot wide east-west alley located south of 2818, 2826 & 2834 - 35th Avenue North. (City File 13-33000003)

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SAINT PETERSBURG CITY COUNCIL

Meeting of June 20, 2013

TO:	The Honorable Karl Nurse, Chair, and Members of City Council
SUBJECT:	Ordinance _____ approving the vacation of a 16 foot wide east-west alley located south of 2818, 2826 & 2834 35th Avenue North (DRC Case No.: 13-33000003).
RECOMMENDATION:	The Administration and the Development Review Commission recommend **APPROVAL**.

RECOMMENDED CITY COUNCIL ACTION:
1) Conduct the second reading and public hearing; and
2) Approve the attached proposed ordinance.

The Request: The request is to vacate the unimproved east-west alley segment behind the vacant residential lots at 2818, 2826 and 2834 35th Avenue North. The area of the right-of-way proposed for vacation is depicted on the attached maps.

Discussion: The applicant, Habitat for Humanity, owns all of the land along the northern and southern sides of the east-west alley. The applicant proposes to vacate the alley so that the area can be incorporated as additional rear yard depth for each of the abutting residential lots prior to developing three (3) new single-family homes. As set forth in the attached report to the Development Review Commission (DRC), Staff finds that vacating the subject right-of-way would be consistent with the criteria in the City Code, subject to the suggested special condition.

Agency Review & Public Comments: The application was routed to City departments and outside utility providers. No objections were noted, provided that the applicant is required to dedicate a public utility easement. The applicant provided the required public notices. As of the date of this report, staff has received two inquiries regarding this application. No specific concerns or objections have been stated.

DRC Action/Public Comments: On May 1, 2013, the Development Review Commission (DRC) held a public hearing on the subject application. No person spoke in opposition to the request. After the public hearing, the DRC voted to unanimously recommend approval of the proposed vacation. In advance of this report, no additional comments or concerns were expressed to the author.

RECOMMENDATION:

The Administration recommends **APPROVAL** of the requested alley vacation, subject to the following condition:

1. Prior to recording the vacation ordinance, the applicant shall execute and record a public utility easement over the area of the alley being vacated.

ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION OF THE 16 FOOT WIDE EAST-WEST ALLEY LOCATED SOUTH OF 2818, 2826 AND 2834 35TH AVENUE NORTH; 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:

The platted 16-foot wide alley lying North of Lot 7 and South of Lots 8, 9 and 10, Block 3, Norton's Subdivision No. 2, according to the plat thereof, as recorded in Plat Book 9, Page 2 of the Public Records of Pinellas County, Florida.

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. Prior to recording the vacation ordinance, the applicant shall execute and record a public utility easement over the area of the alley being vacated.

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:

5-7-13

Planning & Economic Development Dept. Date

5/7/13

City Attorney (Designee) Date

CITY OF ST. PETERSBURG
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION

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DEVELOPMENT REVIEW COMMISSION
STAFF REPORT

VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Economic Development Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **May 1, 2013 at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.:	13-33000003	**PLAT SHEET:**	J-20
REQUEST:	Approval of a vacation of a 16 foot wide east-west alley located south of 2818, 2826 & 2834 35th Avenue North (Norton's Sub. No. 2, lots 8, 9 & 10).		
APPLICANT:	Habitat for Humanity of Pinellas County Ronald Spoor 13355 49th Street North Clearwater, Florida 33762-4001		
ADDRESS:	2818, 2826, 2834 35th Avenue North		
PARCEL ID NO.:	11/31/16/61704/003/0080; 11/31/16/61704/003/0090; 11/31/16/61704/003/0100		
LEGAL DESCRIPTION:	On File		
ZONING:	NT-1		

DISCUSSION AND RECOMMENDATION:

Request
The request is to vacate the unimproved east-west alley segment behind the vacant residential lots at 2818, 2826 and 2834 35th Avenue North. The area of the right-of-way proposed for vacation is depicted on the attached maps. The applicant, Habitat for Humanity, proposes to vacate the unimproved, unused alley so that the area can be incorporated as additional rear yard area for each of the abutting residential lots prior to developing three (3) new single-family homes.

Analysis
In this case, Staff finds that vacating the subject right-of-way would be consistent with the criteria in the City Code, subject to the suggested special conditions.

A. Land Development Regulations

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.

The Engineering Department notes that the existing alley contains a sanitary sewer main which must be protected by a utility easement dedicated through the entire length and width of the alley to be vacated. A related condition has been added to this report.

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.

There are currently two different alleys within the block. The north-south alley, which will remain, provides rear access to the back yards of the homes facing 28th Street North. The east-west alley, which is proposed for vacation, is unimproved, not used for public travel and appears to have been blocked-off to traffic during the time that the now vacant private property was used as a commercial plant nursery. To the extent that the alley does not appear to have ever been utilized for the originally intended purpose, vacation of this segment is not expected to result in a negative impact to access to any other lot of record.

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.

Vacation of the alley, if approved, is not anticipated to cause an adverse impact to the existing roadway network.

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 primarily intended purpose of the subject alley is to provide secondary access to the rear yards of the abutting privately-owned residential lots. Given the previous use of the adjacent lots as a commercial plant nursery, this particular alley does not appear to have been utilized for the originally intended purpose. Moreover, the current zoning (NT-1) only suggests, but does not require, that driveways and/or garages face the rear. The existing public infrastructure can be protected by dedication of a public utility easement.

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

Provided that the single-family lots are developed in compliance with the applicable zoning district regulations, vacation of the alley does not appear to present any negative impact to the public, safety or welfare. No other factors have been raised for consideration.

Comments from Agencies and the Public
The application was routed to other City departments and non-City utility agencies. No objections were noted, provided that the area of the alley proposed for vacation is dedicated as a public utility easement. The applicant provided the required public notice to owners of nearby properties. Staff has received one call from a neighbor asking general questions. No specific comments or objections were noted. The applicant will provide an additional public notice prior to the public hearing before the City Council.

RECOMMENDATION:

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

1. Prior to recording the vacation ordinance, the applicant shall execute and record a utility easement over the area of the alley being vacated.

REPORT PREPARED BY:

APR 24, 2013

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

MORRIS ST N
35TH AVE N
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34TH AVE N
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MORRIS ST N
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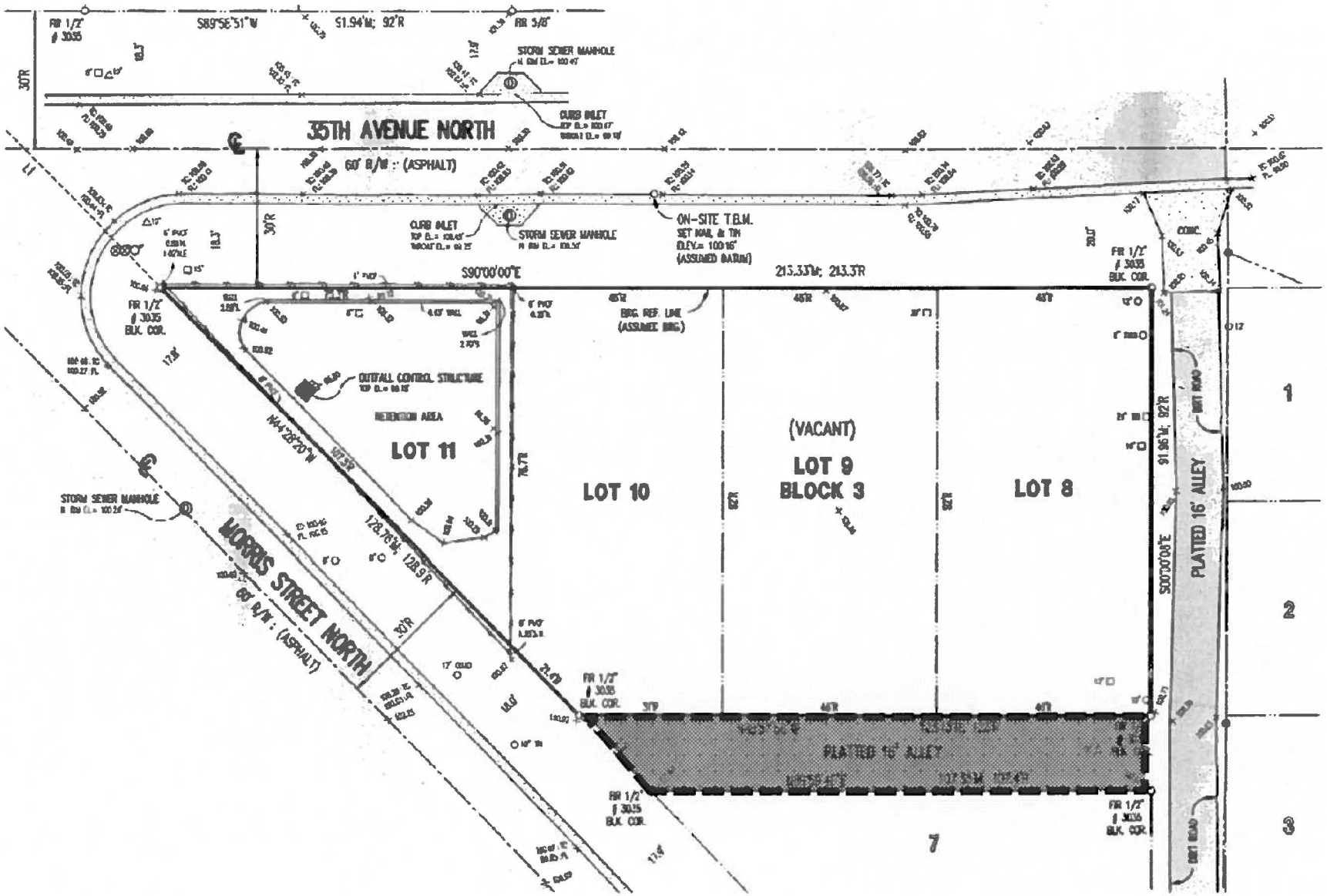
2730
3401
34TH AVE N
28TH ST N


35TH AVENUE NORTH
60' R/W : (ASPHALT)
S89°58'51"W
51.94'M; 92'R
STORM SEWER MANHOLE
CURB INLET
ON-SITE T.B.M.
SET NAIL & TIN
ELEV.= 100.16'
(ASSUMED DATUM)
S90°00'00"E
213.33'M; 213.3'R
BLDG. REF. LINE
(ASSUMED BRG.)
OUTFALL CONTROL STRUCTURE
RETENTION AREA
LOT 11
LOT 10
(VACANT)
LOT 9
BLOCK 3
LOT 8
PLATTED 16' ALLEY
DIRT ROAD
N44°28'20"W
128.76'M; 128.9'R
MORRIS STREET NORTH
60' R/W : (ASPHALT)
FIR 1/2" ø 30.35 BLK. COR.
CONC.
1
2
3
7

Habitat for Humanity® of Pinellas County

13355 49th Street North • Clearwater, FL 33762
727.536.4755 • FAX 727.209.2191 • www.HabitatPinellas.org

March 7, 2013

Mr. Philip Lazzara
City of St. Petersburg
P.O. Box 2842
St. Petersburg, Florida 33731

RE: Request for Alley Vacation

Dear Mr. Lazzara:

Habitat for Humanity of Pinellas County is applying for a vacation of the platted alley located directly south of Nortons Sub No 2 lots 8, 9 & 10. The alley is not improved and is currently occupied by trees, grass and weeds. We are requesting that all the land from the 16' platted alley be added to Nortons Sub No 2 lots 8, 9 & 10.

Habitat for Humanity of Pinellas County is the owner of Nortons Sub No 2 lots 8, 9 & 10. We anticipate constructing a new home on each of these platted lots later in 2013. The physical address for the lots is 2818, 2826 & 2834 35th Avenue North, St. Petersburg.

The homes to be built on these three properties will have garages facing 35th Avenue North. The alley is currently not serving a function and we do not envision a function for the alley in the future. It is our opinion that the land will be best utilized and maintained if combined with lots 8, 9 & 10. We do understand that an easement will need to be created to ensure access to the sewer lines in this location.

I have attached a survey showing the property. We thank you for your consideration.

Sincerely,

Ronald Spoor
Chief Operations Officer

Attached documents for item Ordinance 74-H in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") and the Assurances ("Grant Assurances") which are attached to the JPA, to be executed

MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of June 20, 2013

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

FROM: David Metz, Director, Downtown Enterprise Facilities Department

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") and the Assurances ("Grant Assurances") which are attached to the JPA, to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") Grant in the amount of $100,000 which require that the City will make Albert Whitted Municipal Airport available as an airport for public use on fair and reasonable terms, keep the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of acceptance of the Grant; authorizing the Mayor or his designee to accept the Grant in the amount of $100,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a transfer of of $25,000 in the Airport Operating Fund (4031) from the increased revenue from the advance rent payment of Sheltair Albert Whitted, LLC to the Airport Capital Fund (4033); approving supplemental appropriations from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues in the amount of $125,000 to the Airport – Hangar #1 Rehab Project (Project #TBD); providing an effective date; and providing for expiration.

EXPLANATION: Section 1.02 (c) (5) B of the St. Petersburg City Code authorizes City Council, by a single ordinance dealing with only a single encumbrance, receiving a public hearing and receiving an affirmative vote for at least six (6) members of City Council, to permit the recording of encumbrances on Albert Whitted Airport ("Airport") as follows:

> Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:
>
> All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida

The FDOT has offered the City a grant to be used to fund the rehabilitation of Hangar #1 on the Airport. Hangar #1 is a 20,000+ sq. ft. facility that includes hangar, office, storage and shop space. This facility was originally constructed in 1931 and was historically designated by the City in 2006. Due to this historic designation, the current plans are to rehabilitate the facility since there are many deferred maintenance items that need to be addressed. The facility improvements include, but are not limited to, structural beam rust proofing and restoration, window and door replacement, electrical upgrades, exterior painting and roof replacement.

The FDOT grant provides eighty percent (80%) of the project cost, or $100,000 toward the total cost of the project. The City's match requirement is twenty percent (20%) or $25,000. Sheltair Albert Whitted, LLC, the Airport's Fixed Base Operator, has offered to advance the City's match, and as permitted under the terms of its Lease and Management Agreement with the City, will be reimbursed through future rent credits.

Acceptance of the FDOT Grant grants requires the City to make Albert Whitted Municipal Airport available as an airport for public use on fair and reasonable terms, keep the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of acceptance of the Grant.

A first reading of this Ordinance was held on June 6, 2013.

RECOMMENDATION: The Administration recommends adoption of the attached Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA") and the Assurances ("Grant Assurances") which are attached to the JPA, to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") Grant in the amount of $100,000 which require that the City will make Albert Whitted Municipal Airport available as an airport for public use on fair and reasonable terms, keep the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of acceptance of the Grant; authorizing the Mayor or his designee to accept the Grant in the amount of $100,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a transfer of of $25,000 in the Airport Operating Fund (4031) from the increased revenue from the advance rent payment of Sheltair Albert Whitted, LLC to the Airport Capital Fund (4033); approving supplemental appropriations from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues in the amount of $125,000 to the Airport – Hangar #1 Rehab Project (Project #TBD); providing an effective date; and providing for expiration.

Cost/Funding/Assessment Information: The total funding available for this project will be $125,000. The City will receive grant funding in the amount of $100,000. The City's funding match for this project is $25,000. It will be paid in advance by Sheltair Albert Whitted, LLC and reimbursed by future rent credits.

Approvals:

Legal:_____ Administration: R. Mussett 5-30-13

Budget:_____

Legal: 00175671.doc V. 1

Ordinance No. _____

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(5)B., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN THE JOINT PARTICIPATION AGREEMENT ("JPA") AND THE ASSURANCES ("GRANT ASSURANCES") WHICH ARE ATTACHED TO THE JPA, TO BE EXECUTED BY THE CITY, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") GRANT IN THE AMOUNT OF $100,000 WHICH REQUIRE THAT THE CITY WILL MAKE ALBERT WHITTED MUNICIPAL AIRPORT AVAILABLE AS AN AIRPORT FOR PUBLIC USE ON FAIR AND REASONABLE TERMS, KEEP THE PROJECT FACILITIES AND EQUIPMENT IN GOOD WORKING ORDER FOR THE USEFUL LIFE OF SAID FACILITIES OR EQUIPMENT, NOT TO EXCEED 20 YEARS FROM THE DATE OF ACCEPTANCE OF THE GRANT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT THE GRANT IN THE AMOUNT OF $100,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; APPROVING A TRANSFER OF $25,000 IN THE AIRPORT OPERATING FUND (4031) FROM THE INCREASED REVENUE FROM THE ADVANCE RENT PAYMENT OF SHELTAIR ALBERT WHITTED, LLC TO THE AIRPORT CAPITAL FUND (4033); APPROVING SUPPLEMENTAL APPROPRIATIONS FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE AIRPORT CAPITAL IMPROVEMENT FUND (4033) RESULTING FROM THESE ADDITIONAL REVENUES IN THE AMOUNT OF $125,000 TO THE AIRPORT – HANGAR #1 REHAB PROJECT (PROJECT #TBD); PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR EXPIRATION.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Albert Whitted Municipal Airport is defined by the City of St. Petersburg, Florida, City Charter Section 1.02(c)(5) B. as: All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida.

Section Two. The Florida Department of Transportation ("FDOT") has offered the City a grant in the amount of $100,000 ("Grant"). The Grant is to be used for the following project on the airport: Rehabilitation of Hangar #1. The grant will provide eighty percent (80%) of the total cost of the project. The City will provide the remaining 20% of the total cost of the project.

Section Three. The restrictions contained in assurances ("Grant Assurances") which are set forth in the grant documents to be executed by the City, as a requirement for receipt of FDOT grants in an amount not to exceed $100,000, for projects described in Section Two of this ordinance, which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title or other interests in Albert Whitted Municipal Airport ("Airport"), nor cause or permit any activity or action on the Airport which

would interfere with its use for airport purposes for a period not to exceed 20 years from the date of acceptance of the grant are authorized.

Section Four. The Mayor or his designee is authorized to accept a grant from the FDOT in the amount of $100,000.

Section Five. The Mayor or his designee is authorized to execute all documents necessary to effectuate this ordinance.

Section Six. Sheltair Albert Whitted, LLC has offered to advance the City's 20% match requirement of $25,000 in exchange for rent credits as authorized in its lease agreement with the City.

Section Seven. There is hereby approved the following supplemental appropriations from the unappropriated balances of their respective funds for fiscal year 2013:

Airport Operating Fund (4031)	
Transfer to: Airport Capital Fund (4033).	$25,000
Airport Capital Fund (4033)	
Hangar #1 Rehabilitation (Project #TBD)	$25,000

Section Eight. There is hereby approved from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from the additional Grant revenues, the following supplemental appropriation for the Fiscal Year 2013:

Airport Capital Improvement Fund (4033)	
Hangar #1 Rehabilitation (Project #TBD)	$100,000

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

Section Ten. 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.

Section Eleven. In the event the FDOT fails to award the grant set forth in Section Two, above, within one year of the effective date of this ordinance, this ordinance shall expire.

Approvals:

Legal:_____ Administration:_____

Budget:_____

Legal: 00174369.doc v. 2

Attached documents for item Ordinance 75-H in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for rece

MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of June 20, 2013

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

FROM: Dave Metz, Director, Downtown Enterprise Facilities Department DM

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in an amount not to exceed $115,740 which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in an amount not to exceed $115,740; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration;

EXPLANATION: Ordinance 617-G was passed by City Council on September 18, 2003 and approved by the voters in a referendum held on November 4, 2003. Ordinance 617-G authorized City Council, by ordinance ("Ordinance"), after a public hearing, to permit the recording of encumbrances on Albert Whitted Airport as follows:

> Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:
>
> All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida

For many decades, the Federal Aviation Administration ("FAA") has required commercial service airports to conduct a Wildlife Hazard Assessment ("WHA") and complete a corresponding wildlife mitigation plan. The FAA recently issued guidance indicating that a general aviation airport must also complete a WHA if it is the recipient of FAA grants. The FAA set forth a phased time-line for the completion of the WHA process by general aviation airports based on the size and activity level of the specific airport. Based on Albert Whitted Airport's activity level (over 75,000 operations), the airport must complete

a WHA by 2015. The WHA process will require a certified wildlife biologist to observe and analyze wildlife activity and impacts for the airport over a 12-month period. Following this data collection period, a report will be generated with recommendations to mitigate and reduce potential wildlife incidents.

The requested federal funding for this project is provided through the FAA's Airport Improvement Program ("AIP"). Under the AIP, $150,000 in "entitlements" is set aside for Albert Whitted Airport each year. The federal funds cover up to ninety percent (90%) of the total project's eligible costs. As the airport sponsor, the City must provide the remaining ten percent (10%) match.

Wildlife Hazard Study	
FAA (90%)	$115,740
City (10%)	$12,860
Total	$128,600

The City match for this project was previously appropriated as part of the FY13 City Budget process.

Acceptance of any grants requires the City to meet certain grant assurances, including a 20-year commitment to keep the Albert Whitted Airport property as an operating airport.

Each ordinance may only address one encumbrance and requires the affirmative vote of six Council Members for adoption.

A first reading of this Ordinance was held on June 6, 2013.

RECOMMENDATION: The Administration recommends adoption of this Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in an amount not to exceed $115,740 which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in an amount not to exceed $115,740; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration;

COST/FUNDING/ASSESSMENT INFORMATION: -Funds have already been appropriated in the Airport Capital Projects Fund (4033) - FAA Wildlife Hazard Assessment Study (Project #13776). The City match requirement has already been appropriated to this project (Award #80886).

Approvals:

Legal: _____ Administration: R Musselt 5-30-13

Budget: _____

Legal: 00175672.doc V. 1

Ordinance No. _____

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in an amount not to exceed $115,740 which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in an amount not to exceed $115,740; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; providing an effective date; and providing for expiration;

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Albert Whitted Municipal Airport is defined by the City of St. Petersburg, Florida, City Charter Section 1.02(c)(5) B. as: All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida.

Section Two. The Federal Aviation Administration has indicated entitlement funding is available to provide a ninety percent (90%) federal match of the total costs for Wildlife Hazard Assessment Study (Project #13776).

Section Three. The restrictions contained in assurances ("Grant Assurances") which are set forth in the grant documents to be executed by the City, as a requirement for receipt of the FAA grant in an amount not to exceed $115,740, for projects described in Section Two of this ordinance, which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title or other interests in Albert Whitted Municipal Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes for a period not to exceed 20 years from the date of acceptance of the grant are authorized.

Section Four. The Mayor or his designee is authorized to apply for and accept a grant from the FAA in an amount not to exceed $115,740.

Section Five. The Mayor or his designee is authorized to execute all documents necessary to effectuate this ordinance.

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

Section Seven. 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.

Section Eight. In the event the FAA fails to award the grant set forth in Section Two, above, within one year of the effective date of this ordinance, this ordinance shall expire.

Approvals:

Legal:_____ Administration:_____

Budget: _____

Legal: 00174948.doc V. 4

Attached documents for item Intersection Public Safety Program:

MEMORANDUM

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

FROM: Macall Dyer, Assistant City Attorney

DATE: Meeting of June 20, 2013

SUBJECT: Red Light Camera Ordinance

The attached proposed ordinance addresses the changes required by Florida law for the operation of a red light camera program. The proposed ordinance authorizes the use of traffic infraction detectors and provides for the appointment of one or more local hearing officers to exercise the powers provided in the ordinance and Florida law related to the use of traffic infraction detectors. The proposed ordinance establishes an appeals process for a notice of violation, which includes assessment of administrative charges, which charges shall at least cover all the costs to administer this requirement of the City's intersection public safety program.

Changes made to the proposed ordinance after first reading on June 6, 2013, are highlighted.

Document no. 176279

J-8 a+b

AN ORDINANCE OF THE CITY OF ST. PETERSBURG DELETING THE EXISTING ARTICLE VII OF CHAPTER 26; CREATING A NEW ARTICLE VII OF CHAPTER 26, INTERSECTION PUBLIC SAFETY PROGRAM; PROVIDING A PURPOSE; AUTHORIZING THE USE OF TRAFFIC INFRACTION DETECTORS; ADDING DEFINITIONS; PROVIDING FOR ONE OR MORE LOCAL HEARING OFFICERS TO EXERCISE THE POWERS AS PROVIDED IN THIS ARTICLE AND STATE LAW RELATED TO THE USE OF TRAFFIC INFRACTION DETECTORS; PROVIDING FOR AN APPEALS PROCESS FOR A NOTICE OF VIOLATION, WHICH INCLUDES THE ASSESSMENT OF ADMINISTRATIVE CHARGES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section One. The existing Article VII of Chapter 26 of the St. Petersburg City Code is deleted and replaced with new Sections 26-301 through 26-309 to read as follows:

ARTICLE VII –INTERSECTION PUBLIC SAFETY PROGRAM

Sec. 26-301. Purpose.

The purpose of this article is to authorize and implement the use of traffic infraction detectors within the City in accordance with State law.

Sec. 26-302. Use of Traffic Infraction Detectors.

The City shall utilize traffic infraction detectors as a supplemental means of monitoring and assisting law enforcement personnel in the enforcement of laws related to traffic control signals as permitted and provided for by State law, which are designed to protect and improve the public health, safety, and welfare of the community and thereby reduce accidents, injuries and disruption of traffic associated with such violations.

Sec. 26-303. Definitions.

The definitions in F.S. ch. 316 shall apply to this article. As used in this article the following terms shall have the meaning ascribed to them:

Notice of violation means a notification issued for a traffic violation captured by traffic infraction detectors.

Petitioner means any individual who requests a hearing before the Local Hearing Officer pursuant to this article and State law.

Program shall mean the City's intersection public safety program.

Recorded images means images recorded by a traffic infraction detector including but not limited to photographic images, electronic images, or streaming video images.

Traffic Infraction Enforcement Officer means a City police department employee assigned the duty to review recorded images in order to determine whether or not to issue notices of violation.

Sec. 26-304. Local Hearing Officers; appointment, powers.

(a)

Local Hearing Officers shall consist of the following:

(1) One or more attorneys licensed to practice law in the State of Florida recommended by the City Attorney's Office and confirmed by City Council.

(2) The Mayor is authorized designate the City's Code Enforcement Board members or Special Magistrates appointed pursuant to Chapter 9, City Code, as Local Hearing Officers.

(3) To the extent permitted by applicable laws, the City may enter into an interlocal agreement for use of a Local Hearing Officer.

(b)

Local Hearing Officers shall have the authority to hold hearings, uphold or dismiss traffic violations captured by use of traffic infraction detectors, assess penalties and administrative charges, and otherwise exercise the powers as provided in State law related to the use of traffic infraction detectors. The City Attorney's Office shall train or coordinate the training of the Local Hearing Officers.

(c)

The POD is authorized to execute contracts for this service.

Sec. 26-305. Appeal to Local Hearing Officer.

Any petitioner who wants to challenge the notice of violation shall file with the City Clerk's Office a request for hearing on the form required by the City by 5:00 PM on the sixtieth day following the date of the notice of violation. Upon receipt of a request for hearing, the City Clerk's Office will send it to the clerk to the Local Hearing Officer.

Sec. 26-306. Hearing procedures.

(a) Hearings may be held at any time after giving the notice required by this section. All hearings shall be open to the public.

(b) The Mayor shall recommend and City Council shall designate by resolution existing staff to serve as the clerk to the Local Hearing Officer. A Local Hearing Officer shall not be authorized to hire or use the services of any person except those provided by the City.

(c) The Traffic Infraction Enforcement Officer shall provide the clerk to the Local Hearing Officer a copy of the notice of violation, the recorded images and any other notice of violation data within fourteen days after receipt of a request for hearing pursuant to this article.

(d) Notice of hearing shall be provided by first class mail at least twenty days before the hearing.

(e) Cases on the agenda for a particular day shall be heard. All testimony shall be under oath and shall be recorded. The Local Hearing Officer shall take testimony from the Traffic Infraction Enforcement Officer, the petitioner and any other person with relevant information to the notice of violation. The Local Hearing Officer shall review the recorded images. The Local Hearing Officer shall not be bound by the formal rules of evidence; however, he or she shall act to ensure fundamental due process in each case.

(f) The hearing may be continued once as provided by State law. Any petitioner may cancel his or her hearing by paying the $158 penalty plus $50 in administrative costs before the start of the hearing. This information including where to make payment and the accepted forms of payment is set forth in the notice of hearing.

(g) At the conclusion of each hearing, the Local Hearing Officer shall determine whether a violation of State law has occurred, in which case the Local Hearing Officer shall uphold or dismiss the violation, and issue a final administrative order. If the violation is upheld, the final administrative order shall order that the petitioner is required to the pay of the penalty of $158 and it shall order that the petitioner is required to pay administrative costs established by the POD.

(h) The final administrative order may be hand delivered to the petitioner and shall be mailed to the petitioner by first-class mail.

(i) If the petitioner fails to appear at the hearing or if the petitioner fails to comply with the final administrative order upholding the violation within

the time provided, the clerk to the Local Hearing Officer shall notify the Department of Highway Safety and Motor Vehicles as required by State law.

Sec. 26-307. Administrative charges.

In addition to the penalty of $158, administrative charges may be assessed against the petitioner. The POD shall establish the administrative charges, which charges shall at least cover all the costs to administer this requirement of the program, provided such charge shall not exceed the amount permitted by State law. The cost associated with providing City staff shall be considered part of the administrative costs of the program. The POD shall review the administrative charges every six months and adjust, if necessary, to assure coverage of all the costs to administer this requirement of the Program.

Sec. 26-308. Appeal.

Any aggrieved party including the City may appeal an order of the Local Hearing Officer as provided by State law.

Sec. 26-309. Compliance with State Law.

The provisions of this article shall be read in *pari materia* with State law.

Sec. 26-310. Collection of unpaid penalty.

The POD may establish procedures for the collection of any unpaid civil penalty.

Section Two. The provisions of this ordinance shall be deemed to be severable. If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance. The effect thereof shall be confined to the section, paragraph, subdivision, clause sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section Three. 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 (5th) 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 of 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)

V5-175892 (changes highlighted)

MEMORANDUM

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

FROM: Macall Dyer, Assistant City Attorney

DATE: Meeting of June 20, 2013

SUBJECT: Summary of First Amendment to Agreement with American Traffic Solutions

Due to the recent changes to Florida's red light camera law, an amendment to the City's agreement with American Traffic Solutions, Inc. ("ATS") is needed. I am in the process of drafting the First Amendment. Generally, the First Amendment will address the following:

- The agreement and contract documents reference HB325/Chapter 2010-080 Laws of Florida which will needed to be amended due to the recent passing of HB7125.

- The person who receives notices for the Police Department will need to be changed.

- The payment paragraph will need to be amended to include language that if the City opts to have ATS mail out the Notice of Hearing letter and the Final Administrative Order, which are required by the new law, the cost for ATS to provide such service shall be two dollars ($2.00) per mailing.

- The licensing agreement paragraph will need to be amended to include the clerk to the local hearing officer and the local hearing officer(s) as individuals who shall be granted access to ATS's software system.

- A paragraph pertaining to local administrative hearings will need to be added to state that the City shall be responsible for administering and conducting local administrative hearings in accordance with all applicable laws.

RESOLUTION will be provided at a later.

Document no. 176298

AN ORDINANCE OF THE CITY OF ST. PETERSBURG DELETING THE EXISTING ARTICLE VII OF CHAPTER 26; CREATING A NEW ARTICLE VII OF CHAPTER 26, INTERSECTION PUBLIC SAFETY PROGRAM; PROVIDING A PURPOSE; AUTHORIZING THE USE OF TRAFFIC INFRACTION DETECTORS; ADDING DEFINITIONS; PROVIDING FOR ONE OR MORE LOCAL HEARING OFFICERS TO EXERCISE THE POWERS AS PROVIDED IN THIS ARTICLE AND STATE LAW RELATED TO THE USE OF TRAFFIC INFRACTION DETECTORS; PROVIDING FOR AN APPEALS PROCESS FOR A NOTICE OF VIOLATION, WHICH INCLUDES THE ASSESSMENT OF ADMINISTRATIVE CHARGES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section One. The existing Article VII of Chapter 26 of the St. Petersburg City Code is deleted and replaced with new Sections 26-301 through 26-309 to read as follows:

ARTICLE VII –INTERSECTION PUBLIC SAFETY PROGRAM

Sec. 26-301. Purpose.

The purpose of this article is to authorize and implement the use of traffic infraction detectors within the City in accordance with State law.

Sec. 26-302. Use of Traffic Infraction Detectors.

The City shall utilize traffic infraction detectors as a supplemental means of monitoring and assisting law enforcement personnel in the enforcement of laws related to traffic control signals as permitted and provided for by State law, which are designed to protect and improve the public health, safety, and welfare of the community and thereby reduce accidents, injuries and disruption of traffic associated with such violations.

Sec. 26-303. Definitions.

The definitions in F.S. ch. 316 shall apply to this article. As used in this article the following terms shall have the meaning ascribed to them:

Notice of violation means a notification issued for a traffic violation captured by traffic infraction detectors.

Petitioner means any individual who requests a hearing before the Local Hearing Officer pursuant to this article and State law.

Program shall mean the City's intersection public safety program.

Recorded images means images recorded by a traffic infraction detector including but not limited to photographic images, electronic images, or streaming video images.

Traffic Infraction Enforcement Officer means a City police department employee assigned the duty to review recorded images in order to determine whether or not to issue notices of violation.

Sec. 26-304. Local Hearing Officers; appointment, powers.

(a)

Local Hearing Officers shall consist of the following:

(1) One or more attorneys licensed to practice law in the State of Florida recommended by the City Attorney's Office and confirmed by City Council.

(2) City Council is authorized designate the City's Code Enforcement Board members or Special Magistrates appointed pursuant to Chapter 9, City Code, as Local Hearing Officers.

(3) To the extent permitted by applicable laws, the City may enter into an interlocal agreement approved by City Council for use of a Local Hearing Officer.

(b)

Local Hearing Officers shall have the authority to hold hearings, uphold or dismiss traffic violations captured by use of traffic infraction detectors, assess penalties and administrative charges, and otherwise exercise the powers as provided in State law related to the use of traffic infraction detectors. The City Attorney's Office shall train or coordinate the training of the Local Hearing Officers.

(c)

The POD is authorized to execute contracts for this service.

Sec. 26-305. Appeal to Local Hearing Officer.

Any petitioner who wants to challenge the notice of violation shall file with the City Clerk's Office a request for hearing on the form required by the City by 5:00 PM on the sixtieth day following the date of the notice of violation. Upon receipt of a request for hearing, the City Clerk's Office will send it to the clerk to the Local Hearing Officer.

Sec. 26-306. Hearing procedures.

(a) Hearings may be held at any time after giving the notice required by this section. All hearings shall be open to the public.

(b) The Mayor shall recommend and City Council shall designate by resolution existing staff to serve as the clerk to the Local Hearing Officer. A Local Hearing Officer shall not be authorized to hire or use the services of any person except those provided by the City.

(c) The Traffic Infraction Enforcement Officer shall provide the clerk to the Local Hearing Officer a copy of the notice of violation, the recorded images and any other notice of violation data within fourteen days after receipt of a request for hearing pursuant to this article.

(d) Notice of hearing shall be provided by first class mail at least twenty days before the hearing.

(e) Cases on the agenda for a particular day shall be heard. All testimony shall be under oath and shall be recorded. The Local Hearing Officer shall take testimony from the Traffic Infraction Enforcement Officer, the petitioner and any other person with relevant information to the notice of violation. The Local Hearing Officer shall review the recorded images. The Local Hearing Officer shall not be bound by the formal rules of evidence; however, he or she shall act to ensure fundamental due process in each case.

(f) The hearing may be continued once as provided by State law. Any petitioner may cancel his or her hearing by paying the $158 penalty plus $50 in administrative costs before the start of the hearing. This information including where to make payment and the accepted forms of payment is set forth in the notice of hearing.

(g) At the conclusion of each hearing, the Local Hearing Officer shall determine whether a violation of State law has occurred, in which case the Local Hearing Officer shall uphold or dismiss the violation, and issue a final administrative order. If the violation is upheld, the final administrative order shall order that the petitioner is required to pay the penalty of $158 and shall also order that the petitioner is required to pay administrative costs established by the POD.

(h) The final administrative order may be hand delivered to the petitioner and shall be mailed to the petitioner by first-class mail.

(i) If the petitioner fails to appear at the hearing or if the petitioner fails to comply with the final administrative order upholding the violation within the time provided, the clerk to the Local Hearing Officer shall notify the Department of Highway Safety and Motor Vehicles as required by State law.

Sec. 26-307. Administrative charges.

In addition to the penalty of $158, administrative charges may be assessed against the petitioner. The POD shall establish the administrative charges, which charges shall at least cover all the costs to administer this requirement of the program, provided such charge shall not exceed the amount permitted by State law. The cost associated with providing City staff shall be considered part of the administrative costs of the program. The POD shall review the administrative charges every six months and adjust, if necessary, to assure coverage of all the costs to administer this requirement of the Program.

Sec. 26-308. Appeal.

Any aggrieved party including the City may appeal an order of the Local Hearing Officer as provided by State law.

Sec. 26-309. Compliance with State Law.

The provisions of this article shall be read in *pari materia* with State law.

Sec. 26-310. Collection of unpaid penalty.

The POD may establish procedures for the collection of any unpaid civil penalty.

Section Two. The provisions of this ordinance shall be deemed to be severable. If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance. The effect thereof shall be confined to the section, paragraph, subdivision, clause sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section Three. 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 (5th) 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 of 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)

MEMORANDUM

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

FROM: Macall Dyer, Assistant City Attorney (MD)

DATE: Meeting of June 20, 2013

SUBJECT: First Amendment to Agreement with American Traffic Solutions

Attached is a resolution approving the First Amendment to the Agreement between the City and American Traffic Solutions, Inc. ("ATS") dated April 21, 2011. In addition to amending a couple provisions for non-substantive or clarification purposes only (e.g., person who receives notices for Police Department), the First Amendment will amend provisions pertaining to the following to ensure the Agreement conforms to the new law:

- The agreement and contract documents contain references to HB325/Chapter 2010-80 Laws of Florida which will need to be amended due to the recent enactment of HB7125/Chapter 2013-160 Laws of Florida (e.g., HB325/Chapter 2010-80 Laws of Florida amended by HB7125/Chapter 2013-160 Laws of Florida, and any future amendments thereto).

- The payment paragraph will need to be amended to include language that if the City opts to have ATS mail out notices and orders associated with the local administrative hearing process required by applicable laws, the cost for ATS to provide this additional service for the City shall be two dollars ($2.00) per mailing.

- The licensing agreement paragraph will need to be amended to include the clerk to the local hearing officer(s) and the local hearing officer(s) as individuals who shall be granted access to ATS's software system.

- A paragraph pertaining to local administrative hearings will need to be added to state that the City shall be responsible for administering and conducting local administrative hearings in accordance with all applicable laws.

RESOLUTION NO. 2013-___

APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND AMERICAN TRAFFIC SOLUTIONS, INC. DATED APRIL 21, 2011; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") entered into an agreement with American Traffic Solutions, Inc. ("ATS") on April 21, 2011 ("Agreement"), for ATS to furnish, install, operate and maintain a traffic infraction detector program; and

WHEREAS, due to recent changes to Florida's red light camera law, the City and ATS desire to amend the Agreement to ensure it conforms to the new law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the First Amendment to Agreement between the City of St. Petersburg, Florida, and American Traffic Solutions, Inc. ("First Amendment") is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the First Amendment.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE:

City Attorney (designee)
V1 - 176662

MEMORANDUM

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

FROM: Macall Dyer, Assistant City Attorney MD

DATE: Meeting of June 20, 2013

SUBJECT: Local Hearing Officers

Attached are resumes from (1) Erin Woolums Meza to be listed by the Florida Bar as Erin Woolums; (2) Erin K. Barnett; and (3) Julia Louise Rice, local attorneys who are licensed to practice law in the State of Florida and qualified to be appointed as Local Hearing Officers to conduct local administrative hearing required by the new changes to Florida's red light camera law.

Their compensation will be $100 per hour and they will be paid a minimum of one hour's compensation for each hearing. Any time spent over one hour per hearing shall be prorated to the nearest quarter of an hour.

A RESOLUTION APPOINTING ERIN WOOLUMS MEZA TO BE LISTED BY THE FLORIDA BAR AS ERIN WOOLUMS, ERIN BARNETT, AND JULIA RICE AS LOCAL HEARING OFFICERS TO EXERCISE THE POWERS AS PROVIDED IN APPLICABLE FLORIDA LAWS AND CITY ORDINANCE 76-H; AUTHORIZING THE CITY ATTORNEY OR HIS DESIGNEE TO PREPARE AND EXECUTE SERVICE AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Erin Woolums Meza to be listed by the Florida Bar as Erin Woolums, Erin Barnett, and Julia Rice, are local attorneys licensed to practice law in the State of Florida and otherwise qualified to be appointed as Local Hearing Officers for the City to conduct local administrative hearing required by the new changes to Florida's red light camera law and City Ordinance 76-H.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Erin Woolums Meza to be listed by the Florida Bar as Erin Woolums, Erin Barnett, and Julia Rice are hereby appointed as Local Hearing Officers to exercise the powers provided in applicable Florida laws and City ordinance 76-H.

BE IT FURTHER RESOLVED that the City Attorney or his designee is authorized to prepare and execute service agreements.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content

City Attorney or (Designee)

Document no. 176780

MEMORANDUM

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

FROM: Macall Dyer, Assistant City Attorney

DATE: Meeting of June 20, 2013

SUBJECT: Clerk to Local Hearing Officers

The recent changes to Florida's red light camera law requires that the City designate by resolution a clerk to the Local Hearing Officers. Attached is a resolution appointing the City Clerk's Office as clerk to the Local Hearing Officers.

A RESOLUTION APPOINTING THE CITY CLERK'S OFFICE AS CLERK TO THE LOCAL HEARING OFFICERS AS REQUIRED BY APPLICABLE FLORIDA LAWS TO PERFORM THE DUTIES AS PROVIDED IN APPLICABLE FLORIDA LAWS AND CITY ORDINANCE 76-H; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the recent changes to Florida's red light camera law requires that the City designate by resolution a clerk to the Local Hearing Officers.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the City Clerk's Office is hereby appointed as clerk to the Local Hearing Officers as required by applicable Florida laws to perform the duties as provided in applicable Florida laws and City ordinance 76-H.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content

City Attorney or (Designee)

Document no. 176790

AN ORDINANCE OF THE CITY OF ST. PETERSBURG DELETING THE EXISTING ARTICLE VII OF CHAPTER 26; CREATING A NEW ARTICLE VII OF CHAPTER 26, INTERSECTION PUBLIC SAFETY PROGRAM; PROVIDING A PURPOSE; AUTHORIZING THE USE OF TRAFFIC INFRACTION DETECTORS; ADDING DEFINITIONS; PROVIDING FOR ONE OR MORE LOCAL HEARING OFFICERS TO EXERCISE THE POWERS AS PROVIDED IN THIS ARTICLE AND STATE LAW RELATED TO THE USE OF TRAFFIC INFRACTION DETECTORS; PROVIDING FOR AN APPEALS PROCESS FOR A NOTICE OF VIOLATION, WHICH INCLUDES THE ASSESSMENT OF ADMINISTRATIVE CHARGES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section One. The existing Article VII of Chapter 26 of the St. Petersburg City Code is deleted and replaced with new Sections 26-301 through 26-309 to read as follows:

ARTICLE VII –INTERSECTION PUBLIC SAFETY PROGRAM

Sec. 26-301. Purpose.

The purpose of this article is to authorize and implement the use of traffic infraction detectors within the City in accordance with State law.

Sec. 26-302. Use of Traffic Infraction Detectors.

The City shall utilize traffic infraction detectors as a supplemental means of monitoring and assisting law enforcement personnel in the enforcement of laws related to traffic control signals as permitted and provided for by State law, which are designed to protect and improve the public health, safety, and welfare of the community and thereby reduce accidents, injuries and disruption of traffic associated with such violations.

Sec. 26-303. Definitions.

The definitions in F.S. ch. 316 shall apply to this article. As used in this article the following terms shall have the meaning ascribed to them:

Notice of violation means a notification issued for a traffic violation captured by traffic infraction detectors.

Petitioner means any individual who requests a hearing before the Local Hearing Officer pursuant to this article and State law.

Program shall mean the City's intersection public safety program.

Recorded images means images recorded by a traffic infraction detector including but not limited to photographic images, electronic images, or streaming video images.

Traffic Infraction Enforcement Officer means a City police department employee assigned the duty to review recorded images in order to determine whether or not to issue notices of violation.

Sec. 26-304. Local Hearing Officers; appointment, powers.

(a)

Local Hearing Officers shall consist of the following:

(1) One or more attorneys licensed to practice law in the State of Florida recommended by the City Attorney's Office and confirmed by City Council.

(2) City Council is authorized designate the City's Code Enforcement Board members or Special Magistrates appointed pursuant to Chapter 9, City Code, as Local Hearing Officers.

(3) To the extent permitted by applicable laws, the City may enter into an interlocal agreement approved by City Council for use of a Local Hearing Officer.

(b)

Local Hearing Officers shall have the authority to hold hearings, uphold or dismiss traffic violations captured by use of traffic infraction detectors, assess penalties and administrative charges, and otherwise exercise the powers as provided in State law related to the use of traffic infraction detectors. The City Attorney's Office shall train or coordinate the training of the Local Hearing Officers.

(c)

The POD is authorized to execute contracts for this service.

Sec. 26-305. Appeal to Local Hearing Officer.

Any petitioner who wants to challenge the notice of violation shall file with the City Clerk's Office a request for hearing on the form required by the City by 5:00 PM on the sixtieth day following the date of the notice of violation. Upon receipt of a request for hearing, the City Clerk's Office will send it to the clerk to the Local Hearing Officer.

Sec. 26-306. Hearing procedures.

(a) Hearings may be held at any time after giving the notice required by this section. All hearings shall be open to the public.

(b) The Mayor shall recommend and City Council shall designate by resolution existing staff to serve as the clerk to the Local Hearing Officer. A Local Hearing Officer shall not be authorized to hire or use the services of any person except those provided by the City.

(c) The Traffic Infraction Enforcement Officer shall provide the clerk to the Local Hearing Officer a copy of the notice of violation, the recorded images and any other notice of violation data within fourteen days after receipt of a request for hearing pursuant to this article.

(d) Notice of hearing shall be provided by first class mail at least twenty days before the hearing.

(e) Cases on the agenda for a particular day shall be heard. All testimony shall be under oath and shall be recorded. The Local Hearing Officer shall take testimony from the Traffic Infraction Enforcement Officer, the petitioner and any other person with relevant information to the notice of violation. The Local Hearing Officer shall review the recorded images. The Local Hearing Officer shall not be bound by the formal rules of evidence; however, he or she shall act to ensure fundamental due process in each case.

(f) The hearing may be continued once as provided by State law. Any petitioner may cancel his or her hearing by paying the $158 penalty plus $50 in administrative costs before the start of the hearing. This information including where to make payment and the accepted forms of payment is set forth in the notice of hearing.

(g) At the conclusion of each hearing, the Local Hearing Officer shall determine whether a violation of State law has occurred, in which case the Local Hearing Officer shall uphold or dismiss the violation, and issue a final administrative order. If the violation is upheld, the final administrative order shall order that the petitioner is required to pay the penalty of $158 and shall also order that the petitioner is required to pay administrative costs established by the POD.

(h) The final administrative order may be hand delivered to the petitioner and shall be mailed to the petitioner by first-class mail.

(i) If the petitioner fails to appear at the hearing or if the petitioner fails to comply with the final administrative order upholding the violation within the time provided, the clerk to the Local Hearing Officer shall notify the Department of Highway Safety and Motor Vehicles as required by State law.

Sec. 26-307. Administrative charges.

In addition to the penalty of $158, administrative charges may be assessed against the petitioner. The POD shall establish the administrative charges, which charges shall at least cover all the costs to administer this requirement of the program, provided such charge shall not exceed the amount permitted by State law. The cost associated with providing City staff shall be considered part of the administrative costs of the program. The POD shall review the administrative charges every six months and adjust, if necessary, to assure coverage of all the costs to administer this requirement of the Program.

Sec. 26-308. Appeal.

Any aggrieved party including the City may appeal an order of the Local Hearing Officer as provided by State law.

Sec. 26-309. Compliance with State Law.

The provisions of this article shall be read in *pari materia* with State law.

Sec. 26-310. Collection of unpaid penalty.

The POD may establish procedures for the collection of any unpaid civil penalty.

Section Two. The provisions of this ordinance shall be deemed to be severable. If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance. The effect thereof shall be confined to the section, paragraph, subdivision, clause sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section Three. 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 (5th) 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 of 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)

V7-176816 (city council 6/20/13)

Attached documents for item Ordinance 77-H providing for an election on a Proposed Ordinance submitted by an initiative petition pursuant to Article Seven of the City Charter of the City of St. Petersburg; providing for the calling of a Special Municipal Election to be held in conju

MEMORANDUM

TO: The Honorable Mayor and the Honorable Chair and City Council Members

FROM: John C. Wolfe, City Attorney

DATE: June 7, 2013

RE: Proposed Ordinance 77-H Relating to the August 27, 2013 Primary Election

==========

The attached ordinance, first read on June 6, 2013, provides for the calling of a Special Municipal Election to be held in conjunction with the August 27, 2013 primary election and, pursuant to the City Charter, must be adopted following the public hearing to place the ballot title and question on the ballot.

The deadline to supply ballot language to the Supervisor of Elections is June 28, 2013 for the August 27, 2013 primary election.

If you have any questions, please give me a call.

Attachment

J-9

ORDINANCE ____

AN ORDINANCE PROVIDING FOR AN ELECTION ON A PROPOSED ORDINANCE SUBMITTED BY AN INITIATIVE PETITION PURSUANT TO ARTICLE SEVEN OF THE CITY CHARTER OF THE CITY OF ST. PETERSBURG; PROVIDING FOR THE CALLING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN CONJUNCTION WITH THE CITY'S PRIMARY ELECTION ON AUGUST 27, 2013 TO PRESENT THE PROPOSED ORDINANCE TO THE VOTERS; PROVIDING FOR THE FORM OF THE TITLE AND THE QUESTION TO APPEAR ON THE BALLOT; PROVIDING FOR THE PROPOSED ORDINANCE TO BECOME AN ORDINANCE OF THE CITY IF IT IS APPROVED BY A MAJORITY OF THE VOTERS VOTING ON THE QUESTION OF THE ADOPTION OF THE ORDINANCE IN THE AUGUST 27, 2013 ELECTION; PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That the City Council of the City of St. Petersburg hereby makes the following findings:

1. That a Proposed Ordinance attached hereto as Exhibit "A" has been submitted to the City pursuant to Article Seven of the City Charter.

2. That the proposed ordinance was submitted with petitions for its adoption to the City Clerk on May 15, 2013, and the City Clerk, on June 3, 2013, completed a certificate as to its sufficiency stating that at least ten percent (10%) of the total number of qualified voters registered to vote at the last general City election have signed petitions asking the City Council to pass the Proposed Ordinance

3. That City Council has declined to pass the Proposed Ordinance.

4. That Article Seven of the City Charter requires that, when the City Council declines to adopt a properly proposed initiative ordinance, it must be submitted to the voters for a vote of the qualified electors of the City and the election shall be held not less than thirty (30) days and not later than ninety (90) days from the date that the petition was determined sufficient.

5. That the City Council through this ordinance is complying with Article VII of the City Charter by scheduling a vote on the Proposed Ordinance at the City wide Primary Election to be held on August 27, 2013.

ORDINANCE ____

SECTION 2. That a special election will be held as part of the general City Primary Election to be held on August 27, 2013, and the question and title as delineated in Sections 4 and 5 of this Ordinance shall be placed on the ballot at said election.

SECTION 3. That if the ballot question contained in Section 4 of this Ordinance is approved by a majority of the qualified electors voting on said question at said election, the Proposed Ordinance contained in Exhibit "A" attached to this ordinance shall be deemed to be an adopted ordinance of the City of St Petersburg upon the declaration of said results of the election by City Council with the effective date of the Proposed Ordinance to be as provided for in the Proposed Ordinance.

SECTION 4. That the ballot question provided for in Section 2 of this Ordinance shall appear on the ballot in the following form:

Shall an ordinance be added to the City of St Petersburg's existing ordinances that would require the City to send a notice of termination, within five business days of the effective date of the ordinance, to Michael Maltzan Architecture, Inc. to terminate the existing architect/engineering agreement between the City of St Petersburg and Michael Maltzan Architecture, Inc. which agreement was approved by City Council Resolution Number 2012-233 on May 17, 2012?

Yes _____ No_____

SECTION 5. That the title of the ballot question provided for in Section 2 of this Ordinance shall appear on the ballot in the following form:

AN ORDINANCE PROVIDING FOR TERMINATION OF THE MICHAEL MALTZAN ARCHITECT/ENGINEERING AGREEMENT WITH THE CITY

SECTION 6. This ordinance shall become effective immediately upon its adoption.

Approved as to form and content:

_____

City Attorney (designee)

MEMORANDUM

TO: The Honorable Chair and City Council Members

FROM: John C. Wolfe, City Attorney

DATE: June 14, 2013 **(REVISED PER COMMENTS AT AGENDA REVIEW)**

RE: Petitioners Initiative Ballot Titles

You requested that I propose several alternative ballot titles that could be inserted into the previously submitted ordinance that would place the Initiative Proposed Ordinance on the Primary Election ballot. As you know the Initiative Proposed Ordinance directs the City to terminate its current, Architect/Engineering Agreement with Michael Maltzan, Architecture, Inc. Before listing possible alternative ballot titles, it is necessary to examine both statutory and case law regarding ballot titles and questions.

As referenced at the last meeting, Florida Statute 101.161(1) states in part that "the ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of." Although this sounds rather absolute in its language, the Florida Supreme Court has determined that, although the word limits are strictly applied, the ballot title and summary must state in clear, unambiguous and not misleading language the chief purpose of the measure even if the commonly referred to language is not used.

This concept was recently restated in the case of *Sara S. O'Connell v. Martin County*, 84 So.3d 463 which was issued by the 4th District Court of Appeals of Florida in April of 2012 (attached to this memo as Exhibit A). In the *O'Connell* case, the ballot title that was in question was one that read "economic development incentive ad valorem tax exemption". It was claimed that this section did not comply with the mandate of Florida Statute 101.161(1) requiring the ballot to use the commonly referred to language. The Court pointed out that the advertisement supporting the measure and how it was often referred to in public discourse was "tax abatement referendum" or "jobs referendum". None of these words, except for "tax", appeared in the proposed ballot title. The court held that the ballot title was appropriate as written and did not need to use the commonly referred to and advertised terms, provided that it met the requirement that it clearly explained what the subject matter of the ballot measure was.

In the previously submitted ordinance to place the Petitioners Proposed Ordinance on the ballot, the ballot title clearly indicates what the body of the Petitioners Proposed Ordinance contains. The Petitioners' Proposed Ordinance only provides for the termination of the current Michael Maltzan Architecture/Engineering Agreement with the City. The further you deviate from a title which clearly delineates what the subject matter of the ballot measure contains, the more likely it is for you to have an improper title subject to challenge. It is important to note that the Michael Maltzan Agreement provides for a "concept" to be worked on and produced for consideration by the City.

The word "concept" is defined in the Agreement to mean both the Lens and the Hub. If the ordinance is passed by the electorate and the agreement is terminated it stops further work by Michael Maltzan, under the current Agreement with Michael Maltzan, on both the Lens and the Hub not just the Lens.
I have put together several proposed titles for your consideration. They are attached to this memo as Exhibit "B".

- The first group is the recommended titles. Title 1(a) is the title that is currently contained within the previously submitted ordinance. Title 1(b) is a variation that still meets the intent of what the Courts require.

- The second group has three titles. Each of these titles inserts the words "New Pier" into the title. "New Pier" does appear in one of the "whereas clauses" of the Petitioners Proposed Ordinance. However, because of the introduction of the term "New Pier" the full description of the Michael Maltzan contract cannot be used due to the 15 word limitation. Although not recommended, it is probable that any of these titles would be upheld by a Court.

- Titles 3(a), (b) and (c) include the word "Lens" which is not included anywhere in the Petitioners Proposed Ordinance. Additionally, these ballot titles do not state that the design work on the Hub would also be terminated.

- Title 4(a) is a title that was suggested by the Petitioner's attorney. Title 4(b) is a variation of that title which I would prefer to be used if you choose to go in that direction. However, they both incorporate the word "Lens" which is nowhere to be found in the Petitioners Proposed Ordinance, but such inclusion is asked for by the Petitioners.

As I suggested at the last meeting, the statutory provision does seem to give you more latitude with respect to how you frame the ballot title. However, a subsequent review of the case law as discussed above indicates that this statute has been interpreted by the Florida Supreme Court to not override wording in a ballot title and ballot question that accurately reflects what is in the measure being considered. As previously stated, please be advised that the further away you get from describing what is actually in the proposed ballot measure, the more dangerous it is that the title will be held to be not valid.

I will be happy to discuss any of the proposed titles that I have listed on Exhibit "B" as well as any other suggestions you might have prior to the meeting of June 20th wherein a decision needs to be made with respect to what will be transmitted to the Supervisor of Elections as the ballot title and ballot summary.

Attachments

c: Mayor Foster
Tish Elston
Mark Winn

SARA S. O'CONNELL, Appellant, v. MARTIN COUNTY, a political subdivision of the State of Florida, Appellee.

No. 4D11-1659

COURT OF APPEAL OF FLORIDA, FOURTH DISTRICT

84 So. 3d 463; *2012 Fla. App. LEXIS 5571*; *37 Fla. L. Weekly D 847*

April 11, 2012, Decided

PRIOR HISTORY: [**1]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Martin County; Sherwood Bauer, Jr., Judge; L.T. Case No. 10-1864 CA.

COUNSEL: Virginia P. Sherlock of Littman, Sherlock & Heims, P.A., Stuart, for appellant.

Ronald A. Labansky of Brewton Plante, P.A., Tallahassee, for appellee.

JUDGES: WARNER, STEVENSON and CONNER, JJ., concur.

OPINION

[*464] PER CURIAM.

Sara O'Connell appeals the trial court's entry of final summary judgment in favor of Martin County on her complaint seeking invalidation of a referendum approving an ad valorem tax exemption ordinance. She claims that the ballot title did not include [*465] the name by which the ordinance was commonly referred to, and that the summary was misleading. She also claims that the court denied her due process by considering a memorandum of legal argument submitted by the County six days prior to the hearing. We affirm on all issues.

While our standard of review of a proposed amendment referendum is de novo, "[a] court may declare a proposed . . . amendment invalid only if the record shows that the proposal is clearly and conclusively defective." *Armstrong v. Harris, 773 So. 2d 7, 11 (Fla. 2000).*

O'Connell asserts that the ballot title set forth in the Resolution, "*ECONOMIC* [**2] *DEVELOPMENT INCENTIVE AD VALOREM TAX EXEMPTION*," does not comply with the mandate of *section 101.161(1), Florida Statutes*, requiring a ballot title to use common language. *Section 101.161(1)*, requires that ballot titles "consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of." The referendum was referred to in public discourse as a "Tax Abatement Referendum" or "Jobs Referendum" in advertisements supporting the measure. O'Connell further maintains that the ballot summary is misleading, because it speaks of allowing Martin County to "encourage job creation," when the true purpose and effect of Ordinance 864 is to encourage development. *Section 101.161(1)* provides: "The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure." The trial court held, and Martin County argues, that the primary legal effect of the ordinance is job creation, as new and expanding businesses create new jobs, and the ballot title and

summary provided fair notice of this effect.

The "Court has always interpreted *section 101.161(1)* to mean that the ballot [**3] title and summary must be read together in determining if the ballot information properly informs the voter." *Advisory Opinion to the Atty. Gen. Re: Casinos, 644 So. 2d 71, 75 (Fla. 1994)*. As explained by the supreme court, the ballot and summary should not mislead or commit a fraud on the voters:

> The purpose of a ballot title and summary is "to provide fair notice of the content of the proposed amendment so that the voter will not be misled as to its purpose, and can cast an intelligent and informed ballot." To comply with the requirements of law, the ballot language "must state the chief purpose of the proposed amendment." This Court has explained that the ballot must "advise the voter sufficiently to enable him intelligently to cast his ballot." While the ballot title and summary must state in clear and unambiguous language the chief purpose of the measure, they need not explain every detail or ramification of the proposed amendment. The ballot language must, however, give "the voter fair notice of the decision he [or she] must make."
>
> . . . In assessing the ballot title and summary, the reviewing court should ask two questions: First, whether the ballot title and summary "fairly inform [**4] the voter of the chief purpose of the amendment," and second, "whether the language of the title and summary, as written, misleads the public." . . . .
>
> . . . The proposed amendment "must stand on its own merits and not be disguised as something else." "A ballot title and summary cannot either 'fly under false colors' or 'hide the ball' as to the amendment's true effect."

[*466] *Fla. Educ. Ass'n v. Florida Dep't. of State, 48 So. 3d 694, 700-01 (Fla. 2010)* (citations omitted).

Based upon these standards, the ballot title and summary comply with the statutory requirements. The title informs voters that the ordinance is for economic development, and the ordinance was enacted to take advantage of *section 196.1995, Florida Statutes*, which allows up to a 10-year exemption of up to 100 percent of the assessed value of improvements to real property and tangible personal property to both new businesses and expansions of existing businesses that meet certain minimum job creation requirements. The title "Economic Development Incentive Ad Valorem Tax Exemption" correctly informs the voter that the measure is an ad valorem tax exemption, as an incentive for economic development. The title also is nearly [**5] identical to the title of *section 196.1995*, which is "Economic development ad valorem tax exemption." While it appears that this particular ordinance was referred to by several different names in the public, the ballot title does not mislead the public as to the true and chief purpose of the amendment.

As to the ballot summary, the trial court held that the primary legal effect of the ordinance is job creation, because new and expanding businesses create new jobs, and the ballot summary provided fair notice of this effect. We agree with that conclusion and do not accept the conclusion that the real purpose is land development. While not all ramifications and explanations are contained, the summary does not have to contain all of the details of the ordinance and probably could not within the word limitation of the summary. *Fla. Educ. Ass'n, 48 So. 3d at 700*. The ballot title and summary fairly inform the voters of the chief purpose of the ordinance and do not commit a fraud on the public. Therefore, under the standards enunciated by the supreme court, they were sufficient to place before the voters.

Finally, on the procedural issue raised, no denial of due process occurred when the County [**6] submitted its memorandum of law on the cross motions for summary judgment six days prior to the hearing. The county's timely-filed motion for summary judgment alleged that the ballot title and summary comply with state statute as a matter of law. The memorandum of law in support of the motion simply provided case citations and legal argument in support of this ground for judgment. No new ground for relief was stated in the motion. The rules do not require the county to submit a memorandum of law at all, and no rule or case holds that nearly a week's notice of the legal authorities upon which a party intends to rely is a denial of due process to the

opposing party.

WARNER, STEVENSON and CONNER, JJ., concur.

Affirmed.

EXHIBIT "B"

1. **RECOMMENDED**
   (a) AN ORDINANCE PROVIDING FOR TERMINATION OF THE MICHAEL MALTZAN ARCHITECT/ENGINEERING AGREEMENT WITH THE CITY

   (b) AN ORDINANCE DIRECTING THE TERMINATION OF THE MICHAEL MALTZAN ARCHITECT/ENGINEERING AGREEMENT WITH THE CITY

2. **POSSIBLE TITLES WITH THE WORDS "NEW PIER" INCLUDED**

   (a) AN ORDINANCE DIRECTING TERMINATION OF CITY'S DESIGN AGREEMENT WITH MICHAEL MALTZAN FOR THE NEW PIER

   (b) AN ORDINANCE DIRECTING TERMINATION OF THE MICHAEL MALTZAN ARCHITECT/ENGINEERING AGREEMENT FOR THE NEW PIER

   (c) AN ORDINANCE DIRECTING TERMINATION OF CITY'S AGREEMENT WITH MICHAEL MALTZAN FOR THE NEW PIER

3. **POSSIBLE TITLES WITH THE WORD "LENS" INCLUDED**

   (a) AN ORDINANCE DIRECTING TERMINATION OF MICHAEL MALTZAN PIER DESIGN AGREEMENT BASED ON THE LENS CONCEPT

   (b) AN ORDINANCE DIRECTING TERMINATION OF MICHAEL MALTZAN NEW PIER DESIGN AGREEMENT BASED ON LENS CONCEPT

   (c) AN ORDINANCE TERMINATING THE MICHAEL MALTZAN NEW PIER DESIGN AGREEMENT BASED ON THE LENS CONCEPT

4. **TITLE SUGGESTED BY THE PETITIONER'S ATTORNEY (a) AND MY SUGGESTED ALTERNATIVE (b) IF YOU WISH TO USE A FORM OF PETITIONER'S SUGGESTION**

   (a) AN ORDINANCE TERMINATING THE MICHAEL MALTZAN AGREEMENT WITH THE CITY FOR THE NEW PIER (LENS)

   (b) AN ORDINANCE DIRECTING TERMINATION OF CITY'S MICHAEL MALTZAN ARCHITECTURAL AGREEMENT FOR THE NEW PIER (LENS)

Revised

ORDINANCE NO. 77-H

AN ORDINANCE PROVIDING FOR AN ELECTION ON A PROPOSED ORDINANCE SUBMITTED BY AN INITIATIVE PETITION PURSUANT TO ARTICLE SEVEN OF THE CITY CHARTER OF THE CITY OF ST. PETERSBURG; PROVIDING FOR THE CALLING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN CONJUNCTION WITH THE CITY'S PRIMARY ELECTION ON AUGUST 27, 2013 TO PRESENT THE PROPOSED ORDINANCE TO THE VOTERS; PROVIDING FOR THE FORM OF THE TITLE AND THE QUESTION TO APPEAR ON THE BALLOT; PROVIDING FOR THE PROPOSED ORDINANCE TO BECOME AN ORDINANCE OF THE CITY IF IT IS APPROVED BY A MAJORITY OF THE VOTERS VOTING ON THE QUESTION OF THE ADOPTION OF THE ORDINANCE IN THE AUGUST 27, 2013 ELECTION; PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That the City Council of the City of St. Petersburg hereby makes the following findings:

1. That a Proposed Ordinance attached hereto as Exhibit "A" has been submitted to the City pursuant to Article Seven of the City Charter.

2. That the proposed ordinance was submitted with petitions for its adoption to the City Clerk on May 15, 2013, and the City Clerk, on June 3, 2013, completed a certificate as to its sufficiency stating that at least ten percent (10%) of the total number of qualified voters registered to vote at the last general City election have signed petitions asking the City Council to pass the Proposed Ordinance

3. That City Council has declined to pass the Proposed Ordinance.

4. That Article Seven of the City Charter requires that, when the City Council declines to adopt a properly proposed initiative ordinance, it must be submitted to the voters for a vote of the qualified electors of the City and the election shall be held not less than thirty (30) days and not later than ninety (90) days from the date that the petition was determined sufficient.

J9

5. That the City Council through this ordinance is complying with Article VII of the City Charter by scheduling a vote on the Proposed Ordinance at the City wide Primary Election to be held on August 27, 2013.

SECTION 2. That a special election will be held as part of the general City Primary Election to be held on August 27, 2013, and the question and title as delineated in Sections 4 and 5 of this Ordinance shall be placed on the ballot at said election.

SECTION 3. That if the ballot question contained in Section 4 of this Ordinance is approved by a majority of the qualified electors voting on said question at said election, the Proposed Ordinance contained in Exhibit "A" attached to this ordinance shall be deemed to be an adopted ordinance of the City of St Petersburg upon the declaration of said results of the election by City Council with the effective date of the Proposed Ordinance to be as provided for in the Proposed Ordinance.

SECTION 4. That the ballot question provided for in Section 2 of this Ordinance shall appear on the ballot in the following form:

Shall an ordinance be added to the City of St Petersburg's existing ordinances that would require the City to send a notice of termination, within five business days of the effective date of the ordinance, to Michael Maltzan Architecture, Inc. to terminate the existing architect/engineering agreement between the City of St Petersburg and Michael Maltzan Architecture, Inc. which agreement was approved by City Council Resolution Number 2012-233 on May 17, 2012?

Yes _____ No_____

SECTION 5. That the title of the ballot question provided for in Section 2 of this Ordinance shall appear on the ballot in the following form:

AN ORDINANCE TERMINATING THE MICHAEL MALTZAN NEW PIER DESIGN AGREEMENT BASED ON THE LENS CONCEPT

SECTION 6. This ordinance shall become effective immediately upon its adoption.

First reading conducted on the 6th day of June 2013.

Adopted by St. Petersburg City Council on second and final reading, as amended, on the 20th day, of June, 2013.

_____
KarlNurse Chair-Councilmember
Presiding Officer of the City Council

ATTEST:_____
Eva Andujar City Clerk

Title Published: Times 1-t 6/9/2013

Exhibit "A"

CITY OF ST. PETERSBURG
ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR TERMINATION OF THE ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND MICHAEL MALTZAN ARCHITECTURE, INC. APPROVED BY RESOLUTION 2012-233 ADOPTED BY THE CITY COUNCIL ON MAY 17, 2012; PROVIDING FOR NOTICE OF TERMINATION TO BE SENT PURSUANT TO THE TERMS OF THE AGREEMENT BETWEEN MICHAEL MALTZAN ARCHITECTURE, INC. AND THE CITY OF ST. PETERSBURG WITHIN FIVE (5) BUSINESS DAYS; PROVIDING INSTRUCTIONS TO THE MAYOR TO DIRECT STAFF TO IMPLEMENT THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, that certain architect/engineering agreement between the City of St. Petersburg and Michael Maltzan Architecture, Inc. for design and construction services for the new pier entered into pursuant to Resolution 2012-233 adopted by the City Council on May 17, 2012, provides for termination of such agreement by the City; and

WHEREAS, it is in the best interest of the City that the aforementioned agreement between the City of St. Petersburg and Michael Maltzan Architecture, Inc., be terminated.

NOW, THEREFORE, be it ordained by the City Council of the City of St. Petersburg, Florida duly assembled this day of _____, 201__, the following:

THE CITY OF ST. PETERSBURG DOES ORDAIN

Section 1. **Termination of Agreement.** The City Council has determined that the agreement between the City and Michael Maltzan Architecture, Inc. should be terminated.

Section 2. **Instructions to Mayor.** The City Council directs the Mayor to direct the City's Project Manager to terminate the agreement between the City of St. Petersburg and Michael Maltzan Architecture, Inc. as provided for in Section 14.1.1 of that agreement.

Section 3. **Timeframe for Providing Notice.** The City Council directs that the Notice of Termination as provided for in Section 14.1.1 of the agreement between the City of St. Petersburg and Michael Maltzan Architecture, Inc. be sent by the Project Manager within five (5) business days of the effective date of this ordinance.

Section 4. **Conflict and severability.** The provisions of this Ordinance shall be deemed severable. The unconstitutionality or invalidity of any word, sentence or portion of this ordinance shall not affect the validity of the remaining portions.

Section 5. **Effective date.** In the event that this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

First reading conducted on the ___ day of _____, 201__

Adopted by St. Petersburg City Council on second and final reading on the ___ day of _____, 201__.

_____

Presiding Officer of the City Council

ATTEST: _____

City Clerk

Attached documents for item Ordinance 78-H providing for the sale and consumption of alcoholic beverages In Lake Maggiore Park on September 28, 2013.

Ordinance No. _____

AN ORDINANCE PROVIDING FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN LAKE MAGGIORE PARK ON SEPTEMBER 28, 2013; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Notwithstanding any other Ordinance of the City of St. Petersburg, the sale and consumption of alcoholic beverages shall be permissible on September 28, 2013 in Lake Maggiore Park.

SECTION 2. The sale and consumption of alcoholic beverages pursuant to Section 1 hereof shall only be allowed in conjunction with those events for which a permit has been issued pursuant to Section 21-31 of the St. Petersburg City Code.

SECTION 3. As part of the permit issued pursuant to Section 21-31 of the St. Petersburg City Code, the Mayor may impose reasonable conditions and restrictions concerning the event, including but not limited to conditions and restrictions concerning the sale and consumption of alcoholic beverages.

SECTION 4. Section 21-31(e)(11) of the St. Petersburg City Code shall not apply to a permit issued pursuant to Section 21-31 of the St. Petersburg City Code for an event entitled Paddles Up St. Pete to be held on September 28, 2013 in Lake Maggiore Park.

SECTION 5. A condition of any permit issued pursuant to this Ordinance shall be that the permittee comply with all applicable State Laws.

SECTION 6. 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)

Legal: 00175103.doc V. 1

Attached documents for item Resolution establishing a new Brownfield Area designation at the southwest corner of 29th Street North and 22nd Avenue North.

ST. PETERSBURG CITY COUNCIL

Meeting of June 20, 2013

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

SUBJECT: A resolution, designating a new State of Florida Brownfield Area in the City of St. Petersburg, Florida, established in accordance with § 376.77-85, Florida Statutes, on property located on the southwest corner of 29th Street North and 22nd Avenue North, as legally described herein, for the purpose of environmental rehabilitation and economic redevelopment; authorizing the Mayor or his designee to notify the Florida Department of Environmental Protection of said designation and to take such other actions and execute all documents necessary to effectuate this resolution; and providing an effective date.

EXPLANATION: On Wednesday August 6, 1986 the Jones Chemical Inc. plant at 3000 22nd Avenue North caught fire. The fire released chlorine vapor into the air, hospitalizing 44 people and evacuating a 20-block square area. Over 1,000 people were evacuated and nearly 6,000 people fled their homes over fear of the toxic fumes. Today, the former Jones Chemical Inc. plant site, on the southwest corner of the intersection of 29th Street North and 22nd Avenue North ("Property"), lies vacant amid concerns of environmental contamination. Designating the site a Brownfield would allow businesses and developers access to financial and regulatory incentives provided by the Florida Brownfields Program including the Voluntary Cleanup Tax Credit and the Brownfield Bonus incentive. Attachment "B" displays a map of the site boundaries.

The State of Florida established the Brownfields Program to assist local governments with redevelopment projects. The State Brownfields Program provides incentives to businesses and local governments to redevelop designated brownfield sites and/or areas. Evidence of contamination is not an eligibility requirement for State Brownfields designation, and designation alone does not imply that a property is contaminated. However, to receive program incentives a site or area must be designated a brownfield. The designation does not render the City of St. Petersburg liable for costs of site rehabilitation or contamination source removal. Although contamination is not required for designation, the Property does have contaminated soils that need to be remediated. A map showing the location of the contamination is attached as Attachment "C".

The City has previously designated the following sites outside of the City's designated Brownfields area; the "Sod Farm Tract" (includes Valpak and Halkey Roberts), the "Jabil Circuit Tract," both located in the Gateway area of St. Petersburg, and the Sam's Club Project located at the northwest intersection of 34th Street North and 17th Avenue North.

Staff provided notice to the public, in numerous ways, to receive public comments. A notice was posted on the property; a legal advertisement was run in the Tampa Bay Times on May 22, 2013; nearby property owners were notified via mail; the story ran on City's Economic Development Website; a public announcement was made at the May 16, 2013 City Council Meeting; and a community meeting was held on Thursday, June 6, 2013 at the Gladden Park Recreation Center. Minutes from the community meeting, as well as a sign-in sheet from the meeting, are located in Attachment "D."

Under Florida Statue, local government may designate a Brownfields Area outside community redevelopment areas, enterprise zones, empowerment zones, closed military bases, or designated brownfield pilot project areas, after considering the following:

1. Whether the brownfields area warrants economic development and has a reasonable potential for such activities; Response: *The Property lies along a major City corridor, 22nd Avenue North, between 34th Street North and I-275. The site remains the last undeveloped property along the corridor. The Property is zoned Corridor Commercial Suburban – 1, indicating the site is suitable for a variety of economic development opportunities. Several new private developments have recently occurred in close proximity to the site, including Publix at 1700 34th Street North and Sam's Club at 1725 34th Street North. In addition, the market area includes 22,831 people within a 3 minute drive time of the site.*

2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage; Response: *The Property contains two parcels for a total of 2.5 acres.*

3. Whether the area has potential to interest the private sector in participating in rehabilitation; Response: *The Property is the last remaining undeveloped area along 22nd Avenue North between 34th Street North and I-275. A private developer has expressed an interest to rehabilitate the site and add new retail development to the corridor.*

4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural or historical preservation purposes; Response: *The Property is not suitable for the uses specified above.*

Staff has determined that the Property adequately addresses the above criteria and if approved by City Council, this new Brownfield designation, to include approximately 2.5 acres, will allow any current and future redevelopment projects on the Property to remain competitive by being able to take advantage of the regulatory and financial incentives available through the Brownfield Program.

RECOMMENDATION:

Administration recommends that City Council adopt a resolution, designating a new State of Florida Brownfield Area in the City of St. Petersburg, Florida, established in accordance with § 376.77-85, Florida Statutes, on property located on the southwest corner of 29th Street North and 22nd Avenue North, as legally described herein, for the purpose of environmental rehabilitation and economic redevelopment; authorizing the Mayor or his designee to notify the Florida Department of Environmental Protection of said designation and to take such other actions and execute all documents necessary to effectuate this resolution; and providing an effective date. (Attached as Attachment "A")

COST/FUNDING ASSESSMENT: N/A

ATTACHMENTS: Attachment "A" Resolution
Attachment "B" Project Location Map
Attachment "C" Map of Area Contamination
Attachment "D" Community Meeting Minutes and Attendee List

Attachment "A"

Resolution No. 2013- _____

A RESOLUTION, DESIGNATING A NEW STATE OF FLORIDA BROWNFIELD AREA IN THE CITY OF ST. PETERSBURG, FLORIDA, ESTABLISHED IN ACCORDANCE WITH § 376.77-85, FLORIDA STATUTES, ON PROPERTY LOCATED ON THE SOUTHWEST CORNER OF 29TH STREET NORTH AND 22ND AVENUE NORTH AS DEFINED AND DEPICTED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, FOR THE PURPOSE OF ENVIRONMENTAL REHABILITATION AND ECONOMIC REDEVELOPMENT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION AND TO TAKE SUCH OTHER ACTIONS AND EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida has provided in §s 376.77-376.85, Florida Statutes, ("Brownfield Statute") for the designation by resolution of certain contiguous areas consisting of one or more Brownfield Sites as Brownfield Areas, and for the corresponding provision of environmental remediation, rehabilitation and economic redevelopment for such areas; and

WHEREAS, the City wishes to designate certain property located on the southwest corner of 29th Street North and 22nd Avenue North as defined and depicted in Exhibit "A" which is attached hereto and made a part hereof, for rehabilitation and economic development for the purposes set forth in the Brownfield Statute; and

WHEREAS, upon approval of the designation of the Area, the City shall notify the Florida Department of Environmental Protection of its decision to expand the Existing Area for rehabilitation and economic redevelopment for the purposes set forth in the Brownfield Statute; and

WHEREAS, the City of St. Petersburg has additionally considered the criteria set forth in § 376.80(2)(a)1- 4, Florida Statutes, namely: (i) whether the proposed Brownfield Area warrants economic redevelopment and has a reasonable potential for such activities, (ii) whether the Brownfield Area represents a reasonably focused approach and is not overly large in geographic coverage, (iii) whether the Brownfield Area has potential to interest the private sector in participating in environmental rehabilitation and economic redevelopment, and (iv) whether the Brownfield Area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes; and

WHEREAS, the City has complied with the requirements of the Brownfield Statute and the procedures set forth in § 166.041, Florida Statue, have been followed, and proper notice has been provided in accordance with § 376.80(1) and (2)(a) and 166.041(3) (c) 2, Florida Statues; and

WHEREAS, such designation shall not render the City of St. Petersburg liable for costs of site remediation, rehabilitation and economic development or source removal, as those terms are defined in § 376.79(14) and (15), Florida Statutes, or for any other costs, above and beyond those costs attributed to the City of St. Petersburg's role as administrator of a Brownfield Area Site Remediation and Rehabilitation Program.

NOW THEREFORE, BE IT RESOLVED by the City Council of St. Petersburg, Florida that the designation of a new State of Florida Brownfield Area in the City of St. Petersburg, Florida, established in accordance with § 376.77-85, Florida Statutes, on property located on the southwest corner of 29th Street North and 22nd Avenue North as defined and depicted in Exhibit "A" attached hereto and made a part hereof, for the purpose of environmental rehabilitation and economic redevelopment is approved; and the Mayor or his designee is authorized to notify the Florida Department of Environmental Protection of said designation and to execute all documents necessary to effectuate this Resolution; and

This Resolution shall become effective immediately upon its adoption.

APPROVALS: Planning and Economic Development: _____

Budget: N/A

Legal: _____

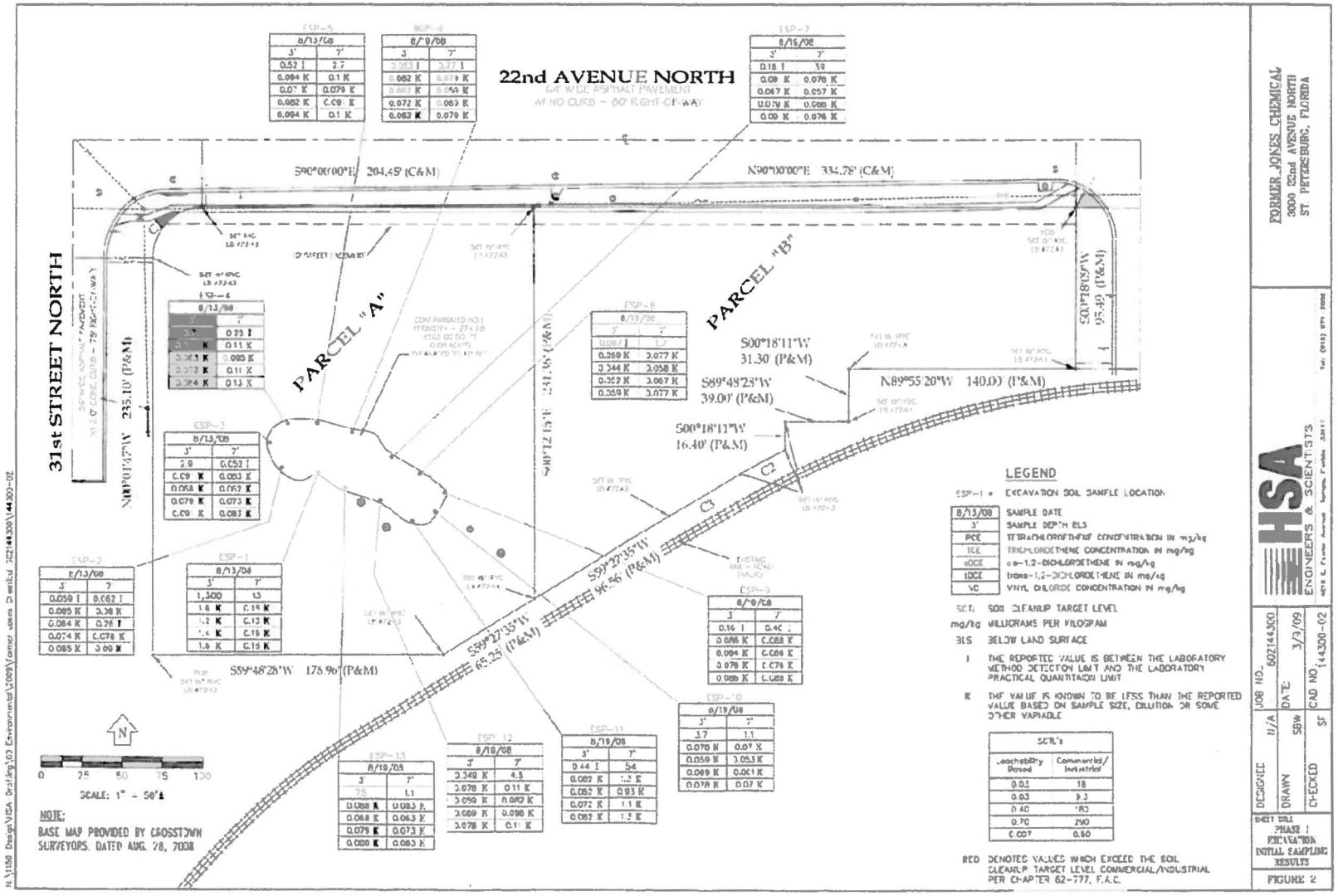
Attachment B

Legal Description

PELHAM MANOR NO. 2 SECOND PARTIAL REPLAT BLK 1, PART OF LOT 1 DESC AS BEG SW COR OF LOT 1 TH N00D01'47"W 235.10FT TH CUR RT RAD 30FT ARC 47.14 FT CB N44D59'07"E 42.44FT TH E 204.45FT TH S00D12' 15"E 231.36FT TH S59D27' 35"W 65.25FT TH S89D48' 28"W 178.96FT TO POB & PELHAM MANOR NO. 2 SECOND PARTIAL REPLAT BLK 1, PART OF LOT 1 DESC AS BEG NE COR OF LOT 1 TH S00D18'09"W 95.49FT TH N89D55'20"W 140FT TH S00D 18'11"W 31.30FT TH S89D48' 28"W 39FT TH S00D18'11"W 16.40FT TH CUR LT RAD 508.33FT ARC 31.16FT CB S62D55'31"W 31.15FT TH CUR LT RAD 1687.12FT ARC 50.45FT CB S60D18'59"W 50.45FT TH S59D27'35"W 96.56FT TH N00D12'15"W 231.36FT TH E 334.78FT TO POB

Location Map

Attachment C



Attachment "D": New Brownfields Designation Community Meeting: Minutes, Attendee List, and Agenda

Community Meeting
Gladden Park Recreation Center
3901 30th Avenue North
Thursday, June 6, 2013

Meeting Participants (please see attached agenda):

Brian Caper: Economic Development Analyst, City of St. Petersburg
Sophia Sorolis: Manager, Economic Development, City of St. Petersburg
Miles Ballogg: Cardno TBE
David Goree: Belleair Development

Meeting Attendees:

Please see attached sign-in sheet.

Minutes:

The meeting began at 6:30 p.m. at the Gladden Park Recreation Center. There was an introduction of meeting participants and attendees. Staff provided an overview of the Florida Brownfield Act, its legislative intent, and program benefits. Staff then detailed the process required to designate a site as a new brownfield, highlighting the statute requirements. Mr. Ballogg discussed the various legal protections available through the Brownfield program and previous remediation actions taken on the site. Mr. Goree presented plans for the proposed development project to occur on the proposed Brownfield site, as well as plans to remediate the current site contamination.

Staff discussed the various business incentives available for Brownfield sites, including the Voluntary Tax Cleanup Tax Credit, as well as the Brownfield Redevelopment Bonus Refund. Several questions were asked regarding the eligibility requirements for these incentives. Staff reviewed the requirements needed in order to receive the incentives; however, staff emphasized that no incentives are currently being applied for as part of the Brownfield Designation.

Meeting attendees noted they were in favor of the Brownfield Designation and indicated they were glad to see redevelopment plans underway for the site.

There were no further questions or comments. Staff encouraged attendees to attend the public hearing in front of City Council on June 20, 2013 at 6:00 p.m. at City Hall.

The meeting adjourned at 7:15 p.m.

New Brownfield Designation Community Meeting
June 6, 2013 - Gladden Park Recreation Center - 6:30PM

Sign -In Sheet

	Name	Affliation (Resident, Business Owner, etc.)	Email Address
1	Brian Caper	City	brian.caper@stpete.org
2	Miles Balloss	Cardno TBS	miles.balloss@cardno.com
3	David Goree	Bellair Dev	dgoree@bellairgroup.com
4	Steve Galvin	Resident, Candidate	Galvin4CityCouncil@gmail.com
5	Jason Saylor	North Kenwood President	Saylor240@Yahoo.com
6	Lauren Pusateri-Woods	Bon Secours St. Pete	lauren_pusateriwoods@bshsi.org
7	Karl Nurse	City Council	karl.nurse@stpete.org
8	Sophia Sorolis	City Economic Dev. Dir.	sophia.sorolis@stpete.org
9	Leonard Schmiege	Resident	
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Attached documents for item On Thursday, June 20, 2013, in City Council Chambers at 3:30 p.m. or as soon thereafter as the same may be heard, an attorney-client session, pursuant to Florida Statute 286.011(8), will be held in conjunction with the lawsuit styled Raymond E. Young v. C

Attached documents for item Renewing a blanket purchase agreement with HD Supply Waterworks, LTD (HDSW) for water and sewer supplies for the Water Resources Department at an annual cost of $1,300,000.

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of June 20, 2013

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

Subject: Renewing a blanket purchase agreement with HD Supply Waterworks, LTD (HDSW) for water and sewer supplies for the Water Resources Department at an annual cost of $1,300,000.

Explanation: On June 18, 2009, City Council approved a three-year strategic partnering agreement for water and sewer supplies effective through June 30, 2012. There are two renewals on the agreement. On September 6, 2012, City Council approved the first renewal. Under the renewal of contract clause, the City reserves the right to extend the agreement for this second and final period of one year if mutually agreeable.

HDSW stocks, furnishes and delivers a complete line of water and sewer supplies including pipe, hydrants, valves, fittings, assemblies, tools, and specialty equipment. These items are stocked and distributed from Procurement's Consolidated Warehouse.

HDSW also provides value-added services including: locally stocking and managing a minimum inventory based on usage prescribed by the City; technical product support; access to its inventory database including purchasing transactions; just-in-time delivery on all orders; utilizes e-business strategies to streamline transactions; and offers return of surplus inventory for full credit.

The Procurement Department, in cooperation with the Engineering and Water Resources departments, recommends:

HD Supply Waterworks, LTD.....$1,300,000

The vendor has agreed to uphold the terms and conditions of RFP 6801 dated April 1, 2009. The renewal will be effective from date of approval through June 30, 2014 and will be binding only for actual quantities ordered. Administration recommends renewal of the agreement based upon the vendor's past satisfactory performance and demonstrated ability to comply with the terms and conditions of the contract.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001), Water Resources Department (4202109, 4202113, 4202117, 4202121, 4202125, 4202129 and 4202145), as well as various capital improvement projects in the Water Resources Capital Projects Fund (4003).

Attachments: Resolution

Approvals:

Administrative **Budget**

A RESOLUTION APPROVING THE SECOND AND FINAL ONE-YEAR RENEWAL OPTION OF AN AGREEMENT (BLANKET AGREEMENT) WITH HD SUPPLY WATERWORKS, LTD. AT AN ESTIMATED ANNUAL COST NOT TO EXCEED $1,300,000 FOR WATER AND SEWER SUPPLIES FOR THE WATER RESOURCES DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 18, 2010 City Council approved the award of a three-year agreement (Blanket Agreement) with two one-year renewal options to HD Supply Waterworks, LTD. ("Vendor") pursuant to RFP 6801 dated April 1, 2009; and

WHEREAS, on July 26, 2012 City Council approved the first one-year renewal option to the Agreement; and

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

WHEREAS, the Vendor has agreed to uphold the terms and conditions of RFP 6801; and

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the second and final one-year renewal of an agreement (Blanket Agreement) with HD Supply Waterworks, LTD. at an estimated annual cost not to exceed $1,300,000 for water and sewer supplies 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 Agreement will be effective from the date of approval through June 30, 2014.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

RBS

City Attorney (Designee)

Attached documents for item Accepting a proposal from Premier Magnesia, LLC, a sole source supplier, for wastewater odor control services for the Water Resources Department at an estimated annual cost of $500,000.

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 20, 2013

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

Subject: Accepting a proposal from Premier Magnesia, LLC, a sole source supplier, for wastewater odor control services for the Water Resources Department at an estimated annual cost of $500,000.

Explanation: 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.

The vendor provides chemicals and equipment for injection of Thioguard® (Magnesium Hydroxide) into the city's water reclamation process to control odors caused by hydrogen sulfide. Hydrogen sulfide is one of the major causes of undesirable odors and corrosion in the wastewater facilities. The Water Resources Department has conducted intensive tests of several processes for treating hydrogen sulfide and found Thioguard® to be the most effective odor control product. Thioguard® is patented by and available solely through Premier Chemicals, therefore a sole source procurement is recommended.

The Procurement Department, in cooperation with the Water Resources Department, recommends for award:

Premier Magnesia, LLC.....$500,000
(Estimated 210,085 gal. @ $2.38)

The vendor has provided this product to the City in the past and has performed satisfactorily. The agreement will be effective from July 1, 2013 through June 30, 2014 with three one-year renewal options by mutual agreement and will be binding only for actual quantities ordered.

Cost/Funding/Assessment Information: Funds are available in the Water Resources Operating Fund (4001), Water Lift Station Maintenance (4202205).

Attachments: Sole Source
Resolution

Approvals:

Administrative **Budget**

City of St. Petersburg
Sole Source Request

Department: Water Resources Requisition No. PBA#

Check One: X Sole Source ____ Proprietary Specifications

Proposed Vendor: Premier Chemicals

Estimated Total Cost: $500,000

Description of Items (or Services) to be purchased: "Thioguard"

Magnesium Hydroxide

Purpose of Function of items:

Thioguard® is a chemical patented for controlling hydrogen sulfide in wastewater. Hydrogen sulfide is one of the major causes of undesirable odors and corrosion in wastewater facilities such as plants, sewer pipes and pump stations.

Justification for Sole Source of Proprietary specification:

This product has been effective in reducing odors at the locations where it has been applied. This product is patented and cannot be purchased through any other supplier for this use.

The sulfides released by waste water produce sulfuric acid. The acid attacks the surfaces it comes in contact with.

We have found this product to be effective in reducing acid production. Attached are a letter from the vendor and patent information.

Steven Leavitt — 05/21/13

Department Director – Steven K. Leavitt, P.E. — Date

5-23-13

Administrator/Chief – Michael J. Connors — Date

Louis Moore — 5/24/13

Louis Moore, Director
Procurement & Supply Management — Date

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.

A RESOLUTION DECLARING PREMIER MAGNESIA, LLC TO BE A SOLE SOURCE SUPPLIER; ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF A ONE-YEAR AGREEMENT (BLANKET AGREEMENT) WITH THREE ONE-YEAR RENEWAL OPTIONS TO PREMIER MAGNESIA, LLC FOR WASTEWATER ODOR CONTROL SERVICES FOR THE WATER RESOURCES DEPARTMENT AT AN ESTIMATED ANNUAL COST NOT TO EXCEED $500,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has a need for odor control services at its water reclamation facilities; and

WHEREAS, the City has determined that the chemical Thioguard® is the most effective odor control product for use in the water reclamation process; and

WHEREAS, Thioguard® is a patented product that is only available through Premier Magnesia, LLC; and

WHEREAS, Section 2-241(d) of the City Code provides requirements for sole source procurement; and

WHEREAS, the Procurement & Supply Management Department recommends approval of the award of an agreement to Premier Magnesia, LLC 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 Premier Magnesia, LLC is a sole source supplier; and

BE IT FURTHER RESOLVED that the award of a one-year agreement (Blanket Agreement) with three one-year renewal options to Premier Magnesia, LLC for wastewater odor control services for the Water Resources Department at an estimated annual cost not to exceed $500,000 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 July 1, 2013 through June 30, 2014.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)

Attached documents for item Awarding a contract to Sonny Glasbrenner, Inc., in the amount of $341,500 for the construction of the Grandview Park Boat Ramp Improvement Project. (Engineering Project No. 11236-017; Oracle Project No. 13181)

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of June 20, 2013

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

Subject: Awarding a contract to Sonny Glasbrenner, Inc., in the amount of $341,500.00 for the construction of the Grandview Park Boat Ramp Improvement Project (Engineering Project No. 11236-017; Oracle Project No. 13181) and providing an effective date.

Explanation: The Procurement Department received 4 responsive bids for the Grandview Park Boat Ramp Improvements Project (see below).

The work consists of furnishing all labor, material, and equipment necessary to demolish two existing concrete boat ramp slabs, concrete abutments and four fixed wooden docks and construct new longer ramps and floating docks. Work includes construction of two new 80 feet long by 20 to 22 feet wide reinforced concrete ramps, with two new ADA compliant 25 feet by 8 feet floating aluminum docks and gangways. Work includes temporary coffer dam construction, dewatering, limited dredging, 18 inch thick bedding stone under the new 8 inch thick reinforced concrete ramp slabs, 84 cubic yards of rip rap, 119 linear feet of vinyl sheet pile with reinforced concrete cap, 156 linear feet of concrete abutment with sidewalk and aluminium handrails, and eight mooring piles for the floating docks, manatee protection signs, and limited site work.

Grandview Park is located on 6th Street at 39th Avenue South. The two boat ramps have been in use since the early 1960's, providing access to Tampa Bay from Big Bayou. The facility experiences heavy use on the weekends. The boat ramp surfaces are severely cracked, deteriorated, and are in need of replacement. In addition, the existing ramps do not meet the State Association for Boating Access (SOBA) recommended design parameters for slope or length for boat launching. The new concrete ramps will be longer and wider, and will provide a greater depth of water beyond the end of the ramps allowing launching of boats with deeper drafts, and launching during lower tides.

The contractor will begin work approximately ten (10) days from Notice to Proceed and is scheduled to complete the work within one hundred twenty (120) consecutive calendar days thereafter. The contractor will have an additional thirty (30) consecutive days to complete any identified punch list items. Bids were opened on April 30, 2013 and are tabulated as follows:

Bidder	Base Bid & Selected Alternates
Sonny Glasbrenner, Inc. (Clearwater, FL)	$341,500.00
Certus Builders, Inc. (Tampa, FL)	$390,206.18
Tampa Bay Marine, Inc. (Gibsonton, FL)	$452,910.00
All American Concrete, Inc. (Largo, FL)	$457,028.00

The lowest responsive bidder Sonny Glasbrenner, Inc, has met the specifications, terms and conditions of Bid No. 7474 dated April 30, 2013, and has satisfactorily performed similar work for the City of St. Petersburg and City of Tampa. Sonny Glasbrenner, Inc. has met the SBE requirements. The Principal of the firm is Justin Stecker.

Continued on Page 2

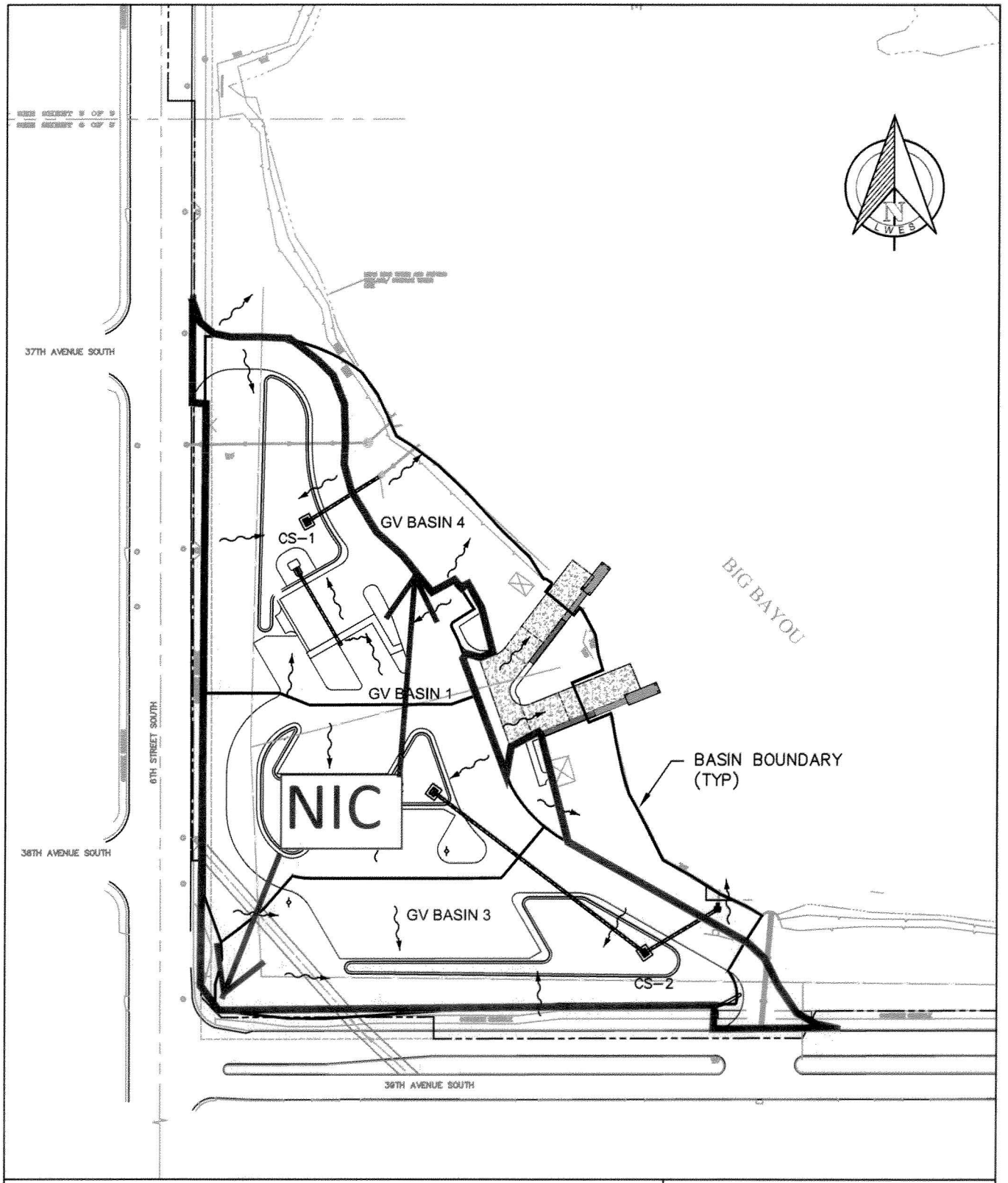
Recommendation: Administration recommends awarding this Contract to Sonny Glasbrenner, Inc, in the amount of $341,500 for the Grandview Park Boat Ramps under the Boat Ramp Facility Improvements Project (13181).

Cost/Funding/Assessment Information: Funds are available in the Recreation and Culture Capital Fund (3029), Oracle Project (13181).

Attachments: Site Plan
Resolution

Approvals:

Administrative **Budget**



GRANDVIEW PARK

Parking Improvements Not In Contract

ISSUE DATE: 5-24-11	SCALE: 1" = 100'	FIG. NO. 1

LWES

LAND & WATER ENGINEERING SCIENCE, INC.

9887 4th STREET N, S 319
ST PETERSBURG, FL 33702
727 - 202 8958 (PHONE)
727 - 202 8959 (FAX)
lwes.net
CERTIFICATE OF AUTHORIZATION No. 26961

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO SONNY GLASBRENNER, INC. IN AN AMOUNT NOT TO EXCEED $341,500 FOR CONSTRUCTION OF THE GRANDVIEW PARK BOAT RAMP IMPROVEMENT PROJECT; 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 received four bids for the Grandview Park Boat Ramp Improvement Project pursuant to Bid No. 7474 dated April 30, 2013; and

WHEREAS, Sonny Glasbrenner, Inc. has met the specifications, terms and conditions of Bid No. 7474; and

WHEREAS, the Administration recommends approval of this award.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, the bid and award of an agreement to Sonny Glasbrenner, , Inc. in an amount not to exceed $341,500 for construction of the Grandview Park Boat Ramp Improvement Project is hereby approved and the Mayor or Mayor's designee is hereby 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 a Lease Agreement with Northwest Youth Baseball, Inc., a not-for-profit corporation, for the use of a restroom/concession stand/storage building within a portion of City-owned Northwest Park located at 5801

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 20, 2013

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

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a Lease Agreement with Northwest Youth Baseball, Inc., a not-for-profit corporation, for the use of a restroom/concession stand/storage building within a portion of City-owned Northwest Park located at 5801 – 22nd Avenue North, St. Petersburg, for a period of three (3) years at an aggregate rent of $36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same; and providing an effective date. ***(Requires affirmative vote of at least six (6) members of City Council.)***

EXPLANATION: Real Estate and Property Management received a request from Northwest Youth Baseball, Inc. ("NYB") to enter into a Lease Agreement for another three (3) year term, for the use of a restroom/concession stand/storage building within a portion of City-owned Northwest Park located at 5801 – 22nd Avenue North, St. Petersburg, that NYB has utilized since 1984.

NYB has executed a new Lease Agreement ("Lease") for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term. The rental rate is one dollar ($1.00) per month or thirty-six ($36.00) for the entire term. The Lessee is responsible for all interior and exterior maintenance of the building and utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance. Additionally, the Lessee will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Lessee's use of the Premises. The Lease may be terminated without cause by either party with ninety (90) days written notice prior to the scheduled date of termination.

City Council Resolution No. 79-740A, dated October 4, 1979, establishes policies for the sale and leasing of City-owned park and waterfront property. This resolution requires that when leasing City property to a not-for-profit, private organization ". . . the organization pays operating costs plus a reserve for replacement." Due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs. These terms and conditions are consistent with prior leases with this and other not-for-profit organizations. Under the terms of the lease, "the City is under no obligation to provide a replacement facility under any circumstances."

Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council. The subject property is zoned (NS-E) Neighborhood Suburban Estate.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a Lease Agreement with Northwest Youth Baseball, Inc., a Florida not- for-profit corporation, for the use of a restroom/concession stand/storage building within a portion of City-owned Northwest Park located at 5801 – 22nd Avenue North, St. Petersburg, for a period of three (3) years at an aggregate rent of $36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration: R. Mussett 5-29-13

Budget: N/A

Legal: _____
(As to consistency w/attached legal documents)

Legal: 00174855.doc v. 1

ILLUSTRATION

Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LEASE AGREEMENT WITH NORTHWEST YOUTH BASEBALL, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF A RESTROOM / CONCESSION STAND / STORAGE BUILDING WITHIN A PORTION OF CITY-OWNED NORTHWEST PARK LOCATED AT 5801 – 22ND AVENUE NORTH, ST. PETERSBURG, FOR A PERIOD OF THREE (3) YEARS AT AN AGGREGATE RENT OF $36.00; TO WAIVE THE RESERVE FOR REPLACEMENT REQUIREMENT; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Northwest Youth Baseball, Inc. ("Lessee") desires to continue to lease certain City-owned property, which is classified as Parkland, to operate a restroom/concession stand/storage building located within a portion of Northwest Park; and

WHEREAS, the proposed Lease Agreement ("Lease") will be for a term of thirty-six (36) months, at an aggregate rent of $36.00, to be paid at the commencement of the Lease; and

WHEREAS, the Lessee is responsible for all interior and exterior maintenance of the building and utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance; and

WHEREAS, the Lessee will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Lessee's use of the Premises; and

WHEREAS, the Lease may be terminated without cause by either party by providing written notice no less than ninety (90) days prior to the scheduled date of termination; and

WHEREAS, the Lease is in accordance with the policies established in Resolution No. 79-740A with the exception that the reserve for replacement requirement is being waived; and

WHEREAS, due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs; and

WHEREAS, these terms and conditions are consistent with prior leases with this and other not-for-profit organizations; and

WHEREAS, under the terms of the Lease the City is under no obligation to provide a replacement facility under any circumstances; and

WHEREAS, Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council; and

WHEREAS, the subject property is zoned (NS-E) Neighborhood Suburban Estate.

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 Lease Agreement with Northwest Youth Baseball, Inc., a Florida not-for-profit corporation, for the use of a restroom/concession stand/storage building within a portion of City-owned Northwest Park located at 5801 – 22nd Avenue North, St. Petersburg, for a period of three (3) years at an aggregate rent of $36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)
Legal: 00174855.doc V. 1

APPROVED BY:

Clarence Scott, III, Administrator
Leisure & Community Services

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management

Attached documents for item Authorizing the Mayor or his designee to execute a Third Amendment to Lease Agreement with BiPlane Rides, Inc., a Florida corporation, for the use of a fifty (50) square foot area of interior retail floor space on the first floor of the Galbraith Terminal

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 20, 2013

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

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a Third Amendment to Lease Agreement with BiPlane Rides, Inc., a Florida corporation, for the use of a fifty (50) square foot area of interior retail floor space on the first floor of the Galbraith Terminal Building at Albert Whitted Airport for a period of one (1) year at a rental rate of $55.00 per month, plus utility expense at a rate of $55.00 per month, with the right to request an extension for an additional one (1) year term, subject to approval by City Council; 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 written request from Tom Hurley, president of BiPlane Rides, Inc. ("Lessee") asking the City to extend its Lease providing for use of a fifty (50) square foot area of interior retail floor space located in the southwest corner of the first floor lobby area within the Galbraith Terminal Building ("Terminal") at Albert Whitted Airport for the placement of a retail kiosk to support its business, for another year. Through the adoption of Resolution No. 2010-399, on August 5, 2010 City Council approved a one-year Lease Agreement ("Lease"), with extensions for up to four (4) successive one (1) year terms, that provided the Lessee use of a kiosk space for the primary purpose of booking sight seeing flights and the display and sale of aerial photographs. This will be the third (3rd) of the allowed extensions following the First Amendment and Second Amendments to the Lease approved on June 16, 2011 (Resolution No.2011-232) and June 21, 2012 (Resolution No. 2012-286), respectively.

Rent is increased annually on July 1, at the beginning of each extension, based on increases in the Consumer Price Index, with a maximum upward adjustment of three and one-half percent (3½ %) in any one (1) adjustment and no downward adjustment. Accordingly, the rent effective July 1, 2013 is $55.00 per month, plus applicable taxes for the term. Additionally, because utilities and other services for this portion of the Terminal cannot be metered separately, the Lessee will also pay the City $55.00 per month for water, sewer, trash disposal, HVAC and electrical service. The Lessee will maintain a commercial general liability insurance policy in an amount of at least $1,000,000 per occurrence and $2,000,000 aggregate, protecting the City against all claims or demands that may arise or be claimed on account of Lessee's use of the Premises.

The Lease may be terminated by the City, at anytime, by providing thirty (30) days written notice to the Lessee of its intent to terminate, if the Lessee fails to operate its business in the Terminal for a period of thirty (30) days within any twelve (12) month period. The termination will take effect thirty (30) days after the Lessee has received such notice.

The Lease is in compliance with Section 1.02(c)(4) of the City Charter, which permits the leasing of property on Albert Whitted Airport not exceeding 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 Third Amendment to Lease Agreement with BiPlane Rides, Inc., a Florida corporation, for the use of a fifty (50) square foot area of interior retail floor space on the first floor of the Galbraith Terminal Building at Albert Whitted Airport for a period of one (1) year at a rental rate of $55.00 per month, plus utility expense at a rate of $55.00 per month, with the right to request an extension for an additional one (1) year term, subject to approval by City Council; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

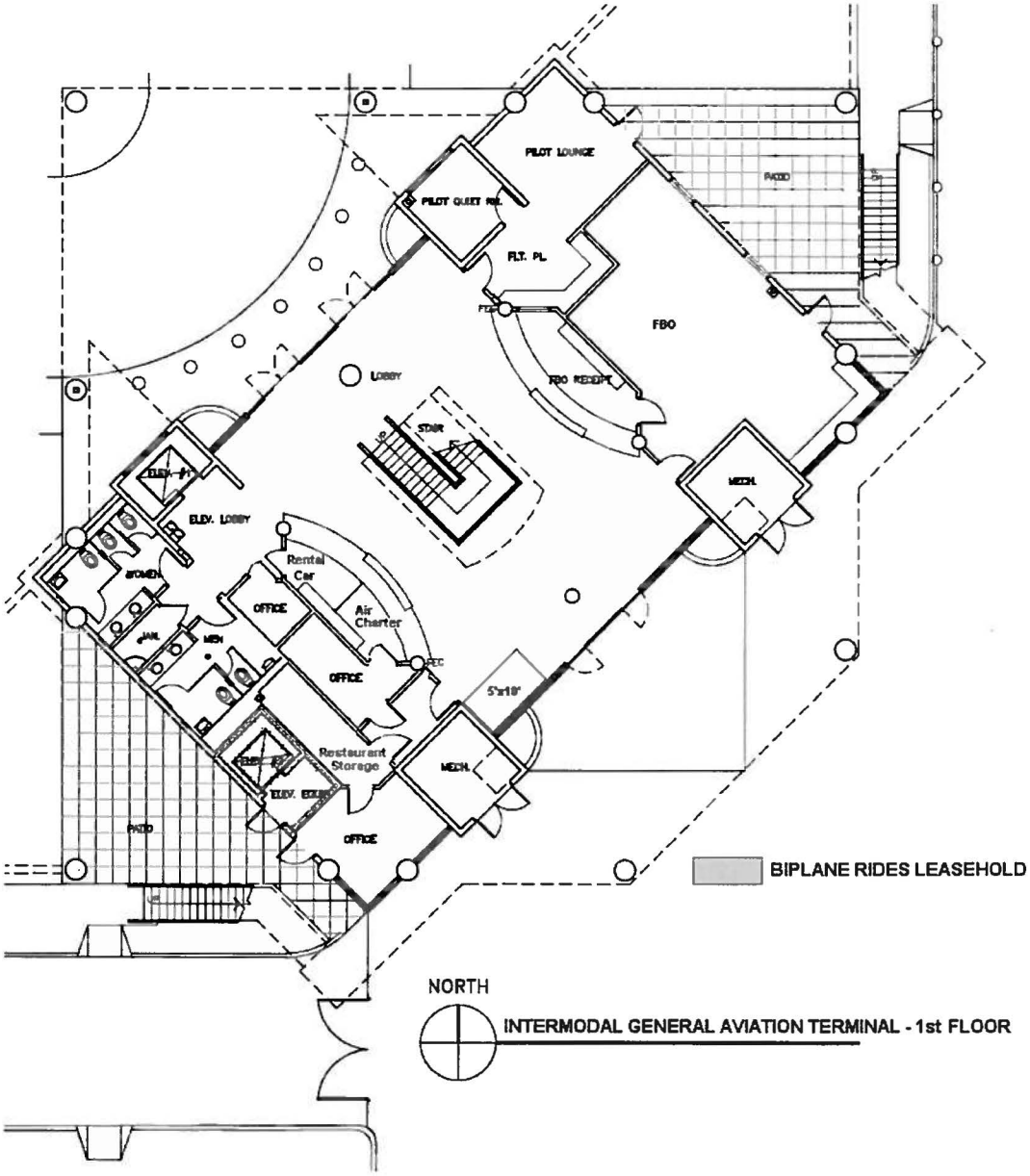
APPROVALS: Administration: R. Mussett 5-29-13

Budget: N/A

Legal: RBR

(As to consistency w/attached legal documents)
Legal: 00175258.doc V. 1

ILLUSTRATION
(BIPLANE RIDES, LEASEHOLD)



Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A THIRD AMENDMENT TO LEASE AGREEMENT WITH BIPLANE RIDES, INC., A FLORIDA CORPORATION, FOR THE USE OF A FIFTY (50) SQUARE FOOT AREA OF INTERIOR RETAIL FLOOR SPACE ON THE FIRST FLOOR OF THE GALBRAITH TERMINAL BUILDING AT ALBERT WHITTED AIRPORT FOR A PERIOD OF ONE (1) YEAR AT A RENTAL RATE OF $55.00 PER MONTH, PLUS UTILITY EXPENSE AT A RATE OF $55.00 PER MONTH, WITH THE RIGHT TO REQUEST AN EXTENSION FOR AN ADDITIONAL ONE (1) YEAR TERM, SUBJECT TO APPROVAL BY CITY COUNCIL; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management received a written request from Tom Hurley, president of BiPlane Rides, Inc. ("Lessee") asking the City to extend its Lease providing for use of a fifty (50) square foot area of interior retail floor space located in the southwest corner of the first floor lobby area within the Galbraith Terminal Building ("Terminal") at Albert Whitted Airport for the placement of a retail kiosk to support its business, for another year; and

WHEREAS, through the adoption of Resolution No. 2010-399, on August 5, 2010 City Council approved a one-year Lease Agreement ("Lease"), with extensions for up to four (4) successive one (1) year terms, that provided the Lessee use of a kiosk space for the primary purpose of booking sight seeing flights and the display and sale of aerial photographs; and

WHEREAS, this will be the third (3rd) of the allowed extensions following the First Amendment and Second Amendments to the Lease approved on June 16, 2011 (Resolution No.2011-232) and June 21, 2012 (Resolution No. 2012-286), respectively; and

WHEREAS, rent is increased annually on July 1, at the beginning of each extension, based on increases in the Consumer Price Index, with a maximum upward adjustment of three and one-half percent (3½ %) in any one (1) adjustment and no downward adjustment; and

WHEREAS, accordingly, the rent effective July 1, 2013 is $55.00 per month, plus applicable taxes for the term; and

WHEREAS, because utilities and other services for this portion of the Terminal can not be metered separately, the Lessee will also pay the City $55.00 per month for water, sewer, trash disposal, HVAC and electrical service; and

WHEREAS, the Lessee will maintain a commercial general liability insurance policy in an amount of at least $1,000,000 per occurrence and $2,000,000 aggregate, protecting the City against all claims or demands that may arise or be claimed on account of Lessee's use of the Premises; and

WHEREAS, the Lease may be terminated by the City, at anytime, by providing thirty (30) days written notice to the Lessee of its intent to terminate, if the Lessee fails to operate its business in the Premises for a period of thirty (30) days within any twelve (12) month period; and

WHEREAS, the Lease is in compliance with Section 1.02(c)(4) of the City Charter, which permits the leasing of property on Albert Whitted Airport not exceeding 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 Third Amendment to Lease Agreement with BiPlane Rides, Inc., a Florida corporation, for the use of a fifty (50) square foot area of interior retail floor space on the first floor of the Galbraith Terminal Building at Albert Whitted Airport for a period of one (1) year at a rental rate of $55.00 per month, plus utility expense at a rate of $55.00 per month, with the right to request an extension for an additional one (1) year term, subject to approval by City Council; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)
Legal: 00175258.doc V. 1

APPROVED BY:

David M. Metz, Director
Downtown Enterprise Facilities

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management

Attached documents for item Authorizing the Mayor or his designee to sell a City-owned property in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of the Housing and Economic Recovery Act of 2008 located at 3443 - 17th Aven

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 20, 2013

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

SUBJECT: A resolution authorizing the Mayor, or his Designee, to sell a City-owned property in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of the Housing and Economic Recovery Act of 2008 located at 3443 - 17th Avenue South , St. Petersburg, for the sum of $95,000; and to pay appropriate closing related costs and down payment assistance in accordance with the Neighborhood Stabilization Program; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: NSP Parcel 8, 3443 - 17th Avenue South, St. Petersburg, Florida 33705 ("Property"), was purchased under the U.S. Department of Housing and Urban Development's (HUD) Neighborhood Stabilization Program ("NSP") authorized under Title III of the Housing and Economic Recovery Act of 2008 ("HERA"). The Property was purchased in two (2) separate transactions at a cost of $35,630 in the aggregate and became part of the City's Affordable Housing Program. Subsequently, the two lots were combined and made available for purchase as a single property. The Property will be sold in accordance with Section 2301(d)(2) of HERA which directs that if an abandoned or foreclosed-upon home or residential property is purchased, reconstructed, or otherwise sold to an individual as a primary residence, then such sale shall be in an amount equal to or less than the cost to acquire and reconstruct or rehabilitate such home or property up to a decent, safe, and habitable condition.

Under City Council Resolution No. 2009-389, the sale of the Property was authorized in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of Housing and Economic Recovery Act 2008. Accordingly, no further authorization by City Council would normally be required for this sale. However, inasmuch as the purchaser is a City employee, this sale is being brought forward for City Council approval in the spirit of full disclosure. The purchaser, David Williams, is a City employee who meets all the requirements necessary to purchase a property under the Neighborhood Stabilization Program.

The Property is improved with a single-family dwelling, which the purchaser intends to use as his residence. The Property is legally described as follows:

> Lots 110 and 111, RIDGEWOOD TERRACE, according to the map or plat thereof recorded in Plat Book 5, Page 81, in the Public Records of Pinellas County, Florida
> Pinellas County Parcel I.D. No.: 27/31/16/75402/000/1100
> Street Address: 3443 - 17th Avenue South, St. Petersburg

The Property was appraised on December 31, 2012 (attached) by Edwin Hotz, State Certified Residential Appraiser, who indicated the market value to be $95,000 ("Contract Price"), which the purchaser has agreed to pay. The City's Housing and Community Development Department has advised that the Contract Price is less than the cost to acquire and reconstruct the Property, which is in accordance with the NSP guidelines.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to sell a City-owned property in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of the Housing and Economic Recovery Act of 2008 located at 3443 - 17th Avenue South , St. Petersburg, for the sum of $95,000; and to pay appropriate closing related costs and down payment assistance in accordance with the Neighborhood Stabilization Program; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Appraisal and Resolution

APPROVALS: Administration: R. Russell 5-29-13

Budget: N/A

Legal: RSS

(As to consistency w/attached legal documents)

Legal: 00175282.doc V. 2

ILLUSTRATION

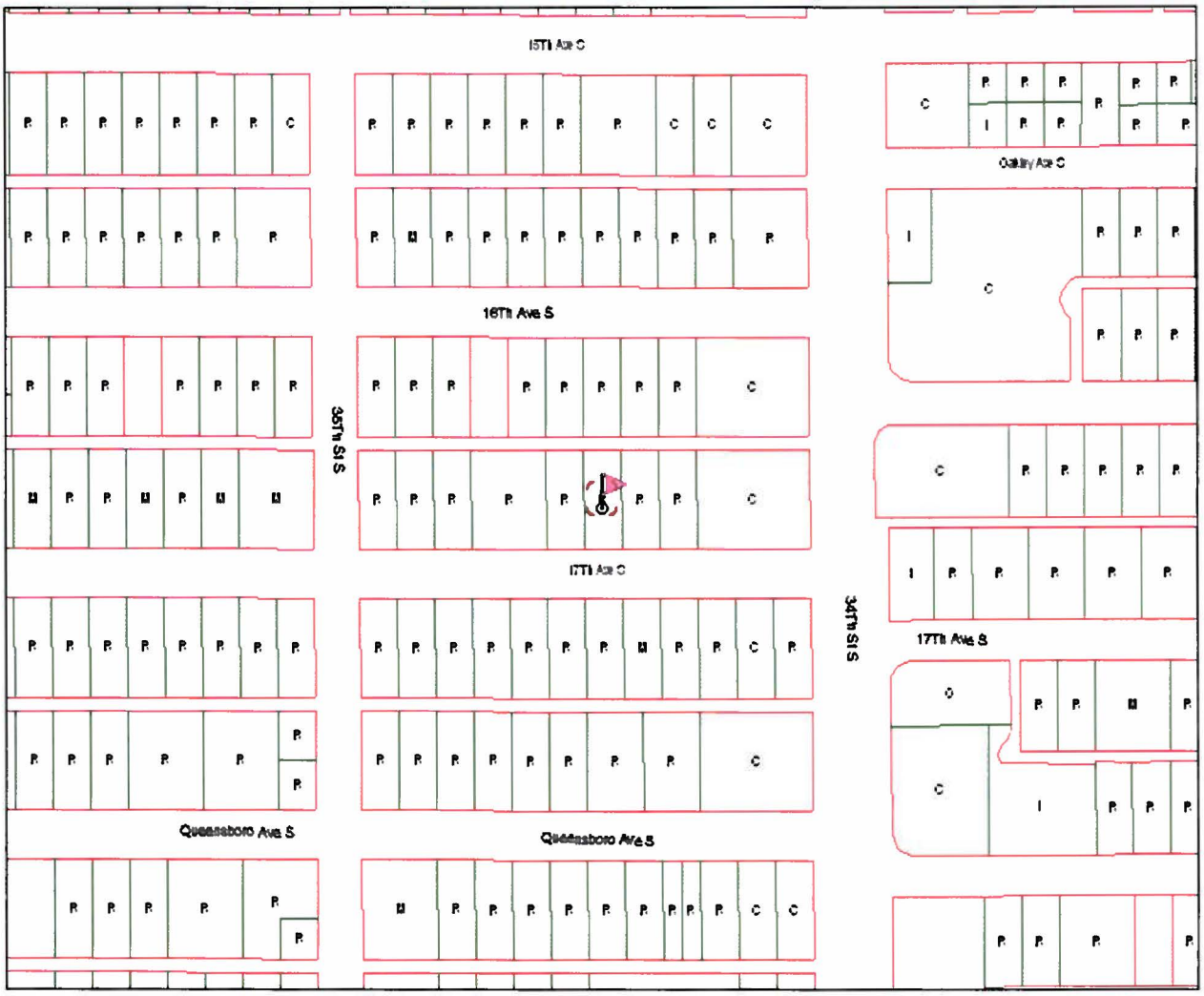


Figure A – 3443 – 17th Avenue South

APPRAISAL OF REAL PROPERTY

LOCATED AT

3443 17th Ave S
St Petersburg, FL 33711
Ridgewood Terrace Lot 110 & 111

FOR

City of St.Petersburg
1 4th Street North
St.Petersburg, FL 33701

OPINION OF VALUE

95,000

AS OF

12/31/2012

BY

Edwin R Hotz
E.Hotz Appraisals
4615 Central Ave
St,Petersburg, FL 33713
727-515-3101
edrhotz@gmail.com

Uniform Residential Appraisal Report

File # 3005-12R

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

SUBJECT

Property Address 3443 17th Ave S | City St Petersburg | State FL | Zip Code 33711

Borrower N/A | Owner of Public Record City of St.Petersburg | County Pinellas

Legal Description Ridgewood Terrace Lot 110 & 111

Assessor's Parcel # 27-31-16-75402-000-1100 | Tax Year 2012 | R.E. Taxes $ 0

Neighborhood Name Ridgewood Terrace | Map Reference 27/31/16 | Census Tract 208.00

Occupant ☐ Owner ☐ Tenant ☒ Vacant | Special Assessments $ 0 | ☐ PUD HOA $ 0 ☐ per year ☐ per month

Property Rights Appraised ☒ Fee Simple ☐ Leasehold ☐ Other (describe)

Assignment Type ☐ Purchase Transaction ☐ Refinance Transaction ☒ Other (describe) Estimate of Value

Lender/Client City of St.Petersburg | Address 1 4th Street North, St.Petersburg, FL 33701

Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? ☒ Yes ☐ No

Report data source(s) used, offering price(s), and date(s). DOM 602;The subject was listed for sale at the time of the inspection ($90,000/MLS). The subject has a list date of 11/2/2010 for $110,000 (per MLS).

CONTRACT

I ☐ did ☐ did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.

Contract Price $ | Date of Contract | Is the property seller the owner of public record? ☐ Yes ☐ No | Data Source(s) N/A

Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? ☐ Yes ☐ No

If Yes, report the total dollar amount and describe the items to be paid.

NEIGHBORHOOD

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics			One-Unit Housing Trends			One-Unit Housing			Present Land Use %	
Location	☐ Urban	☒ Suburban ☐ Rural	Property Values	☐ Increasing	☒ Stable ☐ Declining	PRICE		AGE	One-Unit	55 %
Built-Up	☒ Over 75%	☐ 25-75% ☐ Under 25%	Demand/Supply	☐ Shortage	☒ In Balance ☐ Over Supply	$ (000)		(yrs)	2-4 Unit	10 %
Growth	☐ Rapid	☒ Stable ☐ Slow	Marketing Time	☐ Under 3 mths	☒ 3-6 mths ☐ Over 6 mths	10	Low	1	Multi-Family	5 %
Neighborhood Boundaries	The subject neighborhood is located to the South of 1st Ave S, to the North of 22nd Ave S, and between 34th Street S & 49st Street S.					150	High	95	Commercial	25 %
						60	Pred.	45	Other	5 %

Neighborhood Description The subject neighborhood has adequate proximity to supporting services (schools, shopping, employment centers, public transportation, etc.). Commercial properties are primarily located along the subject boundry streets (primarily 22nd Ave S, 49th Street S, and 34th Street S). The 5% noted in the "Present Land Use %" section is for vacant/undeveloped land, lots, and parks.

Market Conditions (including support for the above conclusions) Market conditions in the subject neighborhood constitute a balanced supply and demand. Marketing time in the subject neighborhood appears to be less than 180 days (there are some that exceed that marketing time though). There were no adverse factors affecting the marketability of homes in the subject neighborhood.

SITE

Dimensions 100x120 | Area 12000 sf | Shape Larger than average | View N;Residential;

Specific Zoning Classification NSM-1 | Zoning Description Neighborhood Suburban Single Family

Zoning Compliance ☒ Legal ☐ Legal Nonconforming (Grandfathered Use) ☐ No Zoning ☐ Illegal (describe)

Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? ☒ Yes ☐ No If No, describe

Utilities	Public	Other (describe)		Public	Other (describe)	Off-site Improvements - Type	Public	Private
Electricity	☒	☐	Water	☒	☐	Street Asphalt	☒	☐
Gas	☒	☐	Sanitary Sewer	☒	☐	Alley Yes	☒	☐

FEMA Special Flood Hazard Area ☐ Yes ☒ No | FEMA Flood Zone X | FEMA Map # 12103C0218G | FEMA Map Date 09/03/2003

Are the utilities and off-site improvements typical for the market area? ☒ Yes ☐ No If No, describe

Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? ☐ Yes ☒ No If Yes, describe

IMPROVEMENTS

General Description		Foundation		Exterior Description	materials/condition	Interior	materials/condition
Units ☒ One ☐ One with Accessory Unit		☐ Concrete Slab	☒ Crawl Space	Foundation Walls	Concrete,Frame(C1)	Floors	Carpet,Tile(C1)
# of Stories 1		☐ Full Basement	☐ Partial Basement	Exterior Walls	CBS,Siding(C1)	Walls	Drywall(C1)
Type ☒ Det. ☐ Att. ☐ S-Det./End Unit		Basement Area 0 sq.ft.		Roof Surface	Shingle(C1)	Trim/Finish	Wood(C1)
☒ Existing ☐ Proposed ☐ Under Const.		Basement Finish 0 %		Gutters & Downspouts	None	Bath Floor	Tile(C1)
Design (Style) Ranch		☐ Outside Entry/Exit	☐ Sump Pump	Window Type	Single Hung(C1)	Bath Wainscot	Tile(C1)
Year Built 2010		Evidence of ☐ Infestation		Storm Sash/Insulated	None	Car Storage	☐ None
Effective Age (Yrs) 1		☐ Dampness	☐ Settlement	Screens	Yes(C1)	☒ Driveway	# of Cars 2
Attic	☐ None	Heating ☒ FWA	☐ HWBB ☐ Radiant	Amenities	☐ Woodstove(s) # 0	Driveway Surface	Concrete
☐ Drop Stair	☐ Stairs	☐ Other	Fuel Electric	☐ Fireplace(s) # 0	☒ Fence Chain	☐ Garage	# of Cars 0
☐ Floor	☒ Scuttle	Cooling ☒ Central Air Conditioning		☐ Patio/Deck None	☒ Porch Front/Rear	☐ Carport	# of Cars 0
☐ Finished	☐ Heated	☐ Individual	☐ Other	☐ Pool None	☐ Other None	☐ Att.	☐ Det. ☐ Built-in

Appliances ☒ Refrigerator ☒ Range/Oven ☒ Dishwasher ☒ Disposal ☐ Microwave ☐ Washer/Dryer ☒ Other (describe) Exhaust Fan

Finished area **above** grade contains: 5 Rooms 3 Bedrooms 2.0 Bath(s) 1,245 Square Feet of Gross Living Area Above Grade

Additional features (special energy efficient items, etc.). The subject will have items and features that are representative of its age & construction quality. The subject will have a front porch, rear patio.

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). C1;Kitchen-updated-less than one year ago;Bathrooms-updated-less than one year ago;The subject appeared well maintained at the time of the inspection (never lived in). All utiltites were on at the time of the inspection, and the related systems appeared to be in proper working order. The subject has a large site (possible buildable lot/site on East side). Lots 110 and 111 have been recently combined.

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? ☐ Yes ☒ No If Yes, describe

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? ☒ Yes ☐ No If No, describe

Uniform Residential Appraisal Report

File # 3005-12R

There are 59 comparable properties currently offered for sale in the subject neighborhood ranging in price from $ 12,900 to $ 115,000 .

There are 127 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from $ 9,000 to $ 111,800 .

SALES COMPARISON APPROACH

FEATURE	SUBJECT	COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3	
Address	3443 17th Ave S St Petersburg, FL 33711	1305 43rd St S St Petersburg, FL 33711		1411 40th St S St Petersburg, FL 33711		4500 23rd Ave S St Petersburg, FL 33711	
Proximity to Subject		0.74 miles W		0.48 miles NW		0.97 miles SW	
Sale Price	$		$ 92,000		$ 95,000		$ 84,000
Sale Price/Gross Liv. Area	$ sq.ft.	$ 76.67 sq.ft.		$ 78.77 sq.ft.		$ 68.02 sq.ft.	
Data Source(s)		ML#U7496975;DOM 633		ML#U7506453;DOM 460		ML#U7548072;DOM 32	
Verification Source(s)		MLS/P.Records		O/R 17695-0680/MLS/P.Records		O/R 17674-2405/MLS/P.Records	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment
Sales or Financing Concessions		ArmLth FHA;0		ArmLth FHA;0		ArmLth FHA;2105	
Date of Sale/Time		s12/12;c10/12		s08/12;c06/12		s07/12;c06/12	
Location	N;Ridgewd.Terr.;	N;E.L.Poore's;	0	N;H.C.Carlton;	0	N;S.Shadow Lawn;	0
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Site	12000 sf	6820 sf	+4,100	5355 sf	+5,300	5000 sf	+5,600
View	N;Residential;	N;Residential;		N;Residential;		N;Residential;	
Design (Style)	Ranch	Ranch		Ranch		Ranch	
Quality of Construction	Q3	Q3		Q3		Q3	
Actual Age	2	2		1	0	15	0
Condition	C1	C1		C1		C3	+2,500
Above Grade Room Count (Total / Bdrms. / Baths)	5 / 3 / 2.0	6 / 4 / 2.0	0	5 / 3 / 2.0		5 / 3 / 2.0	
Gross Living Area	1,245 sq.ft.	1,200 sq.ft.	+1,800	1,206 sq.ft.	+1,600	1,235 sq.ft.	+400
Basement & Finished Rooms Below Grade	0sf	0sf		0sf		0sf	
Functional Utility	Adequate/Typ.	Adequate/Typ.		Adequate/Typ.		Adequate/Typ.	
Heating/Cooling	Central	Central		Central		Central	
Energy Efficient Items	Standard/Typ.	Standard/Typ.		Standard/Typ.		Standard/Typ.	
Garage/Carport	Open	1 Car Garage	-5,000	1 Car Garage	-5,000	Open	
Porch/Patio/Deck	Rear,Front Porch	None	+3,000	Patio,Porch(s)	-1,000	Deck	+2,000
		100% SP/LP		100% SP/LP		96.8% SP/LP	
Net Adjustment (Total)		☒ + ☐ -	$ 3,900	☒ + ☐ -	$ 900	☒ + ☐ -	$ 10,500
Adjusted Sale Price of Comparables		Net Adj. 4.2 % Gross Adj. 15.1 %	$ 95,900	Net Adj. 0.9 % Gross Adj. 13.6 %	$ 95,900	Net Adj. 12.5 % Gross Adj. 12.5 %	$ 94,500

I ☒ did ☐ did not research the sale or transfer history of the subject property and comparable sales. If not, explain

My research ☐ did ☒ did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s) Public Records

My research ☐ did ☒ did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.

Data Source(s) Public Records

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	COMPARABLE SALE #1	COMPARABLE SALE #2	COMPARABLE SALE #3
Date of Prior Sale/Transfer				
Price of Prior Sale/Transfer				
Data Source(s)	Public Records	Public Records	Public Records	Public Records
Effective Date of Data Source(s)	12/31/2012	12/31/2012	12/31/2012	12/31/2012

Analysis of prior sale or transfer history of the subject property and comparable sales See above data. The subject has an additional transaction on 8/3/2009 for $26,800. Sale #1 has a prior sale of $35,700 on 11/12/2009, Sale #2 has a recent sale of 34,200 on 11/16/2009, and Sale #3 has a recent sale of $43,700 11/14/2011.

Summary of Sales Comparison Approach All sales are located in the subject neighborhood/area, and have similar design & appeal. Effective age/condition, and site/view (based on market data/paired sale) adjustments were made accordingly. There were a lack of recent, similar comparable sales, in the subject area. The most appropriate sales were used to arrive at the final value. There is a wide range of home values in the subject neighborhood/area. No one particular transaction was given the greatest emphasis. Across the board adjustments were made/felt warranted for site.

Indicated Value by Sales Comparison Approach $ 95,000

RECONCILIATION

Indicated Value by: Sales Comparison Approach $ 95,000 **Cost Approach (if developed) $** 138,653 **Income Approach (if developed) $** 0

The Sales Comparison Approach was given the greatest emphasis in the final value estimate. The Income Approach was not utilized due to a lack of comparable rentals, in the subject area. The subject exceeds the predominant neighborhood value estimate, but this does not affect the final value. Many sales and listings (some used in the report and not) were analyzed when arriving at the final value.

This appraisal is made ☒ "as is", ☐ subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, ☐ subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or ☐ subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair:

Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is $ 95,000 **, as of** 12/31/2012 **, which is the date of inspection and the effective date of this appraisal.**

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Uniform Residential Appraisal Report

File # 3005-12R

ADDITIONAL COMMENTS

THE INTENDED USER OF THIS REPORT IS THE LENDER/CLIENT. THE INTENDED USE IS TO EVALUATE THE PROPERTY THAT IS THE SUBJECT OF THIS APPRAISAL FOR AN ESTIMATE OF VALUE, SUBJECT TO THE STATED SCOPE OF WORK, PURPOSE OF THE APPRAISAL, REPORTING REQUIREMENTS OF THIS APPRAISAL REPORT FORM, AND DEFINITION OF MARKET VALUE. NO ADDITIONAL INTENDED USERS ARE IDENTIFIED BY THE APPRAISER.

THE APPRAISER IS NOT A HOME INSPECTOR OR ENVIRONMENTAL INSPECTOR. THE APPRAISER PROVIDES AN OPINION OF VALUE. THE APPRAISER DOES NOT GUARANTEE THE PROPERTY IS FREE OF DEFECTS OR ENVIRONMENTAL PROBLEMS.

MLS PHOTO'S MAY HAVE BEEN USED IN THIS REPORT, UNDER CERTAIN CIRCUMSTANCES (GATED ENTRANCE, INDIVIDUAL'S IN PHOTO, ETC.).

I CERTIFY, AS THE APPRAISER, THAT I HAVE COMPLETED ALL ASPECTS OF THIS VALUATION, INCLUDING RECONCILING MY OPINION OF VALUE, FREE OF INFLUENCE FROM CLIENT, CLIENT'S REPRESENTATIVES, BORROWER, OR ANY OTHER PARTY TO THE TRANSACTION.

I HAVE NO CURRENT OR PROSPECTIVE INTEREST IN THE PROPERTY OR THE PARTIES INVOLVED; AND DISCLOSE IN THE BODY OF THE REPORT WHETHER OR NOT I HAVE PERFORMED ANY SERVICES WITHIN THE 3 YEAR PERIOD IMMEDIATELY PRECEEDING ACCEPTANCE OF THIS ASSIGNMENT, AS AN APPRAISER OR IN ANY CAPACITY.

I HAVE PERFORMED AN APPRAISAL IN THE PAST 12 MONTHS.

COST APPROACH

COST APPROACH TO VALUE (not required by Fannie Mae)

Provide adequate information for the lender/client to replicate the below cost figures and calculations.

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) Lot sales in the subject/surrounding neighborhoods.

ESTIMATED ☐ REPRODUCTION OR ☒ REPLACEMENT COST NEW	OPINION OF SITE VALUE			=$	10,000
Source of cost data Cost Service/Local Custom Builders	DWELLING	1,245 Sq.Ft. @ $ 90.50		=$	112,673
Quality rating from cost service Average Effective date of cost data Date of Appr.		0 Sq.Ft. @ $		=$	
Comments on Cost Approach (gross living area calculations, depreciation, etc.)	Additional Features			=$	10,500
SEE SKETCH SHEET	Garage/Carport	Sq.Ft. @ $		=$	
	Total Estimate of Cost-New			=$	123,173
THE SUBJECT HAS A REMAINING ECONOMIC LIFE ESTIMATE OF	Less Physical	Functional	External		
60+ YEARS.	Depreciation	2,020		=$(	2,020)
	Depreciated Cost of Improvements			=$	121,153
ADDITIONAL FEATURES: APPLIANCES, FRONT PORCH, REAR	"As-is" Value of Site Improvements			=$	7,500
PORCH, FIXTURES					
Estimated Remaining Economic Life (HUD and VA only) 60 Years	**INDICATED VALUE BY COST APPROACH**			**=$**	138,653

INCOME

INCOME APPROACH TO VALUE (not required by Fannie Mae)

Estimated Monthly Market Rent $ X Gross Rent Multiplier = $ Indicated Value by Income Approach

Summary of Income Approach (including support for market rent and GRM)

PUD INFORMATION

PROJECT INFORMATION FOR PUDs (if applicable)

Is the developer/builder in control of the Homeowners' Association (HOA)? ☐ Yes ☐ No Unit type(s) ☐ Detached ☐ Attached

Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.

Legal Name of Project

Total number of phases Total number of units Total number of units sold

Total number of units rented Total number of units for sale Data source(s)

Was the project created by the conversion of existing building(s) into a PUD? ☐ Yes ☐ No If Yes, date of conversion.

Does the project contain any multi-dwelling units? ☐ Yes ☐ No Data Source

Are the units, common elements, and recreation facilities complete? ☐ Yes ☐ No If No, describe the status of completion.

Are the common elements leased to or by the Homeowners' Association? ☐ Yes ☐ No If Yes, describe the rental terms and options.

Describe common elements and recreational facilities.

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Uniform Residential Appraisal Report

File # 3005-12R

This report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit; including a unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.

2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.

3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.

4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.

5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing the appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.

6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

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Uniform Residential Appraisal Report

File # 3005-12R

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.

2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.

3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.

4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.

5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.

6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.

7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.

8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.

9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.

10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.

11. I have knowledge and experience in appraising this type of property in this market area.

12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.

13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.

14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.

15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.

16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.

17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.

18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).

19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.

20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.

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Uniform Residential Appraisal Report

File # 3005-12R

21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.

2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.

3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.

4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.

5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature
Name Edwin R Hotz
Company Name E.Hotz Appraisals
Company Address 4615 Central Ave
St.Petersburg, FL. 33713
Telephone Number 727-515-3101
Email Address edrhotz@gmail.com
Date of Signature and Report 01/10/2013
Effective Date of Appraisal 12/31/2012
State Certification # Cert Res Rd 309
or State License #
or Other (describe) State #
State FL
Expiration Date of Certification or License 11/30/2014

ADDRESS OF PROPERTY APPRAISED
3443 17th Ave S
St Petersburg, FL 33711
APPRAISED VALUE OF SUBJECT PROPERTY $ 95,000

LENDER/CLIENT
Name No AMC
Company Name City of St.Petersburg
Company Address 1 4th Street North, St.Petersburg, FL 33701
Email Address

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature
Name
Company Name
Company Address
Telephone Number
Email Address
Date of Signature
State Certification #
or State License #
State
Expiration Date of Certification or License

SUBJECT PROPERTY

☐ Did not inspect subject property
☐ Did inspect exterior of subject property from street
Date of Inspection
☐ Did inspect interior and exterior of subject property
Date of Inspection

COMPARABLE SALES

☐ Did not inspect exterior of comparable sales from street
☐ Did inspect exterior of comparable sales from street
Date of Inspection

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Additional Listings

File # 3005-12R

FEATURE	SUBJECT	LISTING # 1		LISTING # 2		LISTING # 3	
Address	3443 17th Ave S St Petersburg, FL 33711	3800 16th Ave S St Petersburg, FL 33711		3484 17th Ave S St Petersburg, FL 33711			
Proximity to Subject		0.26 miles W		0.06 miles SW			
List Price	$ 90,000		$ 84,900		$ 91,000		$
List Price/Gross Liv. Area	$ 72.29 sq.ft.	$ 68.74 sq.ft.		$ 70.11 sq.ft.		$ sq.ft.	
Last Price Revision Date	01/04/2012	10/23/2012 ***(Pending Sale)***		08/15/2012			
Data Source(s)		ML#U7539607		ML#U7497201			
Verification Source(s)		MLS/Public Records		MLS/Public Records			
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) $ Adjust.	DESCRIPTION	+(-) $ Adjust.	DESCRIPTION	+(-) $ Adjust.
Sales or Financing Concessions							
Days on Market		274		690			
Location	N;Ridgewd.Terr.;	N;Pine Lawn;	0	N;Ridgewood Terr;	0		
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple			
Site	12000 sf	6300 sf	+4,600	6050 sf	+4,800		
View	N;Residential;	N;Residential		N;Residential;			
Design (Style)	Ranch	Ranch		Ranch			
Quality of Construction	Q3	Q3		Q3			
Actual Age	2	18	0	2			
Condition	C1	C3	+5,000	C1			
Above Grade Room Count (Total / Bdrms. / Baths)	5 / 3 / 2.0	6 / 4 / 2.0		5 / 3 / 2.0		/ /	
Gross Living Area	1,245 sq.ft.	1,235 sq.ft.	+400	1,298 sq.ft.	-2,100	sq.ft.	
Basement & Finished Rooms Below Grade	0sf	0sf		0sf			
Functional Utility	Adequate/Typ.	Adequate/Typical		Adequate/Typical			
Heating/Cooling	Central	Central		Central			
Energy Efficient Items	Standard/Typ.	Standard/Typical		Standard/Typical			
Garage/Carport	Open	Open		Open			
Porch/Patio/Deck	Rear,Front Porch	Patio	+1,500	Front Porch,Patio	+1,500		
		12/11/12 Contract Date					
Net Adjustment (Total)		☒ + ☐ -	$ 11,500	☒ + ☐ -	$ 4,200	☐ + ☐ -	$
Adjusted List Price of Comparables		Net 13.5 % Gross 13.5 %	$ 96,400	Net 4.6 % Gross 9.2 %	$ 95,200	Net % Gross %	$

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	LISTING # 1	LISTING # 2	LISTING # 3
Date of Prior Sale/Transfer				
Price of Prior Sale/Transfer				
Data Source(s)	Public Records	Public Records	Public Records	
Effective Date of Data Source(s)	12/31/2012	12/31/2012	12/31/2012	

Comments: All listings are located in the subject neighhborhood, and have similar design & appeal. Effective age/condition adjustments were made accordingly.

Additional Listings:

*4107 12th Ave S, St.Petersburg
$92,500 (726-DOM), 3 Bedroom-2 Bath, 1368 Sq.Ft, Open Parking, 2010-YB

Market Conditions Addendum to the Appraisal Report

File No. 3005-12R

The purpose of this addendum is to provide the lender/client with a clear and accurate understanding of the market trends and conditions prevalent in the subject neighborhood. This is a required addendum for all appraisal reports with an effective date on or after April 1, 2009.

Property Address 3443 17th Ave S City St Petersburg State FL ZIP Code 33711

Borrower N/A

Instructions: The appraiser must use the information required on this form as the basis for his/her conclusions, and must provide support for those conclusions, regarding housing trends and overall market conditions as reported in the Neighborhood section of the appraisal report form. The appraiser must fill in all the information to the extent it is available and reliable and must provide analysis as indicated below. If any required data is unavailable or is considered unreliable, the appraiser must provide an explanation. It is recognized that not all data sources will be able to provide data for the shaded areas below; if it is available, however, the appraiser must include the data in the analysis. If data sources provide the required information as an average instead of the median, the appraiser should report the available figure and identify it as an average. Sales and listings must be properties that compete with the subject property, determined by applying the criteria that would be used by a prospective buyer of the subject property. The appraiser must explain any anomalies in the data, such as seasonal markets, new construction, foreclosures, etc.

MARKET RESEARCH & ANALYSIS

Inventory Analysis	Prior 7–12 Months	Prior 4–6 Months	Current – 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)	61	35	31	☐ Increasing	☐ Stable	☒ Declining
Absorption Rate (Total Sales/Months)	10.17	11.67	10.33	☐ Increasing	☐ Stable	☒ Declining
Total # of Comparable Active Listings	15	20	24	☐ Declining	☐ Stable	☒ Increasing
Months of Housing Supply (Total Listings/Ab.Rate)	1.5	1.7	2.3	☐ Declining	☐ Stable	☒ Increasing
Median Sale & List Price, DOM, Sale/List %	Prior 7–12 Months	Prior 4–6 Months	Current – 3 Months	Overall Trend		
Median Comparable Sale Price	$28,000	$34,000	$35,000	☒ Increasing	☐ Stable	☐ Declining
Median Comparable Sales Days on Market	34	22	24	☐ Declining	☐ Stable	☒ Increasing
Median Comparable List Price	$57,500	$39,000	$34,900	☐ Increasing	☐ Stable	☒ Declining
Median Comparable Listings Days on Market	5	48	22	☒ Declining	☐ Stable	☐ Increasing
Median Sale Price as % of List Price	95%	100%	99%	☐ Increasing	☐ Stable	☒ Declining
Seller-(developer, builder, etc.)paid financial assistance prevalent? ☒ Yes ☐ No				☐ Declining	☒ Stable	☐ Increasing

Explain in detail the seller concessions trends for the past 12 months (e.g., seller contributions increased from 3% to 5%, increasing use of buydowns, closing costs, condo fees, options, etc.). In the subject neighborhood/market there does not appear to many abnormal "seller concessions". Would estimate the seller concessions would be in line with similar nearby neighborhood/developments.

Are foreclosure sales (REO sales) a factor in the market? ☒ Yes ☐ No If yes, explain (including the trends in listings and sales of foreclosed properties).

As with most areas in and around the subject county, bank-owned, reo's, short sales, etc. are a part/factor in the subject market. Many REO (and Short Sale) properties are located in and around the subject neighborhood. These type of properties (values) appear at the "bottom" of the subject market range (sales & listing).

Cite data sources for above information. MLS, public records, published data.

Summarize the above information as support for your conclusions in the Neighborhood section of the appraisal report form. If you used any additional information, such as an analysis of pending sales and/or expired and withdrawn listings, to formulate your conclusions, provide both an explanation and support for your conclusions.

The above information appears to support the data supplied on the appraisal. The MC sheet shows an increase in recent market values, but other data sources reflect a more stable market/values.

CONDO/CO-OP PROJECTS

If the subject is a unit in a condominium or cooperative project , complete the following: **Project Name:**

Subject Project Data	Prior 7–12 Months	Prior 4–6 Months	Current – 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)				☐ Increasing	☐ Stable	☐ Declining
Absorption Rate (Total Sales/Months)				☐ Increasing	☐ Stable	☐ Declining
Total # of Active Comparable Listings				☐ Declining	☐ Stable	☐ Increasing
Months of Unit Supply (Total Listings/Ab.Rate)				☐ Declining	☐ Stable	☐ Increasing

Are foreclosure sales (REO sales) a factor in the project? ☐ Yes ☐ No If yes, indicate the number of REO listings and explain the trends in listings and sales of foreclosed properties.

Summarize the above trends and address the impact on the subject unit and project.

APPRAISER

Signature	Signature
Appraiser Name Edwin R Hotz	Supervisory Appraiser Name
Company Name E.Hotz Appraisals	Company Name
Company Address 4615 Central Ave, St.Petersburg, FL. 33713	Company Address
State License/Certification # Cert Res Rd 309 State FL	State License/Certification # State
Email Address edrhotz@gmail.com	Email Address

Form 1004MC2 — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

File No. 3005-12R

UNIFORM APPRAISAL DATASET (UAD) DEFINITIONS ADDENDUM

(Source: Fannie Mae UAD Appendix D: UAD Field-Specific Standardization Requirements)

Condition Ratings and Definitions

C1

The improvements have been very recently constructed and have not previously been occupied. The entire structure and all components are new and the dwelling features no physical depreciation.*

**Note: Newly constructed improvements that feature recycled materials and/or components can be considered new dwellings provided that the dwelling is placed on a 100% new foundation and the recycled materials and the recycled components have been rehabilitated/re-manufactured into like-new condition. Recently constructed improvements that have not been previously occupied are not considered "new" if they have any significant physical depreciation (i.e., newly constructed dwellings that have been vacant for an extended period of time without adequate maintenance or upkeep).*

C2

The improvements feature no deferred maintenance, little or no physical depreciation, and require no repairs. Virtually all building components are new or have been recently repaired, refinished, or rehabilitated. All outdated components and finishes have been updated and/or replaced with components that meet current standards. Dwellings in this category either are almost new or have been recently completely renovated and are similar in condition to new construction.

C3

The improvements are well maintained and feature limited physical depreciation due to normal wear and tear. Some components, but not every major building component, may be updated or recently rehabilitated. The structure has been well maintained.

C4

The improvements feature some minor deferred maintenance and physical deterioration due to normal wear and tear. The dwelling has been adequately maintained and requires only minimal repairs to building components/mechanical systems and cosmetic repairs. All major building components have been adequately maintained and are functionally adequate.

C5

The improvements feature obvious deferred maintenance and are in need of some significant repairs. Some building components need repairs, rehabilitation, or updating. The functional utility and overall livability is somewhat diminished due to condition, but the dwelling remains useable and functional as a residence.

C6

The improvements have substantial damage or deferred maintenance with deficiencies or defects that are severe enough to affect the safety, soundness, or structural integrity of the improvements. The improvements are in need of substantial repairs and rehabilitation, including many or most major components.

Quality Ratings and Definitions

Q1

Dwellings with this quality rating are usually unique structures that are individually designed by an architect for a specified user. Such residences typically are constructed from detailed architectural plans and specifications and feature an exceptionally high level of workmanship and exceptionally high-grade materials throughout the interior and exterior of the structure. The design features exceptionally high-quality exterior refinements and ornamentation, and exceptionally high-quality interior refinements. The workmanship, materials, and finishes throughout the dwelling are of exceptionally high quality.

Q2

Dwellings with this quality rating are often custom designed for construction on an individual property owner's site. However, dwellings in this quality grade are also found in high-quality tract developments featuring residence constructed from individual plans or from highly modified or upgraded plans. The design features detailed, high quality exterior ornamentation, high-quality interior refinements, and detail. The workmanship, materials, and finishes throughout the dwelling are generally of high or very high quality.

Q3

Dwellings with this quality rating are residences of higher quality built from individual or readily available designer plans in above-standard residential tract developments or on an individual property owner's site. The design includes significant exterior ornamentation and interiors that are well finished. The workmanship exceeds acceptable standards and many materials and finishes throughout the dwelling have been upgraded from "stock" standards.

Q4

Dwellings with this quality rating meet or exceed the requirements of applicable building codes. Standard or modified standard building plans are utilized and the design includes adequate fenestration and some exterior ornamentation and interior refinements. Materials, workmanship, finish, and equipment are of stock or builder grade and may feature some upgrades.

UNIFORM APPRAISAL DATASET (UAD) DEFINITIONS ADDENDUM

(Source: Fannie Mae UAD Appendix D: UAD Field-Specific Standardization Requirements)

Quality Ratings and Definitions (continued)

Q5

Dwellings with this quality rating feature economy of construction and basic functionality as main considerations. Such dwellings feature a plain design using readily available or basic floor plans featuring minimal fenestration and basic finishes with minimal exterior ornamentation and limited interior detail. These dwellings meet minimum building codes and are constructed with inexpensive, stock materials with limited refinements and upgrades.

Q6

Dwellings with this quality rating are of basic quality and lower cost; some may not be suitable for year-round occupancy. Such dwellings are often built with simple plans or without plans, often utilizing the lowest quality building materials. Such dwellings are often built or expanded by persons who are professionally unskilled or possess only minimal construction skills. Electrical, plumbing, and other mechanical systems and equipment may be minimal or non-existent. Older dwellings may feature one or more substandard or non-conforming additions to the original structure

Definitions of Not Updated, Updated, and Remodeled

Not Updated

Little or no updating or modernization. This description includes, but is not limited to, new homes.

Residential properties of fifteen years of age or less often reflect an original condition with no updating, if no major components have been replaced or updated. Those over fifteen years of age are also considered not updated if the appliances, fixtures, and finishes are predominantly dated. An area that is 'Not Updated' may still be well maintained and fully functional, and this rating does not necessarily imply deferred maintenance or physical/functional deterioration.

Updated

The area of the home has been modified to meet current market expectations. These modifications are limited in terms of both scope and cost.

An updated area of the home should have an improved look and feel, or functional utility. Changes that constitute updates include refurbishment and/or replacing components to meet existing market expectations. Updates do not include significant alterations to the existing structure.

Remodeled

Significant finish and/or structural changes have been made that increase utility and appeal through complete replacement and/or expansion.

A remodeled area reflects fundamental changes that include multiple alterations. These alterations may include some or all of the following: replacement of a major component (cabinet(s), bathtub, or bathroom tile), relocation of plumbing/gas fixtures/appliances, significant structural alterations (relocating walls, and/or the addition of) square footage). This would include a complete gutting and rebuild.

Explanation of Bathroom Count

Three-quarter baths are counted as a full bath in all cases. Quarter baths (baths that feature only a toilet) are not included in the bathroom count. The number of full and half baths is reported by separating the two values using a period, where the full bath count is represented to the left of the period and the half bath count is represented to the right of the period.

Example:
3.2 indicates three full baths and two half baths.

UNIFORM APPRAISAL DATASET (UAD) DEFINITIONS ADDENDUM

(Source: Fannie Mae UAD Appendix D: UAD Field-Specific Standardization Requirements)

Abbreviations Used in Data Standardization Text

Abbreviation	Full Name	Fields Where This Abbreviation May Appear
ac	Acres	Area, Site
AdjPrk	Adjacent to Park	Location
AdjPwr	Adjacent to Power Lines	Location
A	Adverse	Location & View
ArmLth	Arms Length Sale	Sale or Financing Concessions
ba	Bathroom(s)	Basement & Finished Rooms Below Grade
br	Bedroom	Basement & Finished Rooms Below Grade
B	Beneficial	Location & View
Cash	Cash	Sale or Financing Concessions
CtySky	City View Skyline View	View
CtyStr	City Street View	View
Comm	Commercial Influence	Location
c	Contracted Date	Date of Sale/Time
Conv	Conventional	Sale or Financing Concessions
CrtOrd	Court Ordered Sale	Sale or Financing Concessions
DOM	Days On Market	Data Sources
e	Expiration Date	Date of Sale/Time
Estate	Estate Sale	Sale or Financing Concessions
FHA	Federal Housing Authority	Sale or Financing Concessions
GlfCse	Golf Course	Location
Glfvw	Golf Course View	View
Ind	Industrial	Location & View
in	Interior Only Stairs	Basement & Finished Rooms Below Grade
Lndfl	Landfill	Location
LtdSght	Limited Sight	View
Listing	Listing	Sale or Financing Concessions
Mtn	Mountain View	View
N	Neutral	Location & View
NonArm	Non-Arms Length Sale	Sale or Financing Concessions
BsyRd	Busy Road	Location
o	Other	Basement & Finished Rooms Below Grade
Prk	Park View	View
Pstrl	Pastoral View	View
PwrLn	Power Lines	View
PubTrn	Public Transportation	Location
rr	Recreational (Rec) Room	Basement & Finished Rooms Below Grade
Relo	Relocation Sale	Sale or Financing Concessions
REO	REO Sale	Sale or Financing Concessions
Res	Residential	Location & View
RH	USDA - Rural Housing	Sale or Financing Concessions
s	Settlement Date	Date of Sale/Time
Short	Short Sale	Sale or Financing Concessions
sf	Square Feet	Area, Site, Basement
sqm	Square Meters	Area, Site
Unk	Unknown	Date of Sale/Time
VA	Veterans Administration	Sale or Financing Concessions
w	Withdrawn Date	Date of Sale/Time
wo	Walk Out Basement	Basement & Finished Rooms Below Grade
wu	Walk Up Basement	Basement & Finished Rooms Below Grade
WtrFr	Water Frontage	Location
Wtr	Water View	View
Woods	Woods View	View

Other Appraiser-Defined Abbreviations

Abbreviation	Full Name	Fields Where This Abbreviation May Appear

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Photograph Addendum

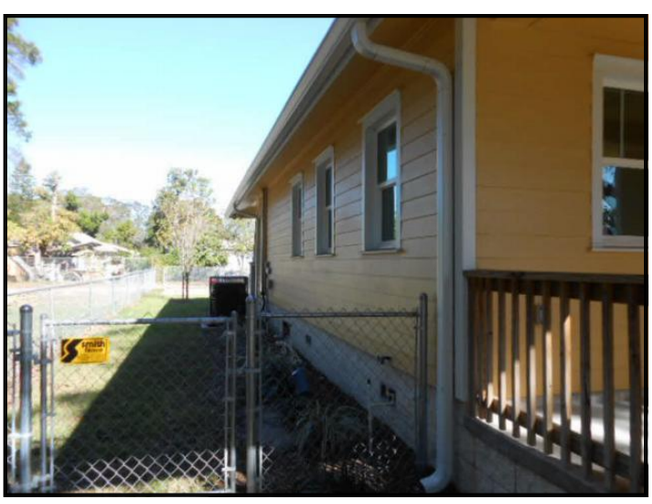
Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						

FRONT VIEW

STREET SCENE

STREET SCENE

SIDE VIEW (E)



SIDE VIEW (W)

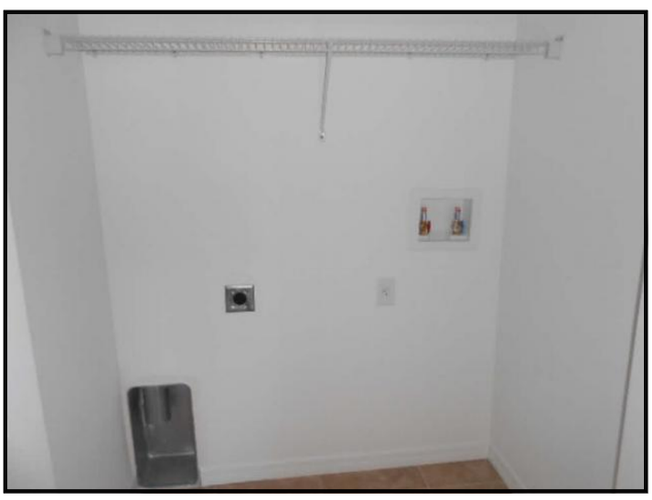
REAR VIEW

Photograph Addendum

Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						

LIVING ROOM

BEDROOM



UTILITY AREA

BATH

KITCHEN AREA

BEDROOM

Photograph Addendum

Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						

BATH

BEDROOM

ATTIC VIEW

Comparable Photo Page

Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						

Comparable 1

1305 43rd St S

Prox. to Subject	0.74 miles W
Sales Price	92,000
Gross Living Area	1,200
Total Rooms	6
Total Bedrooms	4
Total Bathrooms	2.0
Location	N;E.L.Poore's;
View	N;Residential;
Site	6820 sf
Quality	Q3
Age	2

Comparable 2

1411 40th St S

Prox. to Subject	0.48 miles NW
Sales Price	95,000
Gross Living Area	1,206
Total Rooms	5
Total Bedrooms	3
Total Bathrooms	2.0
Location	N;H.C.Carlton;
View	N;Residential;
Site	5355 sf
Quality	Q3
Age	1

Comparable 3

4500 23rd Ave S

Prox. to Subject	0.97 miles SW
Sales Price	84,000
Gross Living Area	1,235
Total Rooms	5
Total Bedrooms	3
Total Bathrooms	2.0
Location	N;S.Shadow Lawn;
View	N;Residential;
Site	5000 sf
Quality	Q3
Age	15

Listing Photo Page

Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						

Listing 1

3800 16th Ave S

Proximity to Subject	0.26 miles W
List Price	84,900
Days on Market	274
Gross Living Area	1,235
Total Rooms	6
Total Bedrooms	4
Total Bathrooms	2.0
Age	18

Listing 2

3484 17th Ave S

Proximity to Subject	0.06 miles SW
List Price	91,000
Days on Market	690
Gross Living Area	1,298
Total Rooms	5
Total Bedrooms	3
Total Bathrooms	2.0
Age	2

Listing 3

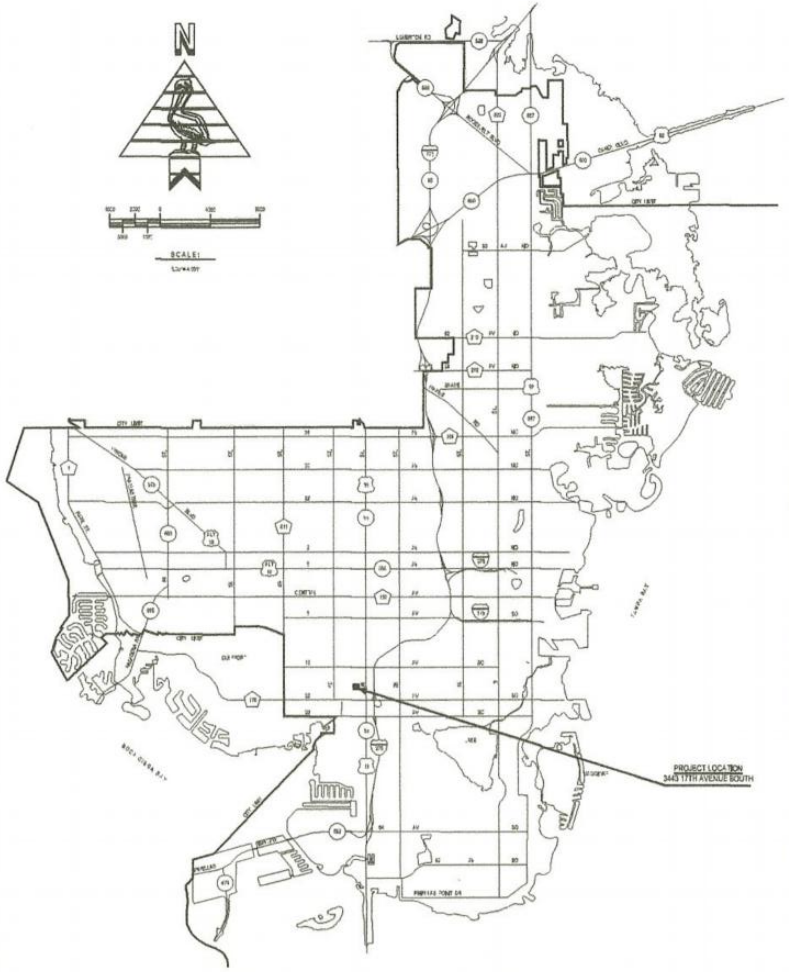
Proximity to Subject	
List Price	
Days on Market	
Gross Living Area	
Total Rooms	
Total Bedrooms	
Total Bathrooms	
Age	

ST. PETERSBURG HOUSING

RC-3443 (1B)

3443 17th Avenue South
City of St. Petersburg
St. Petersburg, Florida

ARCHITECT
Wannemacher Jensen Architects, Inc.
180 Mirror Lake Drive North, St. Petersburg, Florida 33701-3214
AA0002277



ABBREVIATIONS

A C	AIR CONDITIONING
AFG	ABOVE FINISHED GRADE
AFF	ABOVE FINISHED FLOOR
ALUM	ALUMINUM
BO	BOTTOM OF
BW	BETWEEN
CLG	CEILING
CMT	CERAMIC MOSAIC TILE
CT	CERAMIC TILE
CONC	CONCRETE
CMU	CONCRETE MASONRY UNIT
CONT	CONTINUOUS
CJ	CONTROL JOINT
DR	DOOR
DW	DISHWASHER
ELEV	ELEVATOR
EQ	EQUIPMENT
EDC	ELECTRIC WATER COOLER
EQ	EQUAL
EXIST	EXISTING
EXT	EXTERIOR
FCT	FACE OF FINISHING
FIN	FINISH
FACP	FIRE ALARM CONTROL PANEL
FEX	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FD	FLOOR DRAIN
GALV	GALVANIZED
GC	GENERAL CONTRACTOR
GWB	GYPSUM WALLBOARD
HC	HANDICAPPED
HM	HOLLOW METAL
HORIZ	HORIZONTAL
IBA	INTERNATIONAL SYMBOL OF ACCESSIBILITY
LAV	LAVATORY
MAX	MAXIMUM
MTL	METAL
MIN	MINIMUM
MO	MASONRY OPENING
MTD	MOUNTED
NO	NUMBER
NOM	NOMINAL
NTS	NOT TO SCALE
NIC	NOT IN CONTRACT
OC	ON CENTER
OH	OVERHEAD
P-LAM	PLASTIC LAMINATE
PL	PLATE
PREFAB	PREFABRICATED
PREFIN	PREFINISHED
PT	PRESSURE TREATED
REIN	REINFORCED
RO	ROUGH OPENING
SH	SHELF & ROD
SS	STAINLESS STEEL
"HK	THICK
"HS	THRESHOLD
"BB	TOP AND BOTTOM
"BO	TOP OF
"VT	VERTICAL
VCT	VINYL COMPOSITION TILE
UNO	UNLESS NOTED OTHERWISE
VERT	VERTICAL
VIF	VERIFY IN FIELD
VCT	WAINSCOTING
WD	WOOD
WW	WIRE WOVEN FABRIC
TR	WITH
XTR	EXISTING TO REMAIN
AFG	ABOVE FINISHED GRADE

BUILDING CODE DATA

SCOPE OF PROJECT

THIS SET OF DOCUMENTS DESCRIBES NEW CONSTRUCTION OF A ONE STORY SINGLE FAMILY HOME AT GRADE. CSP STRUCTURAL SYSTEM OF CMU BEARING WALLS WITH JOIST ON GRADE AND ROOF FRAMING.

PROJECT LOCATION
3443 17TH AVENUE SOUTH
ST. PETERSBURG, FL

ZONING
NT-1

APPLICABLE CODES AND REGULATIONS

BUILDING CODE	2007 FLORIDA BUILDING CODE, 09 2009 SUPPLEMENT
MECHANICAL CODE	2007 FLORIDA BUILDING CODE, 09 2009 SUPPLEMENT
PLUMBING CODE	2007 FLORIDA BUILDING CODE, 09 2009 SUPPLEMENT
ELECTRICAL CODE	2008 STANDARD ELECTRICAL CODE 2008 NATIONAL ELECTRIC CODE (NFPA 70)
FIRE CODE	2007 FLORIDA FIRE PREVENTION CODE
9/11 SAFETY AMENDMENTS	WEBBER LOCAL BUILDING CODES
LIFE SAFETY CODE	2009 NFPA 101
ENERGY CODE	2004 IECC

BUILDING DESCRIPTION

OCCUPANCY	GROUP (R) RESIDENTIAL
TYPE OF CONSTRUCTION	TYPE III
FIRE PROTECTION SYSTEMS	NON SPRINKLERED
FLOOR AREA	1,245SF

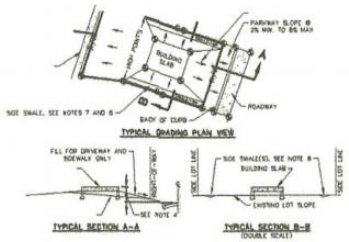
FLOOD ZONE: NON FLOOD

HEATED AREA 1245

FAR AREA CALCULATION - ZONING NT-1		
PROPERTY SIZE		
FLOOR AREA - 1 SFR FLOOR UNDER SPACE, FRONT PORCH AND REAR PORCH, EXCLUDES DRIVEWAY	1471	SF
TOTAL	1471	SF
ALLOWED (50%)	2500	SF
IMPERVIOUS LOT COVERAGE		
HOUSE, DRIVEWAY, FRONT PORCH, REAR PORCH, KNEE WALL	2035	SF
TOTAL	2035	SF
ALLOWED (65% OF 5000 SF)	3250	SF

SHEET INDEX

	COVER SHEET
A0.1	SITE, FLOOR & ROOF PLANS
A0.2	STRUCTURAL PLANS
A1.1	WALL SECTIONS
A4.1	INTERIOR ELEVATIONS & MILLWORK DETAILS
A5.1	DOOR & WINDOW ELEVATIONS & DETAILS
A6.1	TYPICAL SECTIONS
E0.1	ELECTRICAL POWER & LIGHTING PLANS



1. FILL IN FEMA FLOOD ZONES A AND AE IS LIMITED PER CITY CODE. SEE CHAPTER 16. A SEPERATE SITE PLAN SHOWING EXISTING AND PROPOSED ELEVATIONS AND DRAINAGE PLAN IS REQUIRED IN FEMA FLOOD AREAS. THESE PLANS SHALL BE SIGNED AND SEALED BY A FLORIDA REGISTERED ENGINEER.
2. FILL IN FLOOD ZONE VE IS PROHIBITED, PER CITY CODE, SEE CHAPTER 16.
3. EXISTING AND DESIGN ELEVATIONS ARE REQUIRED FOR POINTS IDENTIFIED BY THIS SYMBOL
4. BUILDING SLAB SHALL BE 1' MINIMUM ABOVE THE CENTERLINE OF THE ROADWAY AND NOT LESS THAN A MINIMUM ELEVATION OF 103.00 PER CITY DATUM OR AS DICTATED BY FEDERAL EMERGENCY MANAGEMENT
5. LOT GRADING SHALL MAINTAIN HISTORICAL FLOW PATHS AND PREVENT THE ACCUMULATION OF WATER OR EXCESSIVE RUNOFF ONTO ADJACENT PROPERTIES.
6. LOTS IN EXISTING SUBDIVISIONS REQUIRE EXISTING ELEVATIONS 5' INTO ADJOINING PROPERTIES OR EXISTING
7. SIDE SWALES SHALL DRAIN TO ROADWAY ON EACH LOT SIDE AND SHALL FUNCTION INDEPENDENTLY FROM
8. SIDE SWALES SHALL BE SIZED TO ACCOMMODATE A MINIMUM OF A 10 YEAR, 1 HOUR RAIN EVENT. MINIMUM SWALE SIZE SHALL BE 6" DEEP WITH 4:1 SIDE SLOPES.
9. ROOF GUTTERS AND LEADERS IN CONJUNCTION WITH YARD DRAINS AND INLETS ARE REQUIRED WHERE NECESSARY FOR ADEQUATE DRAINAGE.
10. WHEN SILT FENCING IS REQUIRED, SEE CITY STANDARD DETAIL, SITE PLAN-EROSION CONTROL
11. FINAL AS-BUILT ELEVATIONS SHALL BE CERTIFIED BY A REGISTERED LAND SURVEYOR TO CONFIRM COMPLIANCE WITH THE PROPOSED DESIGN ELEVATIONS.

GUIDE FOR TYPE "B" LOT GRADING DETAIL
(ALL DRAINAGE ROADWAY AND ALLEY)

BID SET
DECEMBER 03, 2009

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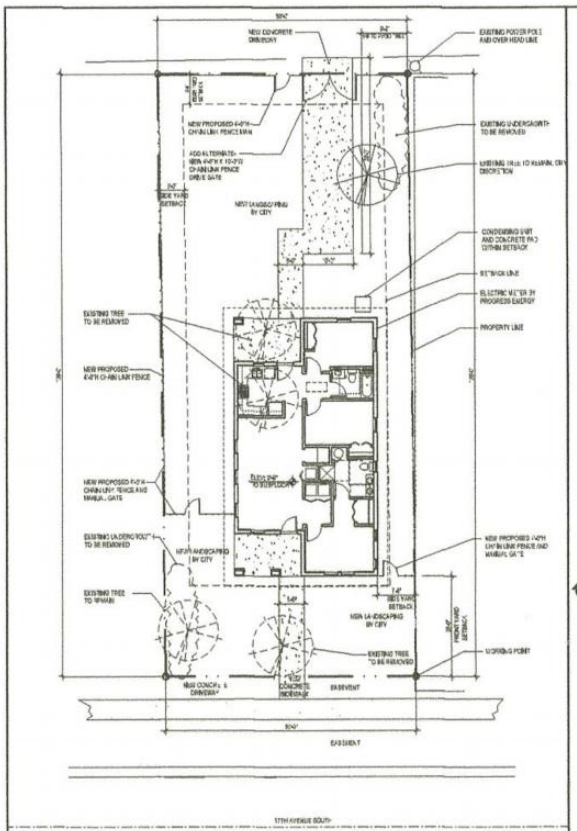
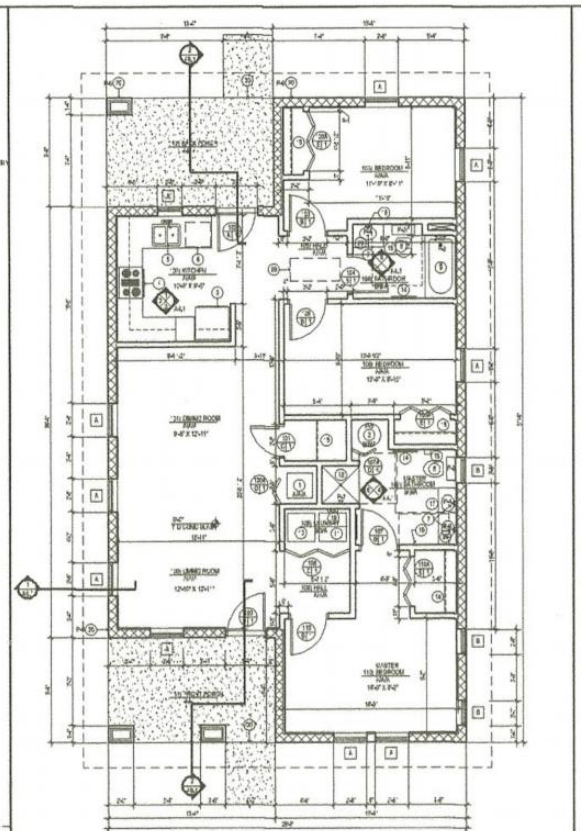
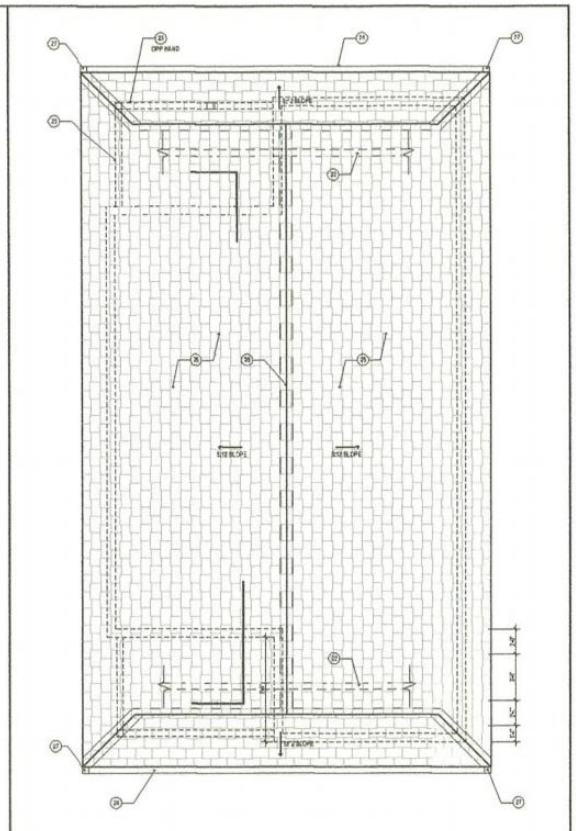


1 SITE PLAN
SCALE: 1"=10'



2 FLOOR PAN
SCALE: 1/4"=1'-0"



3 ROOF PAN
SCALE: 1/8"=1'-0"

PARTITION LEGEND

PARTITION TYPE	ASSEMBLY
	2X4 WOOD STUDS AT 16" O.C. WITH ONE LAYER 5/8" GYP. BOARD EACH SIDE AND BATS IN WALL FULL OVER "GOLD" FITTING TEN. SEE WALLS
	2" STRUCTURED GAS. SEE ELEVATIONS AND WALL SECTIONS FOR LENGTH OF INFORMATION

GENERAL NOTES

1. PROVIDE PRESSURE TREATED WOOD BLOCKING FOR THE FUTURE INSTALLATION OF 36" A-B-42" ACC GRAB BARS IN BOTH BATHROOMS. SEE FAIR "COLUMBIA AC" DESIGN MANUAL CHAPTER 19 FOR FURTHER INFORMATION.
2. A.L. BASE MOULDS DOOR TO RECEIVE ROBE HOOKS ON BATH ROOM SIDE OF DOOR, MOUNT AT 48" A.F.F.
3. A.L. CLOSETS TO VCT. LOOKING SOUTH. PROVIDE GOOD HANGS.
4. PROVIDE A BRACKET MOUNTED FIRE EXTINGUISHER UNDER THE KITCHEN SINK

FINISH LEGEND

	FLOOR	BASE	WALLS
A	VCT	PTD. 1X1 WOOD W. 2" BASE	PAINTED GYB
B	SHEET VINYL	PTD. 1X1 WOOD W. 2" BASE	---
C	N.S.	---	---

1. ALL FLOOR FINISH CHANGES SHALL OCCUR UNDER THE CENTERLINE OF DOORS IN THE CLOSED POSITION.

DRAWING LEGEND

DOOR NUMBER
FRAME TYPE, SEE A5.1
DOOR TYPE, SEE A5.1
SINGLE HUNG WINDOW - SEE SHEET A5.1
ROOF FLASHING
WALL FINISH
BASE
FLOOR FINISH
P.-F. ASSIGNED PLUMBING FIXTURE. REFER TO SPECIFICATIONS FOR PLUMBING SCHEDULE

SPECIFIC NOTES

1. AIR HANDLER UNIT, SEE SPECIFICATIONS
2. HOT WATER HEATER, SEE SPECIFICATIONS
3. SIDE BY SIDE REFRIGERATOR, SEE SPECIFICATIONS
4. ELECTRIC OVEN AND RANGE, SEE SPECIFICATIONS
5. DOUBLE BOWL SINK, SEE SPECIFICATIONS
6. UNDERCOUNTER DISHWASHER, SEE SPECIFICATIONS
7. LAVATORY SINK, SEE SPECIFICATIONS
8. TOILET, SEE SPECIFICATIONS
9. BATH TUB, SEE SPECIFICATIONS
10. CLOTHES WASHER, OWNER PROVIDED AND INSTALLED
11. ELECTRIC CLOTHES DRYER, OWNER PROVIDED AND INSTALLED
12. SHOWER WITH HEAD AND FAUCET, TILE SURROUND ON ALL SIDES
13. NOT USED
14. 24" WIDE TOWEL BAR, SEE SPECIFICATIONS
15. TOILET PAPER DISPENSER, SEE SPECIFICATIONS
16. RECESSED MIRROR WITH MEDICINE CABINET, SEE SPECIFICATIONS
17. VANITY MIRROR, WALL MOUNTED, SEE SHEET A5.1 AND SPECIFICATIONS
18. PULL INSET + CLOSET LINE SHELF WITH MINIMAL ROD
19. WASHER HOT AND COLD SUPPLY AND DRAIN
20. HOSE BIB, SEE A5.1
21. EXTERIOR GALL BELOW
22. GRAB AND BAR, A5.1
23. STRUCTURAL BEAM BELOW, SEE A5.1
24. PREFINISHED ALUM ROOF GUTTER, SLOPE TO DOWN SPOUTS SEE SPECIFICATIONS
25. DIMENSIONAL ASPHALT SHINGLE ROOF, SEE SPECIFICATIONS
26. ROOF RIDGE
27. PREFINISHED ALUM. 4" DOWN SPOUT, SEE SPECIFICATIONS
28. ATTIC ACCESS PULL-DOWN BILLDOOR ABOVE, SEE SPECIFICATIONS
29. 18" WIDE TOWEL BAR, SEE SPECIFICATIONS
30. CONCRETE EXPANSION JOINT

VAA Project Number
2914
ADD AND DEDUCT ALTERNATES
A2.1

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DRAWN BY: JR DATE: 10/03/2006
CHECKED BY: JR DATE: 10/03/2006
FIELD BOOK No. PAGE 1-49U
BM No. EL
LOCATION:

REVISIONS | BY | DATE

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150 West Lake Drive North
St. Petersburg, Florida 33701-3204
(727) 823-4568 fax (727) 823-8475
AA0003277

APPROVED BY:

ENGINEERING, STORMWATER, & TRANSPORTATION DEPARTMENT
CITY of ST. PETERSBURG

St. Petersburg Housing RC-3443 (1B)

3443 17th Avenue South
St. Petersburg, Florida

Lisa Wannemacher
AR 12801

DATE: FEB 08
SCALE: SEE DRAWING
DRAWING No. 001

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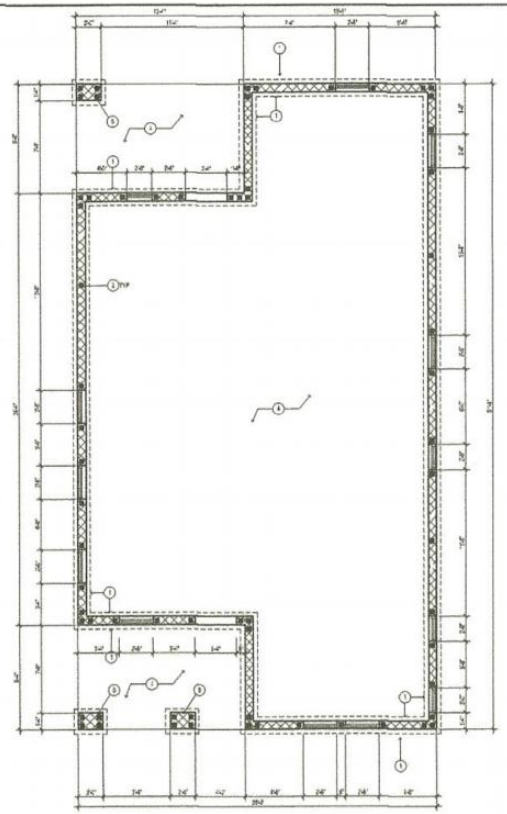
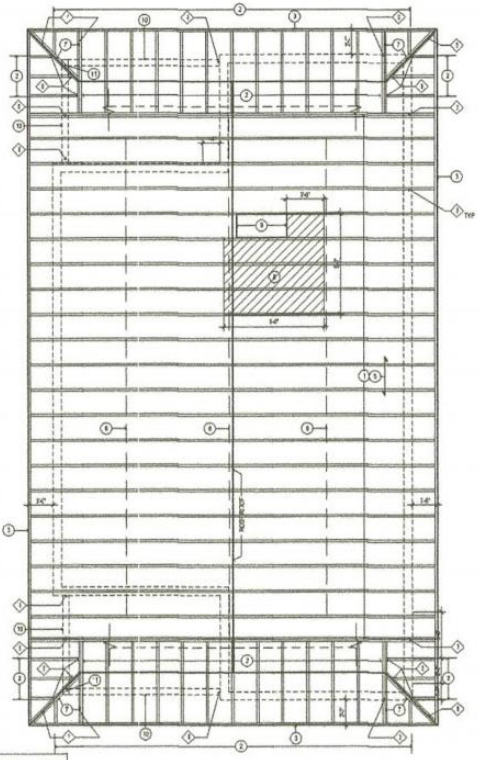


1 FOUNDATION PAN
SCALE: 1/4" = 1'-0"



3 ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"

FOUNDATION SPECIFIC NOTES

1. 8" THICK X 16" WIDE CONTINUOUS CONCRETE FOOTING WITH (3) THREE #5 HORIZONTAL STEEL REINFORCING BARS CONTINUOUS WITH #5 REINFORCING BARS "TRANSVERSE AT 36" O.C. (TYPICAL UNO, SEE F-1)
2. 8" CMU EXTENDER WALL REINFORCING WITH (1) ONE #5 VERTICAL REINFORCING BARS AT 48" O.C. MAXIMUM CENTERED IN GROUT CELL, SEE F-1
3. 8" CMU WALL PER DETAIL 2/A FOUR #5 REINFORCING BARS CENTERED IN GROUT CELL
4. 4" CONCRETE SLAB ON 10 MIL VAPOR BARRIER ON COMPACTED SUB-BASE SE BROWARD JUDICIAL SPLIT SHEETS CENTERED IN SLAB. SUPPORT SLAB PER SOILS TESTING OR APPROVED EQUAL.

LOAD SCHEDULE

ROOF:	DEAD LOAD		
	ROOFING & INSULATION	= 7 PSF	
	PLYWOOD SHEATHING	= 3	
	"TRUSS" FRAMING	= 5	
	MECHANICAL/PLUMB.	= 2	
	CEILING	= 2	
	MISC.	= 3	
		22 PSF	
	LIVE LOAD	= 20 PSF	
		42 PSF	

WIND DESIGN DATA

CODE:	FBC 2017 WITH 2020 SUPPLEMENT (ASCE 7-05)
EXPOSURE CATEGORY:	B
IMPORTANCE FACTOR:	1.0
BASIC WIND SPEED:	120 MPH
ENCLOSURE CLASSIFICATION:	ENCLOSED
INTERNAL PRESSURE COEFFICIENT:	+-0.18
ZONE 1:	24.2 PSF
ZONE 2:	29.8 PSF
ZONE 3:	29.8 PSF
ZONE 4:	21.2 PSF
ZONE 5:	31.4 PSF

ROOF FRAMING SPECIFIC NOTES

1. PRE-ENGINEERED WOOD ROOF "TRUSSES AT 24" O.C. TRUSSES ARE TO BE DESIGNED BY A FLORIDA REGISTERED ENGINEER WITH A CURRENT LICENSE TO PRACTICE IN THE STATE TO WHERE THE PROJECT IS TO BE CONSTRUCTED. EACH TRUSS DRAWINGS SHALL BE SIGNED AND SEALED BY THE ENGINEER AND NOTED TO THE ROOF FRAMING PLAN.
2. 2X4 WOOD OUTLOOKERS AT 24" O.C. MAX. AT ROOF OVERHANGS, SEE SHEET A-1.
3. 2X4 CONTINUOUS WOOD SUBFASCIA AT RAKING ENDS. "TREAT.
4. DAB-KED LINES INDICATED STRUCTURAL WALLS AND/OR COLUMNS BELOW.
5. ROOF SHEATHING SHALL BE 7/16" "OSB" EXTERIOR GRADE STRUCTURAL PLYWOOD FRAMING OVER PRE-ENGINEERED WOOD TRUSSES AND COMMON TRUSS FRAMING SPACED AT 24" O.C. FASTEN PLYWOOD SHEATHING TO ROOF TRUSSES WITH 10NAILS AT 6" O.C. AT PANEL EDGES AND AT 12" O.C. FOR SHEATHING.
6. ROOF TRUSS BRACING BY ROOF TRUSS MANUFACTURER.
7. SEE WOOD FRAMING
8. HATCHED AREA REPRESENTS 24" PLYWOOD STORAGE DECK AREA SECURED TO TOP OF TRUSS BOTTOM CHORD
9. 30" DC ACCESS PULL-DOWN LADDER, SEE SPECIFICATIONS
10. (2) 2" PRESSURE TREATED 2X4 OR EXTERIOR GRADE PLYWOOD BLOCKING BETWEEN RAFTERS AT EVERY OVERHANG TO WITHSTAND LOAD BOARD BORNES AT 12" O.C. AT TRUSS TYPE
11. PROVIDE BRACING OF "CRIPPLE WALLS" OR BLOCKING AT THE PERIMETER OF THE ROOF SECTION TO COORDINATE COLUMN CAPS IN THE HEAVY BEAM DEPTHS

W.J.A. Project Number
2914
Structural Plans
A2.2

DESIGNED BY: SD	DATE: 10/05/2020	REVISIONS	BY	DATE	Wannemacher Jensen Architects, Inc. 150 Ulmo Lake Drive North St. Petersburg, Florida 33704-3214 (727) 823-4868 fax (727) 823-0475 AA0002277
DRAWN BY: SD	DATE: 10/05/2020				
CHECKED BY: JR	DATE: 10/05/2020				
FIELD BOOK No.	PAGE				
BM No.	EL				
LOCATION:					

ENGINEERING, STORMWATER, & TRANSPORTATION DEPARTMENT CITY of ST. PETERSBURG
APPROVED BY:

St. Petersburg Housing RC-3443 (1B)
3443 17th Avenue South
St. Petersburg, Florida
Lisa Wannemacher AIA 12801

DATE: 7-23-20
SCALE: SEE DRAWINGS
DRAWING No. 002

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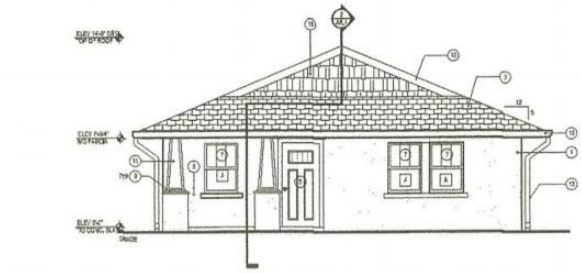
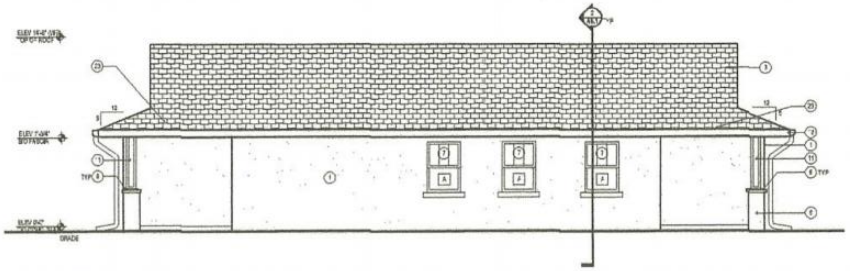
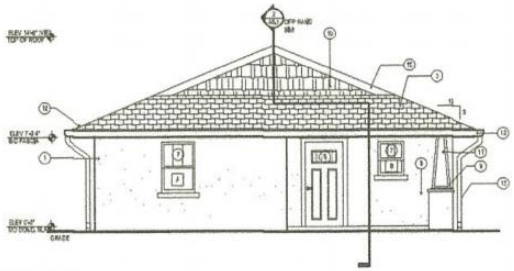


1 FRONT ELEVATION
SCALE: 1/4"=1'-0"



1 LEFT ELEVATION
SCALE: 1/4"=1'-0"



1 REAR ELEVATION
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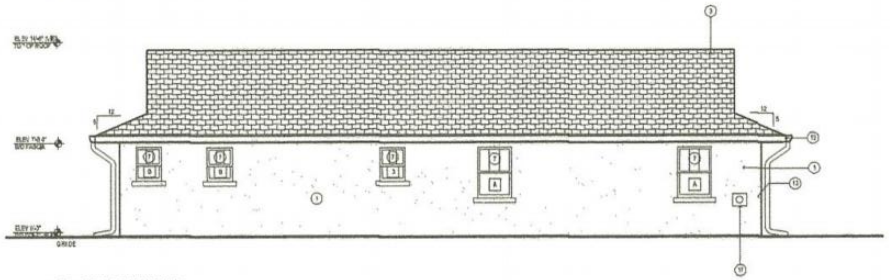

1 RIGHT ELEVATION
SCALE: 1/4"=1'-0"

SPECIFIC NOTES

1. 3/4" STUCCO OVER CMU PARC
2. NOT USED
3. 25 YEAR ASPHALT PERMALT SHINGLE ROOF
4. FLT. TREADS AND RISERS, SEE SPECIFICATIONS
5. EXTERIOR DOOR
6. NOT USED
7. SURFACE MOUNTED WALKSHINING CONDUIT, SEE SPECIFICATIONS
8. NOT USED
9. NOT USED
10. FIBER-CEMENT TRUSS, SEE SPECIFICATIONS
11. FIBER-CEMENT FLAT SOFFIT OVER PORCH CONDUITS, SEE SPECIFICATIONS
12. PREFINISHED COAT, ALUMINUM GUTTER
13. PREFINISHED 4" ALUM. DOWNSPOUT
14. NOT USED
15. FIBER-CEMENT STAGGERED EDGE SIDING, SEE SPECIFICATIONS
16. NOT USED
17. PROPOSED ELECTRIC METER LOCATION BY PROGRESS ENERGY
18. HOSE BIB
19. NOT USED
20. NOT USED
21. FIBER-CEMENT SHAPED PORCH BEAM BEHIND ROOF, REFER TO SHEETS A1.1 AND 2.1

WJA Project Number
2914

Building Elevations
A3.1

DESIGNED BY: SD
DRAWN BY: SD
CHECKED BY: JR
FIELD ROOF line
BR No.
LOCATION

DATE: 12/02/2009
DATE: 12/02/2009
DATE: 12/02/2009
PAGE 1 of 1
EL

REVISIONS | BY | DATE

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ENGINEERING, STORMWATER, & TRANSPORTATION DEPARTMENT
CITY OF ST. PETERSBURG
APPROVED BY:

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AR 12801

DATE: 12/02/09
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DRAWING No.
003

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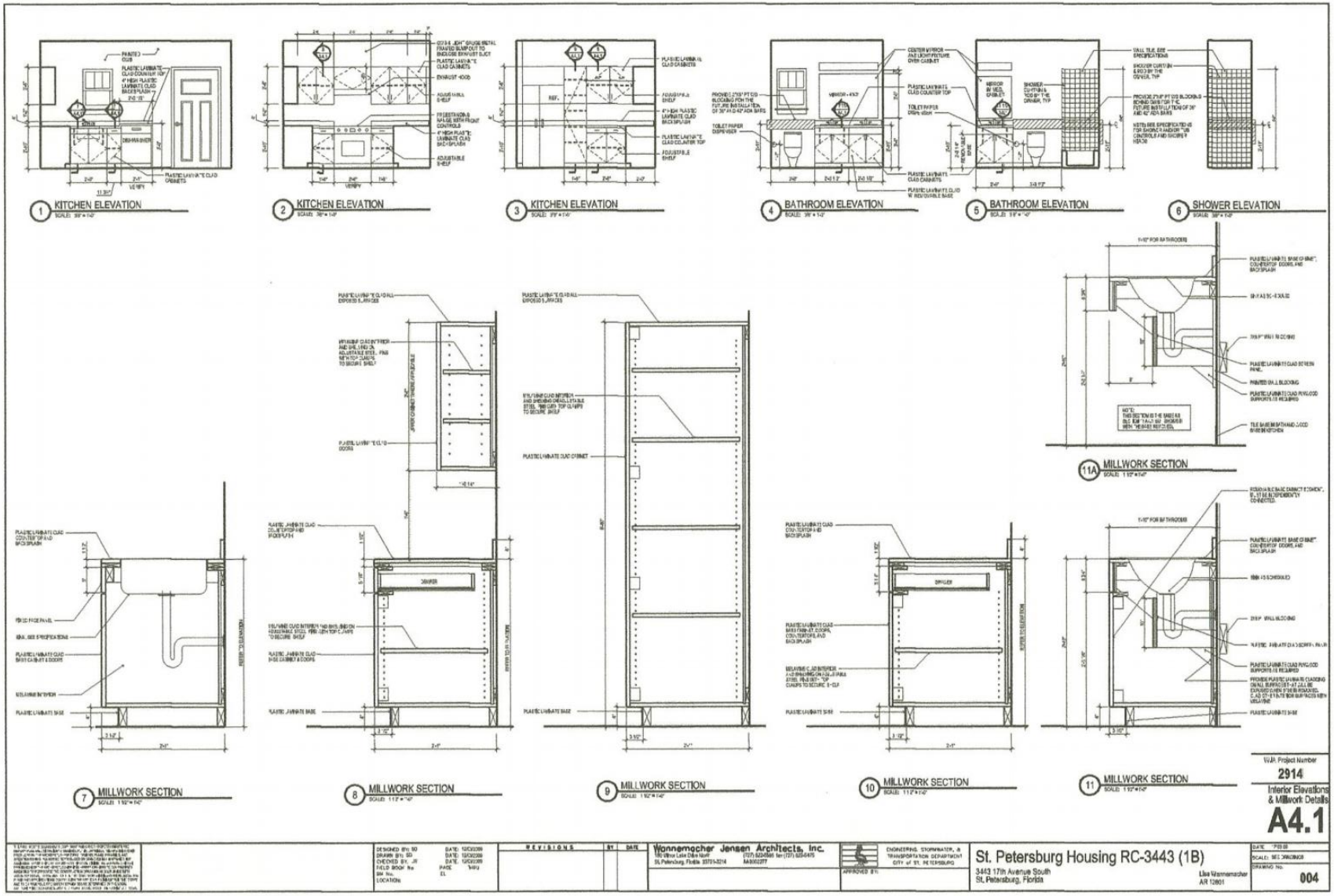

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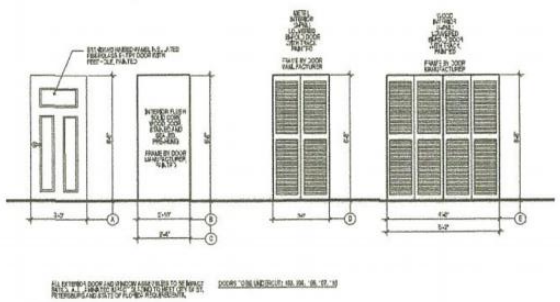

1 DOOR ELEVATIONS
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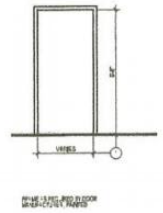

2 FRAME ELEVATIONS
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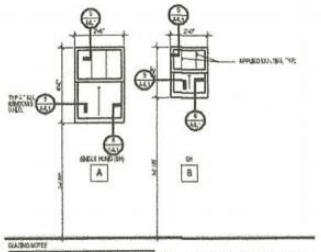

3 WINDOW ELEVATIONS
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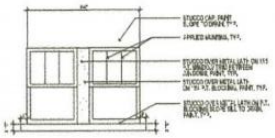
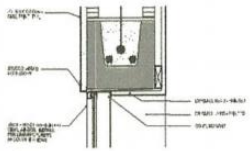
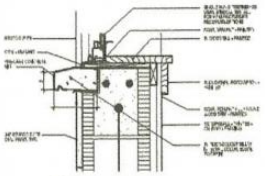


4 TYP EXT. WINDOW TRIM ELEVATION
SCALE: 3/8"=1'-0"



5 EXT. WINDOW HEAD
SCALE: 3"=1'-0"



6 EXT. WINDOW SILL
SCALE: 3"=1'-0"

WJA Project Number
2914
Door & Window Elevations & Details
A5.1

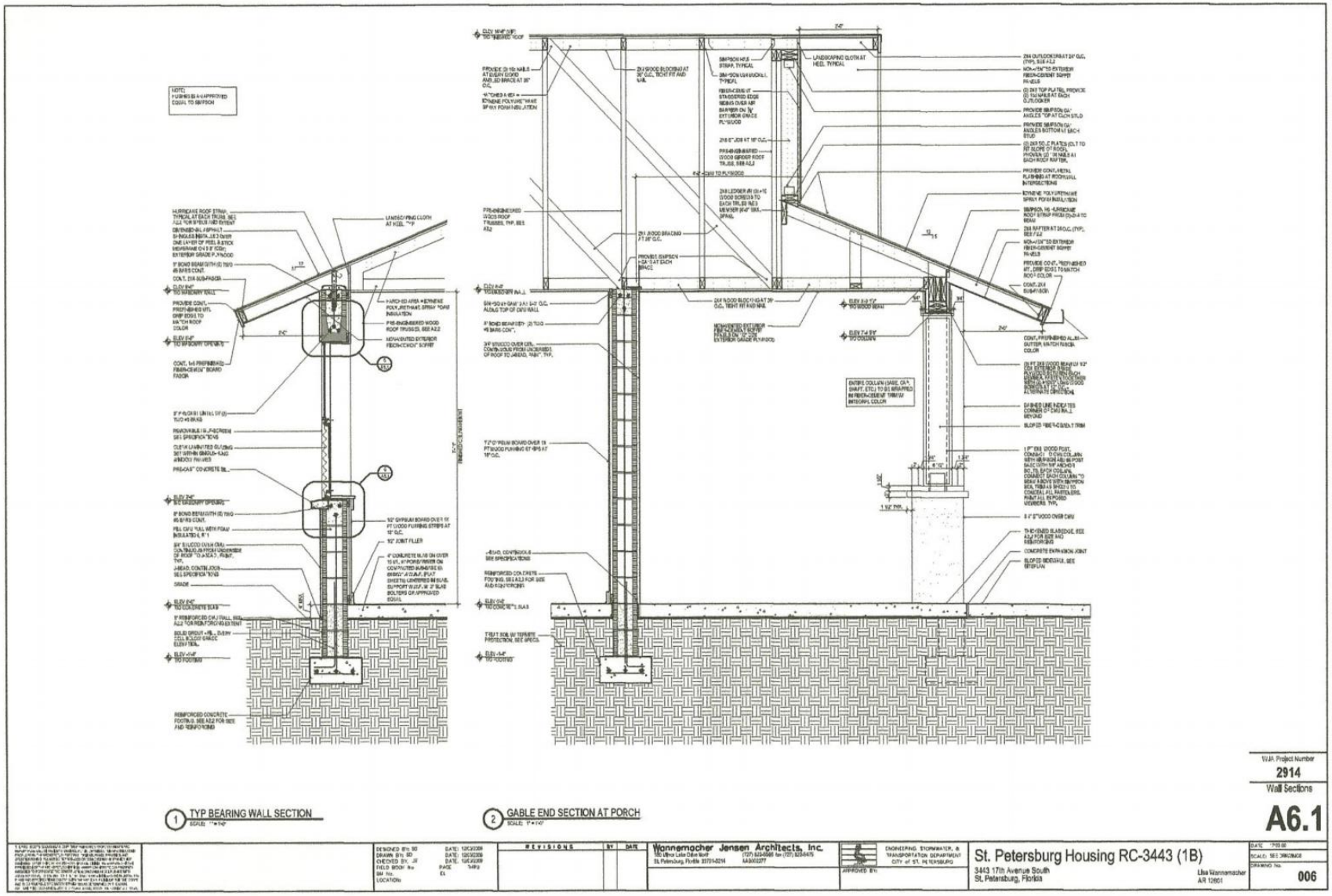
DESIGNED BY: SD	DATE: 10/02/2009	REVISIONS	BY	DATE	Wonnemacher Jansen Architects, Inc.
DRAWN BY: SD	DATE: 10/02/2009				180 Warren Lake Drive North
CHECKED BY: JR	DATE: 10/02/2009				St. Petersburg, Florida 33713-5218 (727) 522-6586 fax (727) 522-6475 AA0002077
FIELD BOOK: No	PAGE: THRU				
SW No.	EL				
LOCATION:					

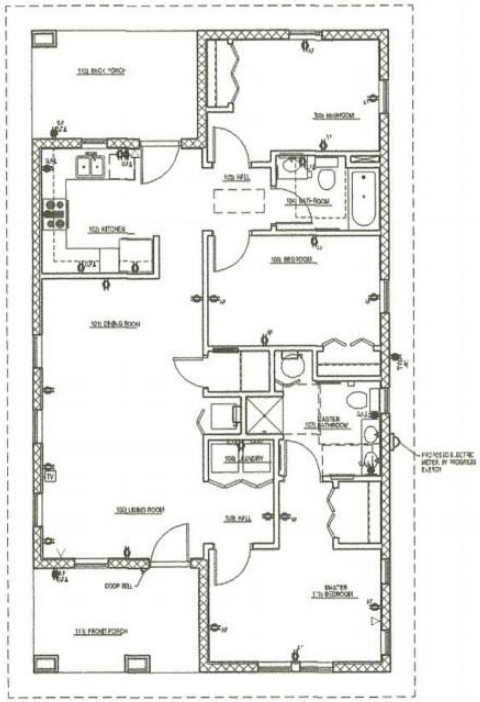
ENGINEERING, STORMWATER, & TRANSPORTATION DEPARTMENT CITY of ST. PETERSBURG
APPROVED BY:

St. Petersburg Housing RC-3443 (1B)
3443 17th Avenue South
St. Petersburg, Florida
Lisa Wonnemacher
AR 12601

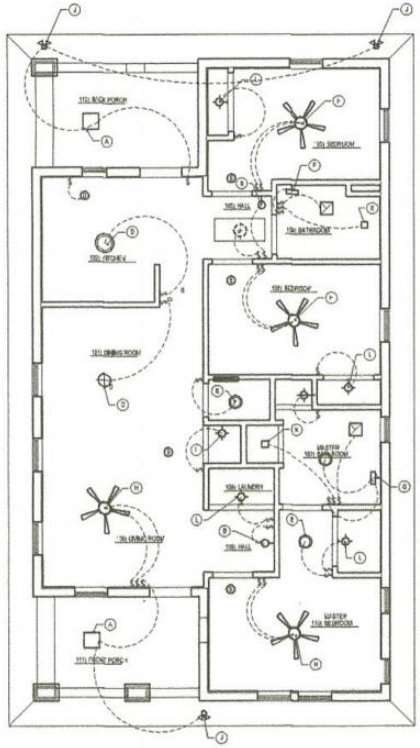
DATE: 10/02/09
SCALE: SEE DRAWINGS
DRAWING No. 005

Form SCNLTR — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE


1 TYP BEARING WALL SECTION
2 GABLE END SECTION AT PORCH
W.A. Project Number
2914
Wall Sections
A6.1
Wannemacher Jensen Architects, Inc.
St. Petersburg Housing RC-3443 (1B)
3443 17th Avenue South
St. Petersburg, Florida
006



1 POWER PLAN



2 LIGHTING PLAN

REFLECTED CEILING PLAN LEGEND

- CEILING FAN "LIGHT" COMBINATION, SEE SPECIFICATIONS
- CEILING MOUNTED KITCHEN PINWHEEL LIGHT, SEE SPECIFICATIONS
- CEILING MOUNTED PENDANT LIGHT, SEE SPECIFICATIONS
- WALL MOUNTED LIGHT FIXTURE, SEE SPECIFICATIONS
- WALL MOUNTED SCONCE LIGHT, SEE SPECIFICATIONS
- WALL MOUNTED VANITY LIGHT FIXTURE, SEE SPECIFICATIONS
- RECESSED ENTERWEOF SHOWER LIGHT, SEE SPECIFICATIONS
- DRAWABLE CEILING MOUNTED LIGHT FIXTURE, SEE SPECIFICATIONS
- JUCTED EXHAUST FAN, SEE SPECIFICATIONS
- CEILING MOUNTED EXTERIOR LIGHT FIXTURE, SEE SPECIFICATIONS
- DISCONNECT SWITCH
- SWITCH OWNER
- SWITCH, SINGLE POLE
- GARBAGE DISPOSAL
- ATTIC LIGHT
- COMBINATION SMOKE & CO DETECTOR - UL LISTED, HARDWIRED, 120VAC OUTPUT 9 VOLT BATTERY BACKUP - WIRE BUSSABLE
- PROPOSED ELECTRIC METER, BY PROGRESS ENERGY
- SOFFIT MOUNTED ADJUSTABLE SECURITY LIGHT SENSOR
- A DESIGNED LIGHT FIXTURE, NOTE 4 TO SPECIFICATION SECTION 16 FOR LIGHTING SCHEDULE

POWER & COMMUNICATIONS LEGEND

- 20 AMP DUPLEX RECEPTACLE
- TELEPHONE OUTLET
- 20 AMP G.F.I. DUPLEX RECEPTACLE
- CABLE TV (COAX) SPARE
- 20 AMP WATERPROOF G.F.I. DUPLEX RECEPTACLE
- ELECTRICAL PANEL
- ARC FAULT PROTECTED RECEPTACLE

REFLECTED CEILING PLAN GENERAL NOTES

1. VERIFY LOCATIONS OF LIGHT FIXTURES WITH PLANS AND COORDINATE INSTALLATION WITH MECHANICAL AND ELECTRICAL CONTRACTORS - NOTIFY ARCHITECT ON DISCOVERY OF ANY CONFLICT WITH MECHANICAL OR ELECTRICAL ELEMENTS PRIOR TO INSTALLATION.
2. ALL MECHANICAL, SLOTS, GRILLS, OR ACCESS PANELS TO BE PROFESSIONALLY FINISHED TO MATCH SURFACE ON WHICH THEY OCCUR, UNLESS OTHERWISE NOTED.
3. CEILING HEIGHT THROUGHOUT IS 7'-11" AFF

W.A. Project Number
2914

Electrical Power & Lighting Plans
E2.1

DESIGNED BY: SD DATE: 12/23/2009 DRAWN BY: SD DATE: 12/23/2009 CHECKED BY: JV DATE: 12/23/2009 FIELD WORK No PAGE 1HRU BM No. EL LOCATION:	REVISIONS	BY	DATE	Wannemacher Jensen Architects, Inc. 1101 Mirror Lake Drive North St. Petersburg, Florida 33701-3214 (727) 822-4588 fax (727) 823-6475 AA0003277	ENGINEERING, STORMWATER, & TRANSPORTATION DEPARTMENT CITY of ST. PETERSBURG APPROVED BY:

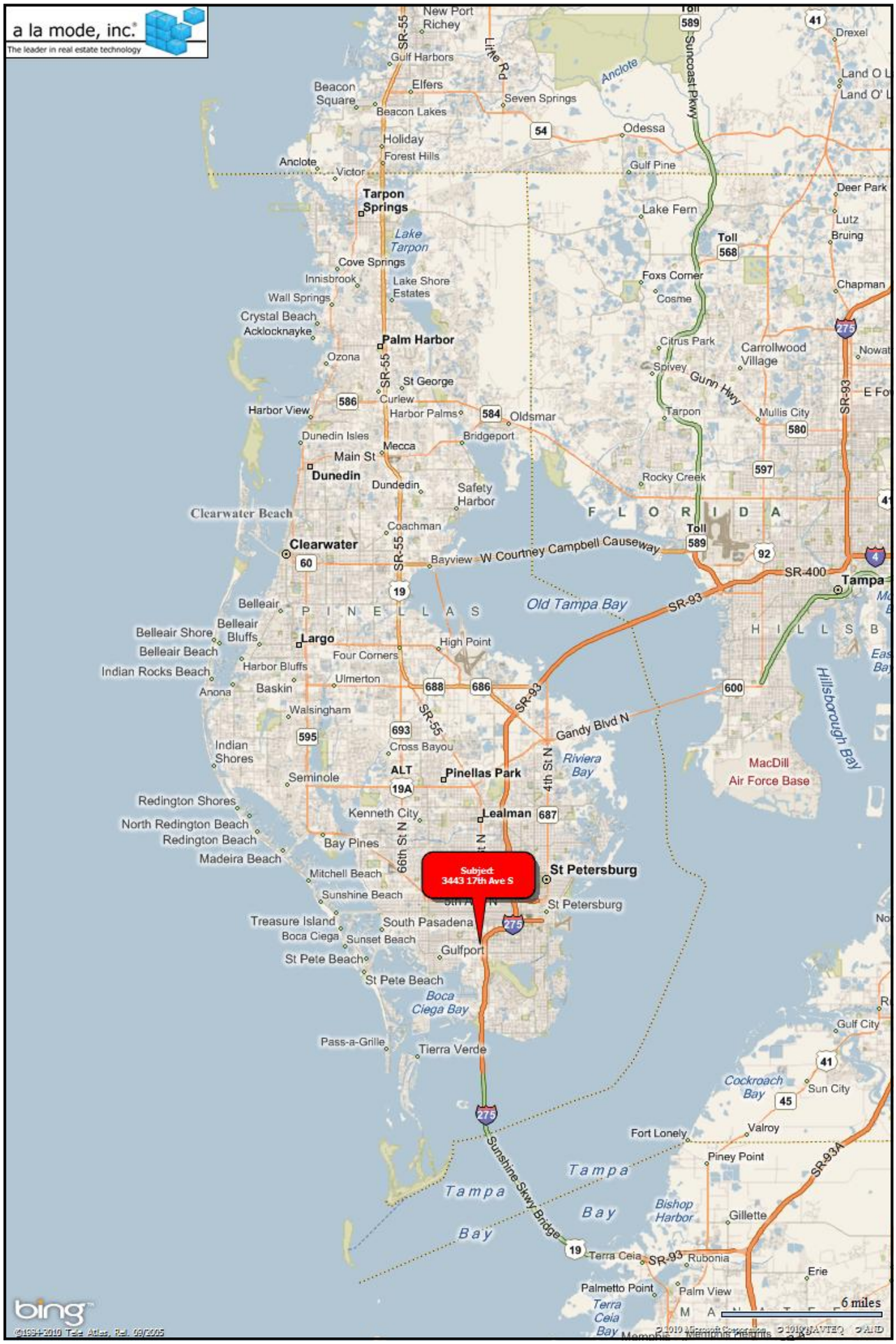
St. Petersburg Housing RC-3443 (1B)
3443 17th Avenue South
St. Petersburg, Florida
Lisa Wannemacher
AR 12601

DATE: 7-23-09
SCALE: SEE DRAWINGS
DRAWING No: 007

Form SCNLTR — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

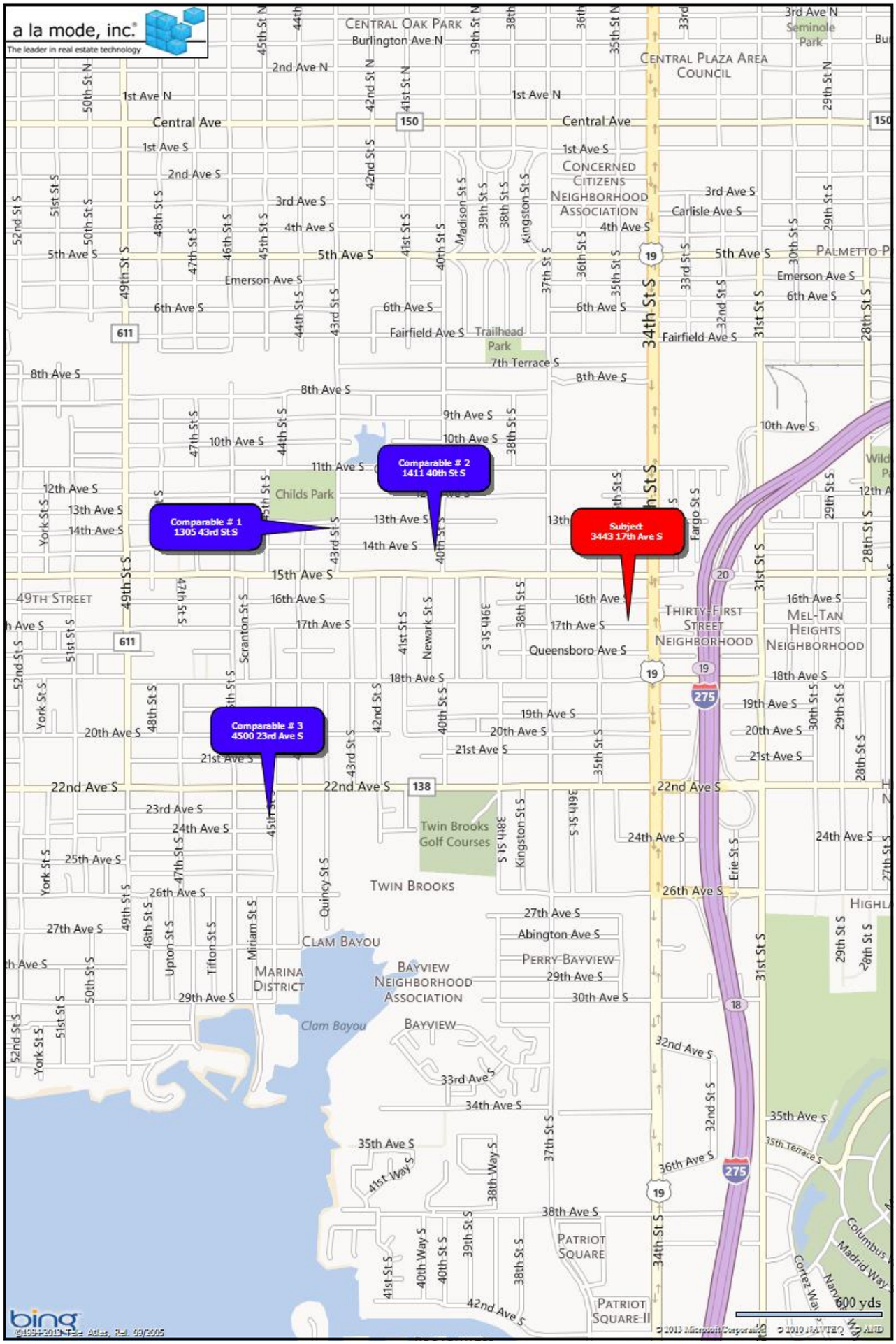
Location Map

Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						



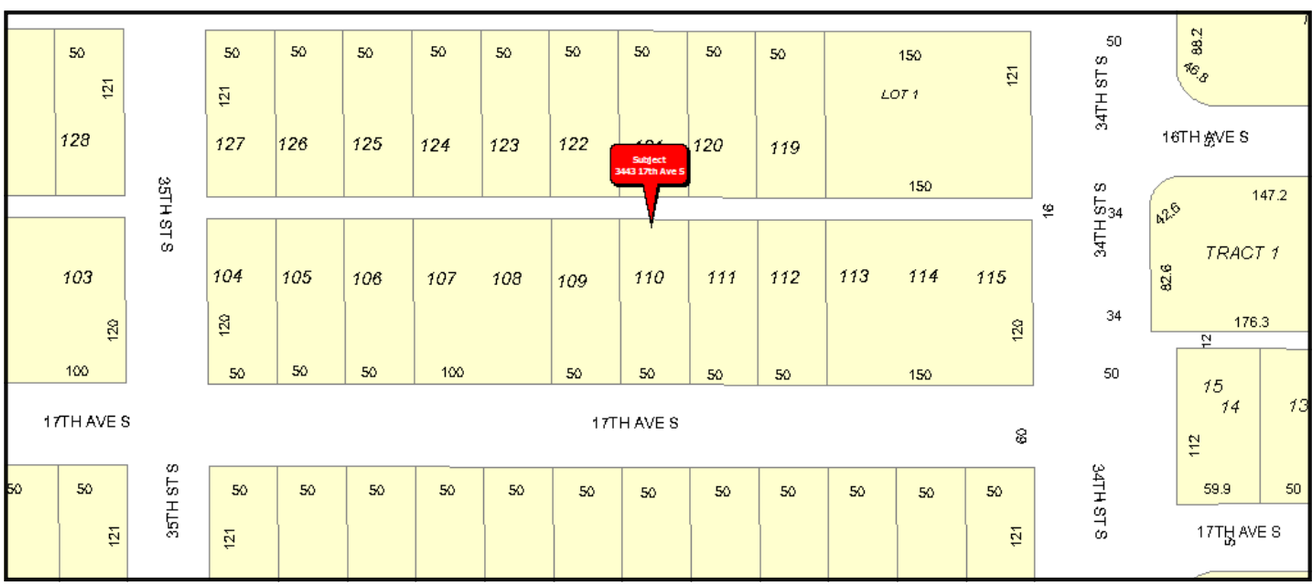
Comparable Sales Map

Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						



Plat Map

Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						



Flood Map

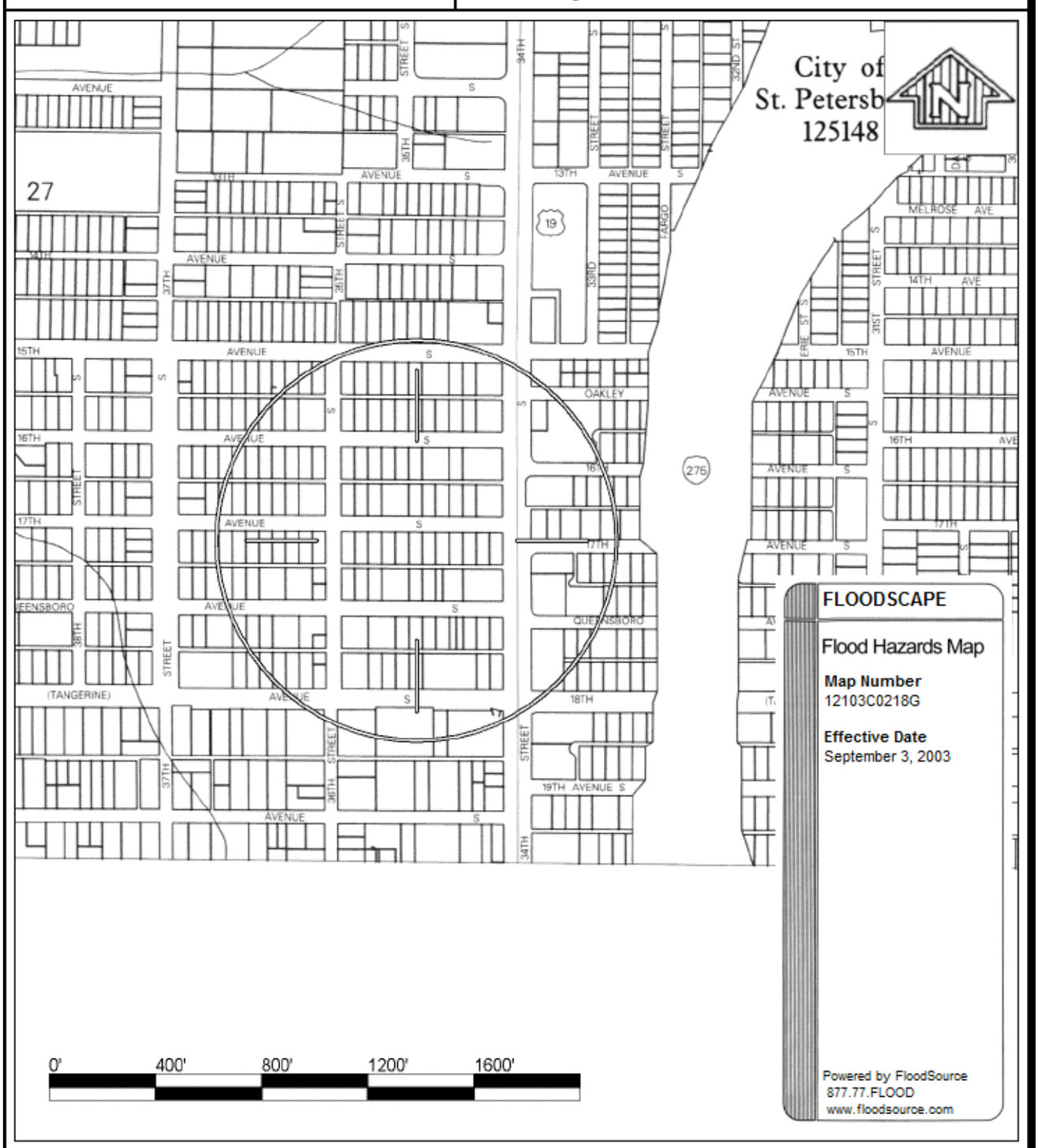
Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						

InterFlood by a la mode

www.interflood.com • 1-800-252-6633

Prepared for:
Hotz Appraisals

3443 17th Ave S
St.Petersburg, FL 33711



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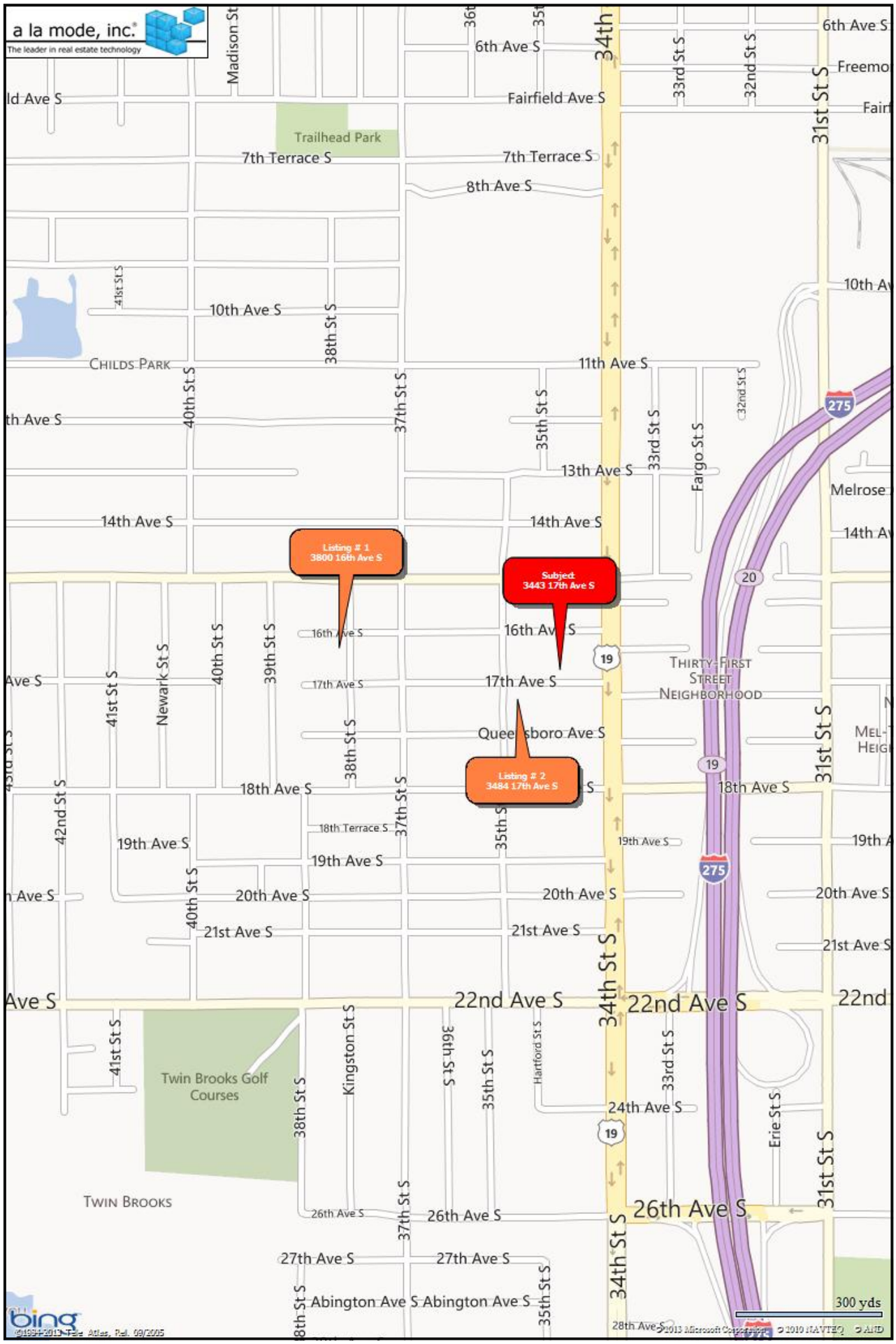
Listings Map

Borrower/Client	N/A						
Property Address	3443 17th Ave S						
City	St Petersburg	County	Pinellas	State	FL	Zip Code	33711
Lender	City of St.Petersburg						



Borrower/Client	N/A			File No.	3005-12R
Property Address	3443 17th Ave S				
City	St Petersburg	County Pinellas	State FL	Zip Code	33711
Lender	City of St.Petersburg				

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

- ☐ **Self Contained** (A written report prepared under Standards Rule 2-2(a) , pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☒ **Summary** (A written report prepared under Standards Rule 2-2(b) , pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☐ **Restricted Use** (A written report prepared under Standards Rule 2-2(c) , pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:
— the statements of fact contained in this report are true and correct.
— the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
— I have no (or the specified) present or prospective interest in the property that is the subject of this report and no (or the specified) personal interest with respect to the parties involved.
— I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
— my engagement in this assignment was not contingent upon developing or reporting predetermined results.
— my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
— my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
— I have (or have not) made a personal inspection of the property that is the subject of this report. (If more than one person signs this certification, the certification must clearly specify which individuals did and which individuals did not make a personal inspection of the appraised property.)
— no one provided significant real property appraisal assistance to the person signing this certification. (If there are exceptions, the name of each individual providing significant real property appraisal assistance must be stated.)

Comments on Appraisal and Report Identification

Note any USPAP related issues requiring disclosure and any state mandated requirements:

The Income Approach was not concidered reliable for the subject property due to the area being primarily owner occupied.

APPRAISER:

Signature: [signature]
Name: Edwin R Hotz
Date Signed: 01/10/2013
State Certification #: Cert Res Rd 309
or State License #:
State: FL
Expiration Date of Certification or License: 11/30/2014

Effective Date of Appraisal: 12/31/2012

SUPERVISORY APPRAISER (only if required):

Signature:
Name:
Date Signed:
State Certification #:
or State License #:
State:
Expiration Date of Certification or License:
Supervisory Appraiser inspection of Subject Property:
☐ Did Not ☐ Exterior-only from street ☐ Interior and Exterior

THIS DOCUMENT HAS A COLORED BACKGROUND • MICROPRINTING • LINEMARK™ PATENTED PAPER

AC# 669522

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12111301538

DATE	BATCH NUMBER	LICENSE NBR
11/13/2012	128145085	RD309

The CERTIFIED RESIDENTIAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

HOTZ, EDWIN RANDOLPH
4615 CENTRAL AVE
ST PETERSBURG FL 33713

RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SELL A CITY-OWNED PROPERTY IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND SECTION 2301(D)(2) OF THE HOUSING AND ECONOMIC RECOVERY ACT OF 2008 LOCATED AT 3443 - 17TH AVENUE SOUTH, ST. PETERSBURG, FOR THE SUM OF $95,000; AND TO PAY APPROPRIATE CLOSING RELATED COSTS AND DOWN PAYMENT ASSISTANCE IN ACCORDANCE WITH THE NEIGHBORHOOD STABILIZATION PROGRAM; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, NSP Parcel 8, 3443 - 17th Avenue South, St. Petersburg, Florida 33705 ("Property") was purchased under the U.S. Department of Housing and Urban Development's (HUD) Neighborhood Stabilization Program ("NSP") authorized under Title III of the Housing and Economic Recovery Act of 2008 ("HERA"); and

WHEREAS, the Property was purchased in two (2) separate transactions at a cost of $35,630 in the aggregate and became part of the City's Affordable Housing Program; and

WHEREAS, subsequently, the two lots were combined and made available for purchase as a single property; and

WHEREAS, the Property will be sold in accordance with Section 2301(d)(2) of HERA which directs that if an abandoned or foreclosed-upon home or residential property is purchased, reconstructed, or otherwise sold to an individual as a primary residence, then such sale shall be in an amount equal to or less than the cost to acquire and reconstruct or rehabilitate such home or property up to a decent, safe, and habitable condition; and

WHEREAS, under City Council Resolution No. 2009-389, the sale of the Property was authorized in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of Housing and Economic Recovery Act 2008; and

WHEREAS, accordingly, no further authorization by City Council would normally be required for this sale; and

WHEREAS, since the purchaser is a City employee, this sale is being brought forward for City Council approval in the spirit of full disclosure; and

WHEREAS, the Property is improved with a single-family dwelling, which the purchaser intends to use as his residence; and

WHEREAS, the Property is legally described as follows:

Lots 110 and 111, RIDGEWOOD TERRACE, according to the map or plat thereof recorded in Plat Book 5, Page 81, in the Public Records of Pinellas County, Florida
Pinellas County Parcel I.D. No.: 27/31/16/75402/000/1100
Street Address: 3443 - 17th Avenue South, St. Petersburg; and

WHEREAS, the Property was appraised on December 31, 2012 by Edwin Hotz, State Certified Residential Appraiser, who indicated the market value to be $95,000 ("Contract Price"), which the purchaser has agreed to pay.; and

WHEREAS, the City's Housing and Community Development Department has advised that the Contract Price is less than the cost to acquire and reconstruct the Property which is in accordance with the NSP guidelines.

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 a City-owned property in accordance with the requirements of the Department of Housing and Urban Development, and Section 2301(d)(2) of the Housing and Economic Recovery Act of 2008 located at 3443 - 17th Avenue South , St. Petersburg, as legally described above, for the sum of $95,000; and to pay appropriate closing related costs and down payment assistance in accordance with the Neighborhood Stabilization Program; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL

City Attorney (Designee)
Legal: 00175282.doc V. 2

APPROVED BY:

Joshua Johnson, Director
Housing & 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 five (5) year License Agreement with Richard and Elizabeth Widera, for an annual fee of $50.00, to fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmissi

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 20, 2013

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

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a five (5) year License Agreement with Richard and Elizabeth Widera, for an annual fee of $50.00, to fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management Department ("REPM") received a request from Richard and Elizabeth Widera to renew a five (5) year License Agreement to allow the fencing of a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main adjacent to their property. This is the first renewal of a standard license agreement that the Water Resources Department ("Water Resources") requested REPM to develop for uses related to the City's transmission main properties.

The current License Agreement with Mr. and Mrs. Widera was approved on June 19, 2008 for a 5-year term. Prior to the License Agreement, they previously received an authorization letter from Water Resources to fence the area. The area they have been allowed to fence does not contain the City's water main and the fencing does not impede the City's access to the property for City maintenance purposes.

The Property is legally described as follows:

> The South 47 Feet of Lot 74, BRIDGEFORD ESTATES, as recorded in Plat Book 84, Pages 83 & 84, of the Public Records of Pinellas County, Florida.
> Pinellas County Parcel I. D. No.: 27/28/16/11280/000/0740
> Approximate Street Address: 5022 Parrish Lane, Safety Harbor

The Licensee has executed a License Agreement ("Agreement") for a term of five (5) years, subject to City Council approval. The Licensee shall pay a use fee of $50.00 per year to the City for the entire term. Additionally, the Licensee shall maintain a $1,000,000 Personal and/or Premises Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee's use of the Property. The Licensee shall maintain the Property at its own cost and expense, remove the fence and deliver up the Property in good condition upon expiration of this Agreement.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a five (5) year License Agreement with Richard and Elizabeth Widera, for an annual fee of $50.00, to fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

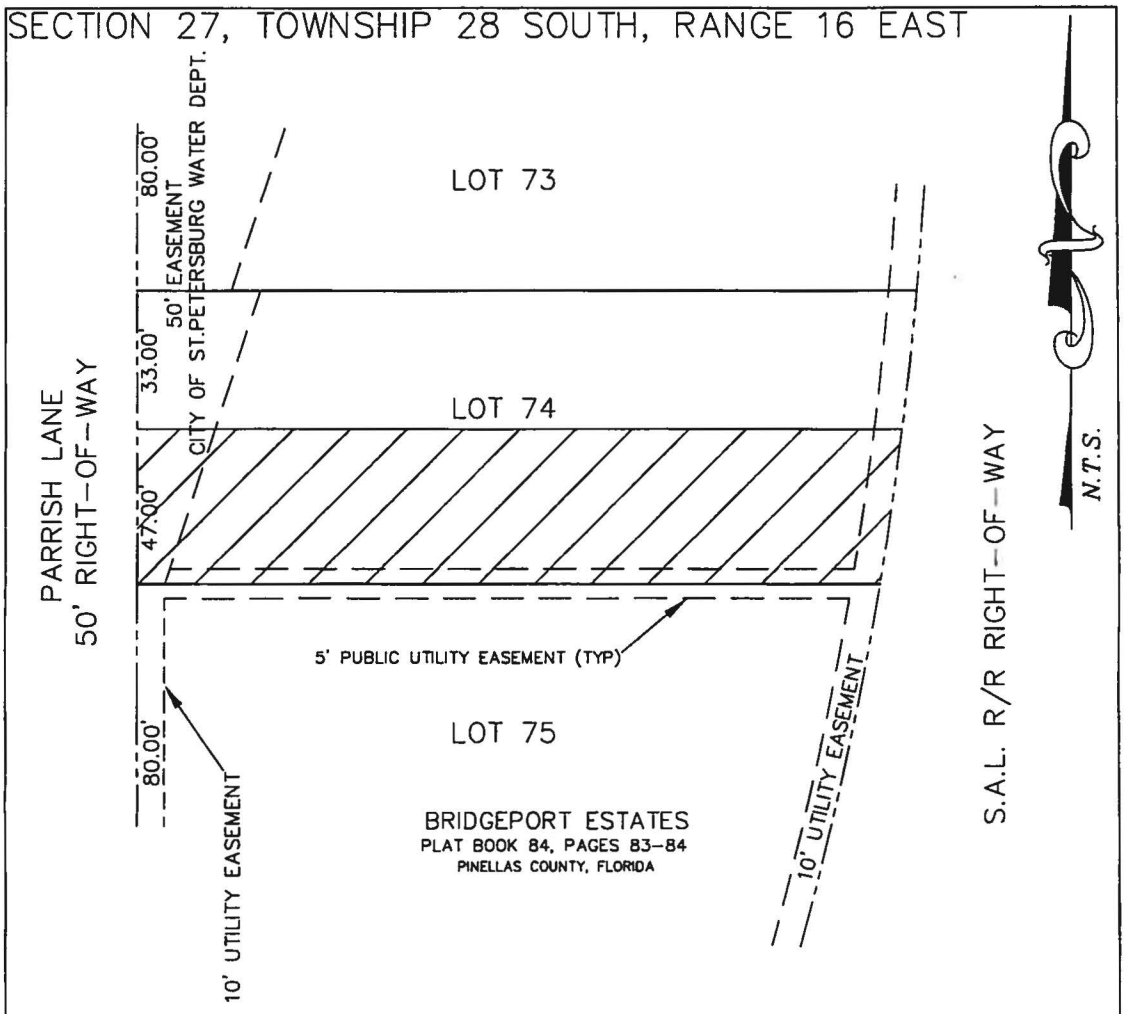
APPROVALS: Administration: R. Mussett 5-29-13

Budget: N/A

Legal: Ross

(As to consistency w/attached legal documents)
Legal: 00175312.doc V. 1

ILLUSTRATION



LEGAL DESCRIPTION FOR LICENSE

THE SOUTH 47 FEET OF LOT 74, BRIDGEPORT ESTATES, AS RECORDED IN PLAT BOOK 84, PAGES 83-84, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

ENGINEERING DEPARTMENT
CITY OF ST. PETERSBURG

ENGINEERING SURVEY DIVISION 1744 NINTH AVENUE NORTH ST. PETERSBURG, FLORIDA 33713 (727) 892-5346 892-5347	ILLUSTRATION

Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A FIVE (5) YEAR LICENSE AGREEMENT WITH RICHARD AND ELIZABETH WIDERA, FOR AN ANNUAL FEE OF $50.00, TO FENCE A PORTION OF A CITY-OWNED PROPERTY LOCATED IN SAFETY HARBOR FOR THE CITY'S 36-INCH WATER TRANSMISSION MAIN; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management Department ("REPM") received a request from Richard and Elizabeth Widera to renew a five (5) year License Agreement to allow the fencing of a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main adjacent to their property; and

WHEREAS, this is the first renewal of a standard license agreement that the Water Resources Department ("Water Resources") requested REPM to develop for uses related to the City's transmission main properties; and

WHEREAS, the current License Agreement with Mr. and Mrs. Widera was approved on June 19, 2008 for a 5-year term; and

WHEREAS, prior to the License Agreement, they previously received an authorization letter from Water Resources to fence the area; and

WHEREAS, the area they have been allowed to fence does not contain the City's water main and the fencing does not impede the City's access to the property for City maintenance purposes; and

WHEREAS, the Property is legally described as follows:

The South 47 Feet of Lot 74, BRIDGEFORD ESTATES, as recorded in Plat Book 84, Pages 83 & 84, of the Public Records of Pinellas County, Florida.
Pinellas County Parcel I. D. No.: 27/28/16/11280/000/0740
Approximate Street Address: 5022 Parrish Lane, Safety Harbor; and

WHEREAS, the Licensee has executed a License Agreement ("Agreement") for a term of five (5) years, subject to City Council approval; and

WHEREAS, the Licensee shall pay a use fee of $50.00 per year to the City for the entire term; and

WHEREAS, the Licensee shall maintain a $1,000,000 Personal and/or Premises Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee's use of the Property; and

WHEREAS, the Licensee shall maintain the Property at its own cost and expense, remove the fence and deliver up the Property in good condition upon expiration of this Agreement.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to execute a License Agreement with Richard and Elizabeth Widera, for an annual fee of $50.00, to fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main, as legally described above, and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)
Legal: 00175312.doc V. 1

APPROVED BY:

Steven Leavitt, Director
Water Resources Department

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management

Attached documents for item Authorizing the Mayor or his designee to execute an Agreement To Terminate License for the existing license agreement dated October 6, 2011 between the City of St. Petersburg ("City") and the Pinellas Core Management Services, Inc. for the use of ±4,688 s

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 20, 2013

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

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute an Agreement To Terminate License for the existing license agreement dated October 6, 2011 between the City of St. Petersburg ("City") and the Pinellas Core Management Services, Inc. for the use of ±4,688 sq. ft. of office and meeting room space within City-owned Enoch Davis Center located at 1111 – 18th Avenue South, St. Petersburg ("Premises"); to execute a twenty-seven (27) month License Agreement between the City and the Florida Department of Health, a Florida state agency providing services in Pinellas County, for the use of the Premises; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: In October 2011, Pinellas Core Management Services ("PCMS"), the original contractor of the Carrera After School and Summer program ("Carrera") in Pinellas County, commenced a license agreement with the City of St. Petersburg for the use of ±1,280 sq. ft. of office space and ±3,408 sq. ft. of meeting room space (±4,688 sq. ft.) within the Enoch Davis Center ("EDC") located at 1111 – 18th Avenue South, St. Petersburg ("Premises"), to administer its Carrera program for 60-70 participating at risk youth in Pinellas County, Florida. The PCMS license agreement is due to expire on September 30, 2014. PCMS administers the Carrera program under the umbrella of the Juvenile Welfare Board of Pinellas County, Florida ("JWB").

On April 4, 2013, Real Estate & Property Management received a letter from JWB informing the City that PCMS planned to transition administrative functions for the Carrera program to the Pinellas County Health Department, now known as the Florida Department of Health ("FDOH"), pending JWB and Office of Adolescent Health approvals. As a result of this planned transition, it would be necessary to transfer the license agreement from PCMS to FDOH, effective July 1, 2013, in order to provide a smooth transition of uninterrupted services for the Carrera program.

After meeting with FDOH to understand the transition of the Carrera program, Real Estate & Property Management received a formal request from FDOH to initiate a new lease agreement for use of the Premises located at the EDC site. FDOH has executed a License Agreement ("License") for a term of twenty-seven (27) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges, that PCMS enjoyed during the preceding term. The rental rate is $418.50 per month and $20.00 per month for telephone line access during the entire term. FDOH is responsible for daily cleaning and removal of all trash and debris in addition to providing and paying for all costs (including installation, deposits, and usage) for utilities, telephone services, internet, and cable television in association with its use of the Premises. Additionally, FDOH will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or

demands that may arise or be claimed on account of the Licensee's use of the Premises. FDOH understands that if the Carrera site must remain open for its programs during an observed City holiday, for which the Enoch Davis Center is normally closed, Licensee must pay the prevailing staff rate to EDC staff, which currently is $20.00 per hour, for its hours of operation. The License may be terminated without cause by either party with thirty (30) days written notice prior to the scheduled date of termination. Under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances. The subject property is zoned Neighborhood Traditional Single-Family - 2 (NT-2)

Since the existing license agreement with PCMS commenced in October 1, 2011 and has approximately fifteen (15) months remaining on the license term, the execution of an Agreement To Terminate License by the City and PCMS is necessary.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute an Agreement To Terminate License for the existing license agreement dated October 6, 2011 between the City of St. Petersburg ("City") and the Pinellas Core Management Services, Inc. for the use of ±4,688 sq. ft. of office and meeting room space within City-owned Enoch Davis Center located at 1111 – 18th Avenue South, St. Petersburg ("Premises"); to execute a twenty-seven (27) month License Agreement between the City and the Florida Department of Health, a Florida state agency providing services in Pinellas County, for the use of the Premises; 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. Munoz 5-29-13 BE

Budget: N/A

Legal: RSS

(As to consistency w/attached legal documents)

Legal: 00175529.doc V. 1

ILLUSTRATION

Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT TO TERMINATE LICENSE FOR THE EXISTING LICENSE AGREEMENT DATED OCTOBER 6, 2011 BETWEEN THE CITY OF ST. PETERSBURG ("CITY") AND THE PINELLAS CORE MANAGEMENT SERVICES, INC. FOR THE USE OF ±4,688 SQ. FT. OF OFFICE AND MEETING ROOM SPACE WITHIN CITY-OWNED ENOCH DAVIS CENTER LOCATED AT 1111 – 18TH AVENUE SOUTH, ST. PETERSBURG ("PREMISES"); TO EXECUTE A TWENTY-SEVEN (27) MONTH LICENSE AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF HEALTH, A FLORIDA STATE AGENCY PROVIDING SERVICES IN PINELLAS COUNTY, FOR THE USE OF THE PREMISES; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in October 2011, Pinellas Core Management Services ("PCMS"), the original contractor of the Carrera After School and Summer program ("Carrera") in Pinellas County, commenced a license agreement with the City of St. Petersburg for the use of ±1,280 sq. ft. of office space and ±3,408 sq. ft. of meeting room space (±4,688 sq. ft.) within the Enoch Davis Center ("EDC") located at 1111 – 18th Avenue South, St. Petersburg ("Premises"), to administer its Carrera program for 60-70 participating at risk youth in Pinellas County, Florida; and

WHEREAS, the PCMS license agreement is due to expire on September 30, 2014; and

WHEREAS, PCMS administers the Carrera program under the umbrella of the Juvenile Welfare Board of Pinellas County, Florida ("JWB"); and

WHEREAS, on April 4, 2013, Real Estate & Property Management received a letter from JWB informing the City that PCMS planned to transition administrative functions for the Carrera program to the Pinellas County Health Department, now known as the Florida Department of Health ("FDOH"), pending JWB and Office of Adolescent Health approvals; and

WHEREAS, as a result of this planned transition, it would be necessary to transfer the license agreement from PCMS to FDOH, effective July 1, 2013, in order to provide a smooth transition of uninterrupted services for the Carrera program; and

WHEREAS, after meeting with FDOH to understand the transition of the Carrera program, Real Estate & Property Management received a formal request from FDOH to initiate a new lease agreement for use of the Premises located at the EDC site; and

WHEREAS, FDOH has executed a License Agreement ("License") for a term of twenty-seven (27) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges, that PCMS enjoyed during the preceding term; and

WHEREAS, the rental rate is $418.50 per month and $20.00 per month for telephone line access during the entire term; and

WHEREAS, FDOH is responsible for daily cleaning and removal of all trash and debris in addition to providing and paying for all costs (including installation, deposits, and usage) for utilities, telephone services, internet, and cable television in association with its use of the Premises; and

WHEREAS, FDOH will maintain a commercial general liability insurance policy in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee's use of the Premises; and

WHEREAS, FDOH understands that if the Carrera site must remain open for its programs during an observed City holiday, for which the Enoch Davis Center is normally closed, Licensee must pay the prevailing staff rate to EDC staff, which currently is $20.00 per hour, for its hours of operation; and

WHEREAS, the License may be terminated without cause by either party with thirty (30) days written notice prior to the scheduled date of termination; and

WHEREAS, under the terms of the License, the City is under no obligation to provide a replacement facility under any circumstances; and

WHEREAS, since the existing license agreement with PCMS commenced in October 1, 2011 and has approximately fifteen (15) months remaining on the license term, the execution of an Agreement To Terminate License by the City and PCMS is necessary.

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 an Agreement To Terminate License for the existing license agreement dated October 6, 2011 between the City of St. Petersburg ("City") and the Pinellas Core Management Services, Inc. for the use of ±4,688 sq. ft.

of office and meeting room space within City-owned Enoch Davis Center located at 1111 – 18th Avenue South, St. Petersburg ("Premises"); to execute a twenty-seven (27) month License Agreement between the City and the Florida Department of Health, a Florida state agency providing services in Pinellas County, for the use of the Premises; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)
Legal: 00175529.doc V. 1

APPROVED BY:

Clarence Scott, III, Administrator
Leisure & Community Services

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management

Attached documents for item Confirming the appointment of Monica Abbott, Richard J. Beaupre and Corey D. Givens, Jr. as regular members to the City Beautiful Commission to serve unexpired three-year terms ending December 31, 2015.

MEMORANDUM

Council Meeting of June 20, 2013

TO: Members of City Council

FROM: Mayor Bill Foster

RE: Confirmation of Appointments to the City Beautiful Commission

I respectfully request that Council confirm the appointment of Monica Abbott, Richard J. Beaupre and Corey D. Givens, Jr. as regular members to the City Beautiful Commission to serve unexpired three-year terms ending December 31, 2015.

Copies of their resumes have been provided to the Council office for your information.

DWF/ea
Attachments
cc: S. McBee, Parks and Recreation Director

A RESOLUTION CONFIRMING THE APPOINTMENT OF REGULAR MEMBERS TO THE CITY BEAUTIFUL COMMISSION; 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 Monica Abbott, Richard J. Beaupre and Corey D. Givens, Jr. as regular members to the City Beautiful Commission to serve unexpired three-year terms ending December 31, 2015.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content

_____

City Attorney or (Designee)

Attached documents for item Authorizing the Mayor or his designee to accept a grant from the National Highway Traffic Safety Administration (“NHTSA”) and the Florida Department of Transportation (“FDOT”) in the amount of $33,306 to fund Police Department overtime costs for the purpo

St. Petersburg City Council
Consent Agenda
Meeting of June 20, 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 from the National Highway Traffic Safety Administration ("NHTSA") and the Florida Department of Transportation ("FDOT") in the amount of $33,306 to fund Police Department overtime costs for the purpose of conducting pedestrian safety enforcement operations; and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $33,306 from the increase in the unappropriated balance of the Operating Grants Fund (1720) resulting from these additional revenues to the Police Department, Traffic & Marine (140-1477), Pedestrian Safety Grant Project (12774); and providing an effective date.

EXPLANATION: The Florida statistics show that an additional emphasis should be placed on pedestrian safety. In Florida, pedestrian crashes account for less than 2% of all crashes but make up 7.5% of all severe crashes and 24% of all fatal crashes. Pinellas County is at 3.24 pedestrian deaths per 100,000 people. The national average for pedestrian fatalities is 1.59 deaths per 100,000 people. Conducting a pedestrian safety enforcement campaign with the development of the Pedestrian Safety Action Plan, as well as timing it with the construction of high emphasis crosswalks throughout Hillsborough, Pinellas, and Pasco counties, should make an impact.

The Pedestrian Safety Enforcement Grant ("Grant") has been awarded by the National Highway Traffic Safety Administration ("NHTSA") and the Florida Department of Transportation ("FDOT") to the City of St Petersburg in the amount of $33,306 for the Pedestrian Safety Enforcement Campaign. The Grant requires no matching funds. 100% of the Grant funds will be allocated to the Police Department for pedestrian safety enforcement overtime costs.

RECOMMENDATION: The administration recommends that City Council adopt the attached resolution authorizing the Mayor or his designee to accept a grant from the National Highway Traffic Safety Administration ("NHTSA") and the Florida Department of Transportation ("FDOT") in the amount of $33,306 to fund police department overtime costs for the purpose of conducting high visibility pedestrian safety enforcement operations; and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of $33,306 from the increase in the unappropriated balance of the Operating Grants Fund (1720) resulting from these additional revenues to the Police Department, Traffic & Marine (140-1477), Pedestrian Safety Grant Project (12774); and providing an effective date.

COST/FUNDING INFORMATION: The grant will provide funds through June 29, 2015. A supplemental appropriation in the amount of $33,306 from the increase in the unappropriated balance of the Operating Grants Fund (1720) resulting from these additional funds, to the Police Department Traffic & Marine (140-1477), Pedestrian Safety Grant Project (12774) is required.

Approvals:
Administration: _____ Budget: _____
Legal: 00176356.doc v. 3

CB-8

Resolution No. 2013-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A GRANT FROM THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION("NHTSA") AND FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") IN THE AMOUNT OF $33,306 TO FUND POLICE DEPARTMENT OVERTIME COSTS FOR THE PURPOSE OF CONDUCTING PEDESTRIAN SAFETY ENFORCEMENT OPERATIONS; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $33,306 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE OPERATING GRANTS FUND (1720), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE POLICE DEPARTMENT, TRAFFIC & MARINE (140-1477), PEDESTRIAN SAFETY GRANT PROJECT (12774); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the National Highway Traffic Safety Administration ("NHTSA") and the Florida Department of Transportation ("FDOT") has awarded a grant to the City of St Petersburg in the amount of $33,306 ("Grant") for the Pedestrian Safety Enforcement Campaign ("Campaign"); and

WHEREAS, the Campaign is part of a Pedestrian Safety Action Plan developed for Pinellas and Hillsborough Counties; and

WHEREAS, pedestrian crashes in Florida, account for less than 2% of all crashes but make up 7.5% of all severe crashes and 24% of all fatal crashes; and

WHEREAS, Pinellas County has 3.24 pedestrian deaths per 100,000 people, while the national average for pedestrian fatalities is 1.59 deaths per 100,000 people; and

WHEREAS, the Campaign is designed to remind and educate both the drivers and pedestrians of safe driving and walking behaviors to reduce the number of pedestrian fatalities during traffic crashes by implementing the development of the Pedestrian Safety Action Plan, as well as timing it with the construction of high emphasis crosswalks throughout Hillsborough, Pinellas, and Pasco counties; and

WHEREAS, under the Grant, the Police Department is required to submit monthly reports to the FDOT Contract Manager; and

WHEREAS, 100% of the Grant funds will be allocated to the Police Department for pedestrian safety enforcement overtime costs; and

WHEREAS, a supplemental appropriation in the amount of $33,306 from the increase in the unappropriated balance of the Operating Grants Fund (1720) resulting from the Grant funds is required.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to accept a grant from the National Highway Traffic Safety Administration ("NHTSA") and the Florida Department of Transportation ("FDOT") in the amount of $33,306 to fund Police Department overtime costs for the purpose of conducting pedestrian safety enforcement operations; and to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the Operating Grants Fund (1720), resulting from these additional revenues the following supplemental appropriation for FY 2013:

Operating Grants Fund (1720)	
Police Department, Traffic & Marine (140-1477),	
Pedestrian Safety Grant Project (12774)	$33,306

This Resolution shall take effect immediately upon its adoption.

Approvals:

Legal: _____ Administration: _____

Budget: _____

Legal: 00176355.doc V. 3