

COUNCIL MEETING

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

CITY OF ST. PETERSBURG

September 19, 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. New Ordinances - (First Reading of Title and Setting of Public Hearing)

Setting October 3, 2013 as the public hearing date for the following proposed Ordinances:

1. [Approving the designations of the Washington-Harden Grocery and the Moure Buildings as local historic landmarks. \(City File HPC 13-90300003\)](#)
 - (a) Ordinance designating the Washington-Harden Grocery Building, located at 901-03 – 22nd Street South, as a local historic landmark.
 - (b) Ordinance designating the Moure Building, located at 909-13 – 22nd Street South, as a local historic landmark.
2. [Employees' Retirement System:](#)
 - (a) Ordinance amending Chapter 22, Article IV, Division 2, St. Petersburg City Code, relating to the Prior Retirement System (Employees' Retirement System) by amending Said Retirement System to provide for changes required by the Internal Revenue Code.
 - (b) Ordinance amending Chapter 22, Article IV, Division 3, St. Petersburg City Code, relating to the Supplemental Retirement System (Employee Retirement System) by amending Said Retirement System to provide for changes required by the Internal Revenue Code.

3. [Ordinance amending sections of Division Four, Chapter 22 of the St. Petersburg City Code relating to the Supplemental Firefighter's Retirement System \('Plan'\) for the purpose of complying with provisions of the Internal Revenue Code.](#)
4. [Police Officer's Retirement System:](#)
 - (a) Ordinance amending Chapter 22, Division 5, St. Petersburg City Code, relating to the 1970 Supplemental Police Officer's Retirement System by amending Said Retirement System to provide for changes required by the Internal Revenue Code.
 - (b) Ordinance amending Chapter 22, Article IV, Division 6, St. Petersburg City Code, relating to the 1984 Supplemental Police Officer's Retirement System by amending Said Retirement System to provide for changes required by the Internal Revenue Code.

E. Reports

1. [Fire Update. \(Oral\)](#)
2. [Fire Protection Services Agreements:](#)
 - (a) Authorizing the Mayor of his designee to execute a one-year Extension of Fire Protection Services Agreement with the Pinellas County Fire Protection Authority for the provision of fire protection and suppression services to the Gandy Fire District.
 - (b) Approving the Fourth Extension of the Emergency Medical Services ALS First Responder Services Agreement between the City of St. Petersburg and the Pinellas County Emergency Medical Services Authority for Fiscal Year 2013/14; and authorizing execution of the Fourth Extension of ALS First Responder Services Agreement for Fiscal Year 2013/14.
3. [Tourist Development Council. \(Councilmember Curran\) \(Oral\)](#)
4. [WorkNet Pinellas. \(Councilmember Newton\) \(Oral\).](#)
5. [Tampa Bay Regional Planning Council. \(Councilmember Newton\) \(Oral\)](#)

F. New Business

1. [Requesting a report from Pinellas County regarding the level of service our citizens and first responders may anticipate relating to animal control. \(Councilmember Kennedy\)](#)

G. Council Committee Reports

1. [Budget, Finance & Taxation Committee. \(9/12/13\)](#)
 - (a) Approving an audit to be completed by Mayer Hoffman McCann PC, KRMT for the Emergency Medical Services contracted budget expenditures for Fiscal Year 2013 at the request of the Pinellas County Emergency Medical Services Authority; and directing that the expenditure for the audit come from the Emergency Medical Services fund.
2. [Public Services & Infrastructure Committee. \(9/12/13\)](#)

- (a) Resolution of the City Council requesting the Mayor to implement the over-the-air broadcast of the City television station signal; and requesting that the Mayor recommend changes to the budget to accommodate this increased cost.

3. [Committee of the Whole \(see I-6, Ordinance 81-H\). \(9/12/13\)](#)

4. [Legislative Affairs & Intergovernmental Relations \(9/19/13\)](#)

H. Legal

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

Public Hearings

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

1. [Confirming the preliminary assessment for Lot Clearing Numbers 1521 and 1522.](#)

2. [Confirming the preliminary assessment for Building Securing Number 1180.](#)

3. [Confirming the preliminary assessment for Building Demolition Number 407.](#)

4. [Utility Rates:](#)

- (a) Ordinance 84-H relating to utility rates and charges; amending Chapter 27, Subsections 27-3 (k) (1) and (2), 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), and Subsections 27-284 (a) and 27-284 (e) of the St. Petersburg City Code; changing term “sewer” to “wastewater”; amending water and wastewater deposit amounts; amending base charges and volume charges for water service; amending wholesale water service charges for the City of Gulfport; adding language to clarify inclusion of Tampa Bay Water charges; amending base and volume charges and consumption ranges for irrigation only accounts; amending reclaimed water rates and charges; amending base and volume charges for wastewater service; amending wastewater service charges for wholesale customers; providing for severability of provisions; providing an explanation of words struck through and underlined; and establishing a date to begin calculating new rates for billing purposes.

- (b) Ordinance 85-H relating to stormwater utility rates; amending Chapter 27, Subsection 27-405(b) relating to stormwater system utility fees; providing for severability of provisions; and providing an explanation of words struck through and underlined.

5. [Ordinance 86-H amending the St. Petersburg City Code to provide for the regulation of Neighborhood Crime Watch Programs and Signs; and authorizing Neighborhood Video Watch Signs in neighborhood watch program areas which may have private video surveillance cameras.](#)

Second Reading and Second Public Hearings

6. [Ordinance 81-H amending St. Petersburg City Code, Chapter 16, Land Development Regulations \(“LDRs”\). \(City File LDR-2013-01\)](#)

J. Open Forum

1. [Open Forum](#)

K. Adjournment

1. [Awards](#)
2. [Resolution of Memorial Tribune](#)

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda A
September 19, 2013

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

(Purchasing)

1. [Approving the purchase of replacement flatbed trucks, dump trucks, and water tankers for the Fleet Management Department from Navistar, Inc at a total cost of \\$1,460,116.](#)
2. [Approving the purchase of replacement tractors from Alamo Sales Corp. for the Fleet Management Department at a total cost of \\$583,632.](#)

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda B September 19, 2013

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

(Purchasing)

1. [Approving the purchase of two street sweepers from Environmental Products of Florida Corporation for the Fleet Management Department at a total cost of \\$333,717.75.](#)
2. [Approving the purchase of two front end wheel loaders from Nortrax, Inc. for the Fleet Management Department at a total cost of \\$296,624.50.](#)
3. [Approving the purchase of four replacement tractors from Deere & Company for the Fleet Management Department at a total cost of \\$159,572.36.](#)
4. [Renewing a blanket purchase agreement with Hach Company for laboratory equipment repair and replacement and related supplies for the Water Resources Department at an estimated annual cost of \\$125,000.](#)
5. [Renewing a blanket purchase agreement with Swift Security, Inc. for security guard services for the Sanitation and Fleet Management departments at an estimated annual cost of \\$125,000.](#)
6. [Awarding a Blanket Purchase Agreement to Ameron International Corporation, a sole source supplier, for street lighting poles for the Public Works Administration in an amount not to exceed \\$125,000.](#)
7. [Renewing blanket purchase agreements with Great Bay Distributors, Inc., Van Snax Distributors, Inc. and three other suppliers for food and beverages for resale at an estimated annual amount of \\$105,000.](#)
8. [Awarding a three-year blanket purchase agreement to Allied Electronics, Inc. for electronic parts at an estimated annual amount of \\$35,000.](#)

(City Development)

9. [Authorizing the Mayor or his designee to execute a one \(1\) year agreement with the Pinellas Suncoast Transit Authority in an amount not to exceed \\$75,000 to operate a daily fixed route trolley service program from St. Pete Beach to the eastern terminus of 2nd Avenue NE in downtown St. Petersburg including service to the Dolphin and Pelican Parking Lots.](#)
10. [Approving disbursement of up to \\$50,000 from the Capital Repair, Renewal and Replacement Sinking Fund Account for Tropicana Field Capital Projects; approving a](#)

supplemental appropriation in the amount of \$50,000 from the unappropriated balance of the Tropicana Field Capital Projects Fund (3081) to the Tropicana Field FY13 Improvements Project (13845)

11. Authorizing the Mayor or his designee to execute a License Agreement with the Police Athletic League of St. Petersburg, Inc., a not-for-profit corporation, for the use of the Main Building at 1450 - 16th Street North located within a portion of the City-owned Woodlawn Park for a period of three (3) years at an aggregate rent of \$36.00; and to waive the reserve for replacement requirement. (Requires an affirmative vote of at least six (6) members of City Council.)
12. Authorizing the Mayor or his designee to execute a License Agreement with Family Resources, Inc., a not-for-profit corporation, for the use of the Arts Wing within a portion of the City-owned Wildwood Recreation Center, located at 1000 - 28th Street South, for a period of three (3) years at an aggregate rent of \$36.00; and to waive the reserve for replacement requirement. (Requires an affirmative vote of at least six (6) members of City Council.)
13. Authorizing the Mayor or his designee to execute a Second Amendment to the Employee Parking License Agreement with Salvador Dalí Museum, Inc. for the non-exclusive use of twenty (20) parking spaces located within the Albert Whitted Airport overflow parking area for a period of one (1) year for \$530.45 per month, with the right to request extensions for two (2) additional one (1) year terms. (Requires affirmative vote of at least six (6) members of City Council.)
14. Authorizing the Mayor or his designee to execute a License Agreement with St. Petersburg Saturday Morning Market, Inc., a Florida not-for-profit corporation, for a three (3) year term for nominal consideration, for the use of a portion of the parking lot to the north of Al Lang Field, located on the southeast corner of 1st Street S.E. and 1st Avenue S.E., as a market place within a portion of City-owned Progress Energy Park at 201 Bayshore Drive Southeast, St. Petersburg, on Saturdays only during eight (8) month periods from October 1 through May 31 each year of the term.
15. Resolution establishing the Clean Zone Time Period for the 2013 Major League Baseball Playoffs, including the World Series.
16. Authorizing the Mayor or his designee to accept an Historic Preservation, Community Education Project Grant ("Grant") from the Florida Department of State, Division of Historical Resources ("Department") for the St. Petersburg African American Heritage Trail Project at a maximum reimbursement amount of \$50,000; to execute an Historic Preservation Grant Award agreement with the Department; and to execute all other documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$50,000 from the increase in the unappropriated balance of the general fund (0001) resulting from these additional revenues to the Planning and Economic Development Department (370.1537), St. Petersburg African American Heritage Trail Project ("TBD").

(Leisure & Community Services)

17. Authorizing the Mayor or his designee to accept a grant from the National Recreation and Parks Association ("NRPA") in an amount of \$4,000 for an Arthritis Foundation Exercise Program "Implementing Arthritis Interventions in Local Park and Recreation Agencies"

and to execute a Grant Agreement and all other documents necessary to effectuate this transaction.

(Public Works)

18. Authorizing the Mayor or his designee to execute a Local Agency Program Agreement (“Agreement”) between the City of St. Petersburg, Florida and the State of Florida Department of Transportation (“FDOT”) for construction activities of the 54th Avenue South at 31st Street Right Turn Lane Project in an amount not to exceed \$269,700; and authorizing a supplemental appropriation in the amount of \$269,700 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the 31st St/54th Avenue S Eastbound Right Turn Lane Modifications Project (14099). (FDOT Financial Project No. 433787 1 58/68 01)
19. Authorizing the Mayor or his designee to execute a Local Agency Program Agreement (“Agreement”) between the City of St. Petersburg, Florida, and the State of Florida Department of Transportation (“FDOT”) for construction activities of the 38th/40th Avenue Continuous Median Project from 1st Street North to 4th Street North, in an amount not to exceed \$438,000; and authorizing a supplemental appropriation in the amount of \$438,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the 38th/40th Avenue N btw 1st & 4th Streets – HSIP Project (14098). (FDOT Financial Project No. 433786 1 58/68 01)

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(Miscellaneous)

20. Approving the negotiated agreement with the Florida Public Services Union representing the Blue Collar Bargaining Unit, for the period of October 1, 2012 through September 30, 2015; and establishing an effective date for this Resolution.
21. Approving the negotiated agreement with the Florida Public Services Union representing the White Collar Bargaining Unit, for the period of October 1, 2012 through September 30, 2015; and establishing an effective date for this Resolution.
22. Authorizing the Mayor or his designee to execute a District Seven Highway Beautification Maintenance Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of maintaining the painted mast arm structure coatings at the intersection of SR 682 (54th Avenue South) and Eckerd College Drive.

MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

Budget, Finance & Taxation Committee

Thursday, September 12, 2013, 8:00 a.m., Room 100

Public Services & Infrastructure Committee

Thursday, September 12, 2013, 9:15 a.m., Room 100

CRA/Agenda Review and Administrative Update

Thursday, September 12, 2013, 1:00 p.m., Room 100

Committee of the Whole - Land Development Regulations

Thursday, September 12, 2013, 1:30 p.m., Room 100

City Council Meeting

Thursday, September 12, 2013, 3:00 p.m., Council Chamber

Legislative Affairs & Intergovernmental Relations Committee

Thursday, September 19, 2013, 1:00 p.m., Room 100

FY 2014 Second Budget Public Hearing

Thursday, September 26, 2013, 6:00 p.m., Council Chamber

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 Approving the designations of the Washington-Harden Grocery and the Moure Buildings as local historic landmarks. (City File HPC 13-90300003)

ST. PETERSBURG CITY COUNCIL

Meeting of September 19, 2013

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

SUBJECT: Owner initiated Historic Landmark Designation of the Washington-Harden Grocery and Moure Buildings, located at 901-03 and 909-13 22nd Street South (HPC Case No. 13-90300003)

An analysis of the request is provided in the attached Staff Report.

REQUEST: The request is to approve an ordinance designating the Washington-Harden Grocery and Moure Buildings, located at 901-03 and 909-13 22nd Street South, as a local historic landmark (City File HPC 13-90300003).

RECOMMENDATION:

Administration: Administration recommends approval.

Community Preservation Commission: On August 16, 2013 the Community Preservation Commission held a public hearing on this matter, and voted 6 to 0 to recommend approval of the landmark designation to City Council.

Recommended City Council Action: 1) CONDUCT the first reading of the attached proposed ordinance; AND 2) SET the second reading and the quasi-judicial public hearing for October 3, 2013.

Additional Information: Additional information regarding the proposed designation's consistency with the Comprehensive Plan and affect on any existing or future plans for the development of the City is attached.

Attachments: Ordinance (Including Map), Additional Information Regarding Consistency with the Comprehensive Plan, Staff Report to the CPC, Designation Application

**Additional Information Regarding
Consistency with the Comprehensive Plan**

The subject properties are developed with two commercial buildings located at 901-03 and 909-13 22nd Street South. The property is designated Planned Redevelopment-Mixed Use on the City's Future Land Use Map (FLUM) and CCT-1 (Corridor Commercial Traditional-1) on the City's Official Zoning Map. The proposed historic landmark designation, which is consistent with Objective LU26 of the City's Comprehensive Plan, will not affect the FLUM or zoning designations, thus will not affect any existing or future plans for the development of the City.

OBJECTIVE LU26: The City's LDRs shall continue to support the adaptive reuse of existing and historic buildings in order to maximize the use of existing infrastructure, preserve natural areas from being harvested for the production of construction materials, minimize the vehicle miles traveled for transporting new construction materials over long distances, preserve existing natural carbon sinks within the City, and encourage the use of alternative transportation options.

The proposed landmark designation is also consistent with Objective LU10, Policy LU10.1 and Policy HP2.6 of the City's Comprehensive Plan, shown below.

OBJECTIVE LU10: The historic resources locally designated by the St. Petersburg City Council and Community Preservation Commission shall be incorporated onto the Land Use Map or map series at the time of original adoption or through the amendment process and protected from development and redevelopment activities consistent with the provisions of the Historic Preservation Element and the Historic Preservation Ordinance.

Policy LU10.1 Decisions regarding the designation of historic resources shall be based on the criteria and policies outlined in the Historic Preservation Ordinance and the Historic Preservation Element of the Comprehensive Plan.

Policy HP2.6 Decisions regarding the designation of historic resources shall be based on National Register eligibility criteria and policies outlined in the Historic Preservation Ordinance and the Comprehensive Plan. The City will use the following selection criteria for City initiated landmark designations as a guideline for staff recommendations to the Community Preservation Commission and City Council:

- National Register or DOE status
- Prominence/importance related to the City
- Prominence/importance related to the neighborhood
- Degree of threat to the landmark
- Condition of the landmark
- Degree of owner support

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE WASHINGTON-HARDEN GROCERY AND THE MOURE BUILDINGS (LOCATED AT 901-03 AND 909-13 22ND STREET SOUTH) AS A LOCAL LANDMARK AND ADDING THE PROPERTY TO THE LOCAL REGISTER PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The City Council finds that the Washington-Harden Grocery and the Moure Buildings, which were constructed in 1939 and 1959, respectively, meet three of the nine criteria listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the property meets the following criteria:

- (1) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation.
- (3) It is identified with a person who significantly contributed to the development of the City, state, or nation.
- (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

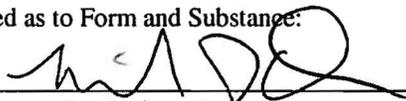
SECTION 2. The Washington-Harden Grocery and the Moure Buildings, as depicted on the accompanying map and located upon the following described property, is hereby designated as a local landmark and shall be added to the local register listing of designated landmarks, landmark sites, and historic and thematic districts which is maintained in the office of the City Clerk:

Parcel 1: North 10 ft of the East 110 ft of Lot 24 and the East 110 ft of Lot 25 of Geo. C. Prather Royal Subdivision, according to the map or plat thereof recorded in Plat Book 3, Page 18 of the Public Records of Pinellas County, Florida.

Parcel 2: South 40 ft of the East 110 ft of Lot 24, and the South 11 ft of the West 40 ft of Lot 24 of Geo. C. Prather Royal Subdivision, according to the map or plat thereof as recorded in Plat Book 3, Page 18, of the Public Records of Pinellas County, Florida.

SECTION 3. This ordinance is effective immediately upon adoption.

Approved as to Form and Substance:



City Attorney (or Designee)

8/26/13

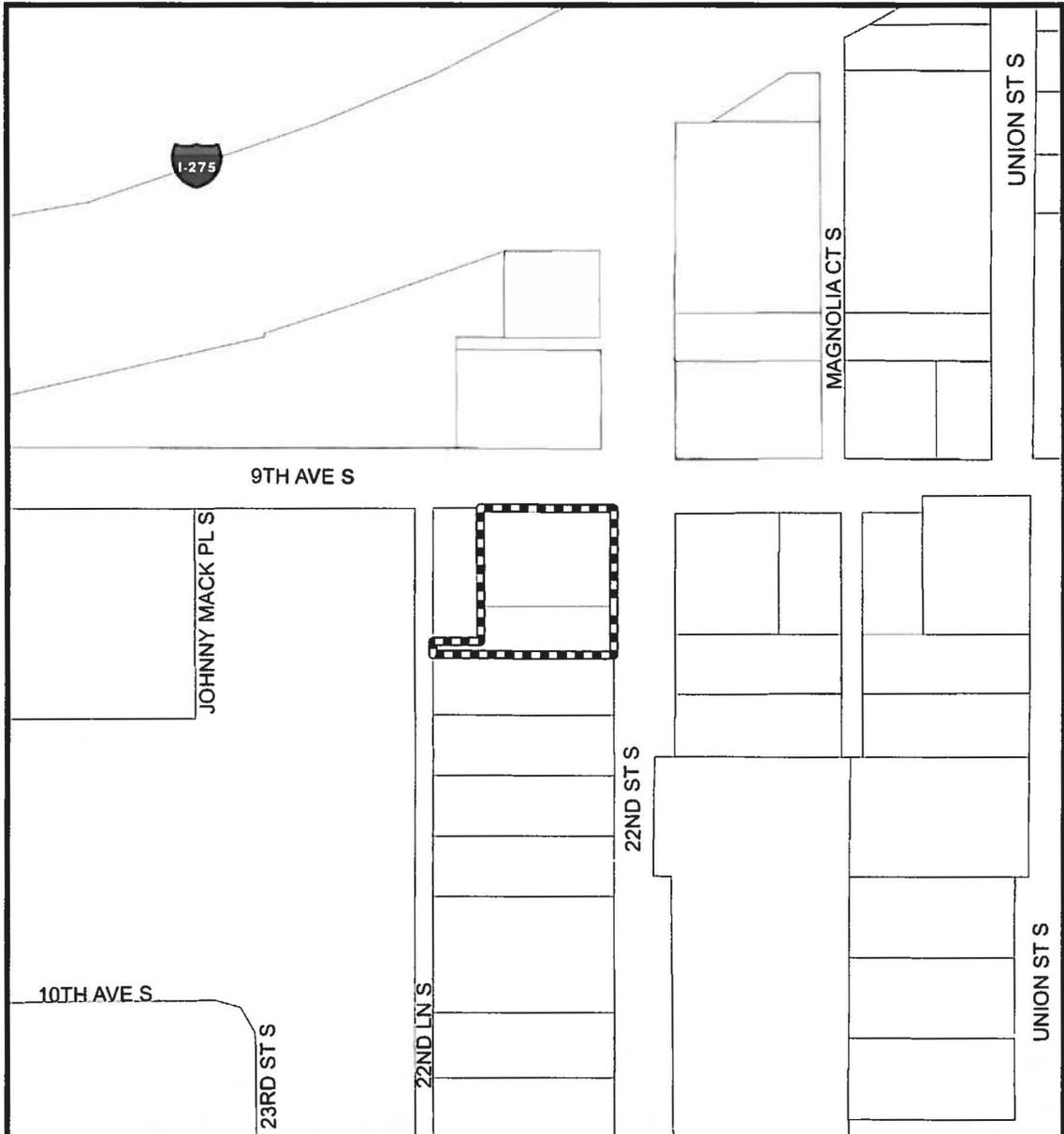
Date



Planning and Economic Development Department

8-26-13

Date



Community Preservation Commission

901-03 & 909-13 22nd Street South

AREA TO BE APPROVED,

SHOWN IN

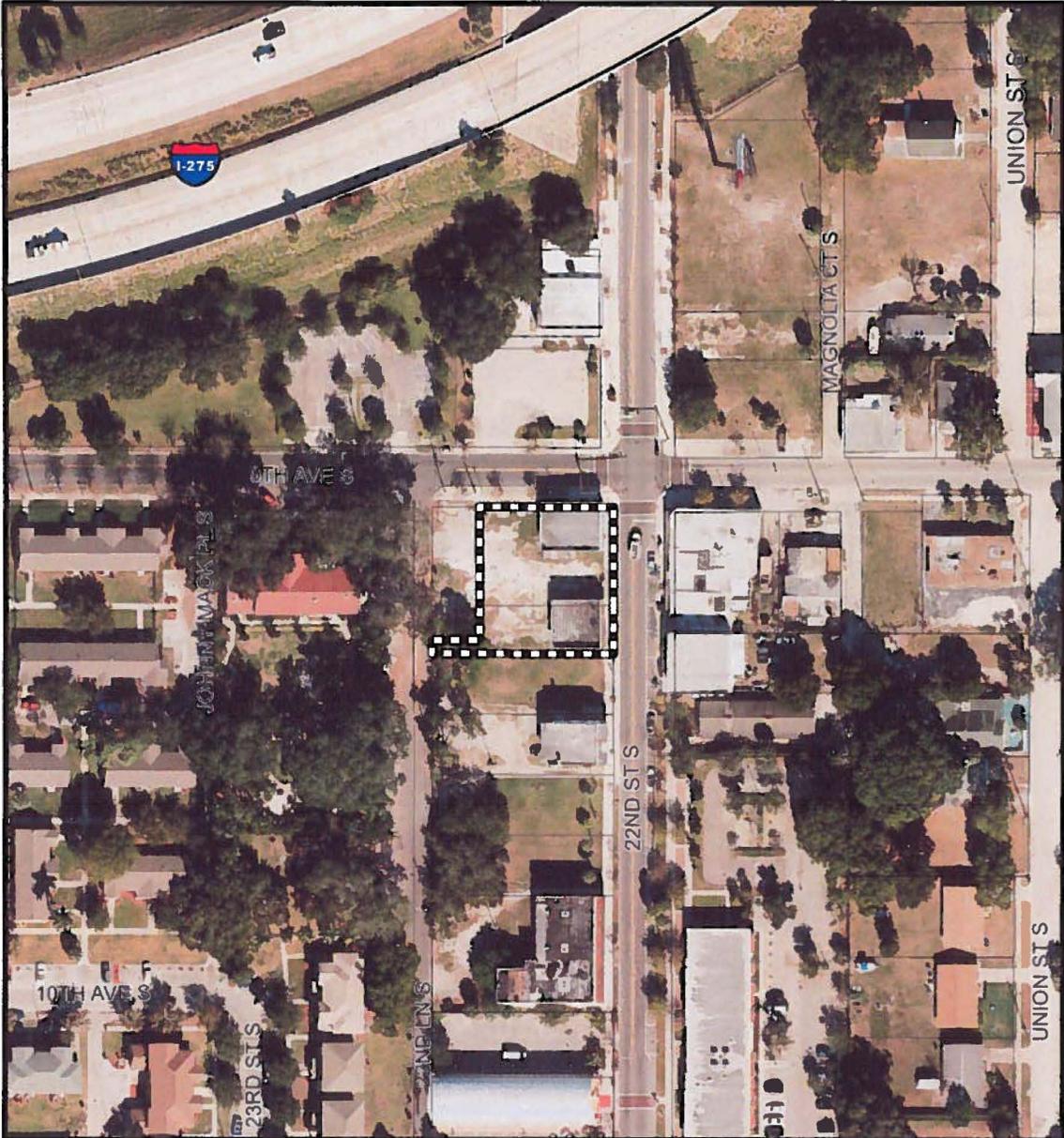


CASE NUMBER

13-90300003



N
SCALE:
Not to Scale



Community Preservation Commission

901-03 & 909-13 22nd Street South

AREA TO BE APPROVED,

SHOWN IN



CASE NUMBER

13-90300003



N
SCALE:
 Not to Scale



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CITY OF ST. PETERSBURG, FLORIDA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
URBAN PLANNING AND HISTORIC PRESERVATION

STAFF REPORT
COMMUNITY PRESERVATION COMMISSION
LOCAL DESIGNATION REQUEST

For **Public Hearing and Recommendation to City Council** on **August 16, 2013** beginning at 9:00 A.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning and Economic Development Department records, no commission members reside or have 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.

CASE NO.:	HPC 13-90300003
STREET ADDRESS:	901-03 & 909-13 22 nd Street South
LANDMARK:	Washington-Harden Grocery and the Moure Buildings
OWNER/APPLICANT:	Equity Trust Co. CDN, Elihu and Carolyn Brayboy
REQUEST:	Local Designation of the Washington-Harden Grocery and the Moure Buildings



Washington-Harden Grocery and the Moure Buildings
901-03 & 909-13 22nd Street South

RECOMMENDATION

Staff recommends **APPROVAL** of the request to designate the Washington-Harden Grocery and the Moure Buildings, located at 901-03 & 909-13 22nd Street South, as a local historic landmark, thereby referring the application to City Council for first and second reading and public hearing.

The designation application and this staff report found that the Washington-Harden Grocery and the Moure Buildings are significant at the local level in the areas of COMMUNITY PLANNING AND DEVELOPMENT, COMMERCE, and ETHNIC HERITAGE under the local landmark designation criteria found in Section 16.30.070.2.5(D) of the City Code:

- (1) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation.
- (3) It is identified with a person or persons who significantly contributed to the development of the city, state, or nation.
- (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials

PROPERTY OWNER CONSENT AND IMPACT OF DESIGNATION

The owners initiated and consent to this designation of their property.

BACKGROUND

Elihu and Carolyn Brayboy submitted a local landmark designation application in conjunction with their rehabilitation of the commercial buildings located at 901-03 & 909-13 22nd Street South. The application provided a foundation concerning the role the buildings played in the growth of the African American community. Staff prepared the following architectural description and history to identify significant features as a supplement to the application.

Architectural Description

The Washington-Harden Grocery Building was constructed in 1939 by businessman George Washington. The two-room store building is a one-story commercial Masonry Vernacular style building constructed of concrete block clad with stucco. Aside from a small, concrete block storage room added on the southwest corner in 1955, the building maintains its rectangular footprint. The awning roof is set behind a parapet wall with a cap which steps down from the front to the rear of the building.

The east (front) elevation is divided into two bays distinguished by the storefront openings accessing the two spaces. Most original windows and doors were removed and boarded or infilled. Historic photographs and remaining original windows on site indicate the front storefront windows were topped by transom windows with a one-over-one and two-over-two pattern. A suspended canopy, which shaded the sidewalk, was installed between the storefront windows and transom windows in 1944. Two sets of storefront and transom windows define the front elevation facing 22nd Street. The north elevation facing 9th Avenue also has a set of storefront and transom windows near the corner entrance as well as two windows set high in the all which retain their original windows. The west (rear) elevation features two pairs of one-over-one single-hung sash separated by two independently placed smaller one-over-one single-hung

sash windows. Fenestration on the south elevation consists of another set of storefront and transom windows set near the front façade.

The corner space, occupied by Harden's Grocery retains its character defining corner entry. The original double doors and transom have been replaced with new units to match the size and style of the original. A secondary entrance to the space is located on the west elevation. The primary entrance to Washington's Beer Garden, which was situated in the southern half of the building, was located on 22nd Street, although a secondary entrance is situated on the south elevation. Metal vents and hooks which supported the suspended canopy pierce the north, east, and south elevations at the roof line. On the interior, both stores retain their pressed metal plate ceilings utilizing square plates set in a grid pattern. Floors were simple concrete with little other decorative features. Washington's Beer Garden still has the original section of the bar which was set against the wall.

Businessman Clarence E. Moure hired contractor P.P. Perkins to build the second building on site. Constructed in 1959 as a three-unit store building, Moure operated his barber shop in one of the storefront spaces. Built of concrete block, the front façade has a pressed brick face finish at the street level with stucco above the cantilevered canopy which shades the sidewalk. Side and rear elevations remain concrete block but feature emphasized horizontal mortar joints typical of 1950s commercial design. The awning roof is set behind a low parapet wall with tile coping.

The east (front) elevation is divided into three bays distinguished by the simple one-light storefront openings and doors set under one-light transoms accessing the three spaces. Original metal windows and doors have been replaced. Secondary entrances to the three stores are located on the rear elevation with small single-hung sash windows set high in the wall for each unit. The north and south elevations remain unornamented with the exception of the emphasized horizontal mortar joints. On the interior, the layout of the three storefront spaces remains with simple polished concrete floors and wood baseboards as decorative elements.

Integrity

The evolution of the buildings and subsequent abandonment resulted in some changes including the enclosure of the storefront openings, removal of the awning from the Washington-Harden Grocery Building, and the removal or boarding up of the windows. However, the buildings are undergoing rehabilitation and retain sufficient evidence of their original design and remain significant for their historical associations. The Washington-Harden Grocery and the Moure Buildings retain integrity of location, design, setting, and feeling.

Architectural History

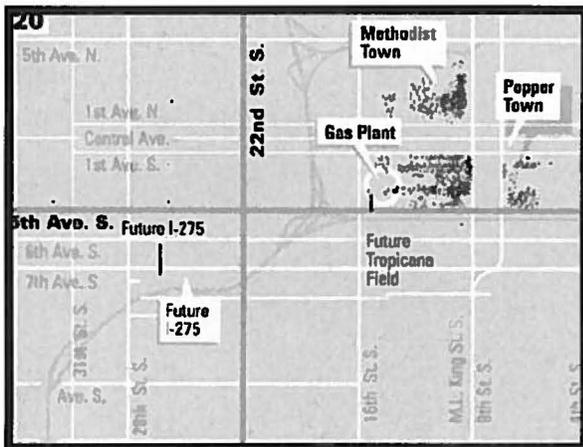
The arrival of Detroit native John C. Williams in 1875 and the construction of the Orange Belt Railroad in 1888 served as the major impetus to the formation of St. Petersburg. Hamilton Disston, who owned and developed thousands of acres in Florida during the 1880s, financed the construction of the Orange Belt Railway to the sparsely settled Pinellas Peninsula under the assumption that the railroad would terminate in his newest development, Disston City (now Gulfport). Filed in 1884, the plat for Disston City included the site where the Merriwether Building would later be built (Pinellas County Clerk of Circuit Court [PCCCC], Plat Book H1, Page 104). However, instead of building to Disston City, Orange Belt owner, Peter Demens, built the narrow gauge railroad to land situated northeast of Disston City owned by John C.

Williams. The first train arrived in June 1888 to a settlement with little more than a store and a few residences. In return for Demens building the railroad to Williams' land, Williams deeded 250 acres to the Orange Belt Railway. Demens and Williams collaborated in their plans to build a new community around the terminus of the railroad, complete with a park, depot, and hotel. Prepared by Engineer A.L. Hunt and Draftsman G.A. Miller in August 1888, the Map of the Town of St. Petersburg was officially filed in April 1889 and revised in October 1889 (PCCCC, Plat Book H1, Pages 27 and 49). In exchange for naming the city after Demens' birthplace, St. Petersburg, Russia, the hotel was named after Williams' hometown, Detroit, Michigan (Arsenault, 64, 81-82; Grismer 1948, 68, 74, 271-72; "Heavy Real Estate Deal" 1906, 1).

One of the settlers who lived in the greater St. Petersburg area prior to the arrival of the railroad was African American John Donaldson and his wife Anna Germain. The couple arrived on the lower Pinellas peninsula in 1868 as employees of Louis Bell, Jr. They purchased 40 acres in 1871 on present-day 18th Avenue South and established a truck farm with cattle, hogs, and an orange grove (Arsenault 41). According to historian Karl Grismer, "Donaldson was considered one of the 'best well off' settlers on the lower peninsula and he and his family were respected by all their white neighbors (Grismer 1948, 188)." Several of their children attended the Disston City School along with white students (Arsenault 124).

The arrival of the railroad in 1888 brought more than 100 African American railroad employees. With the completion of the railroad tracks, the railroad company transitioned many of the workers to construct the depot and the Detroit Hotel. Although some left to pursue other

railroad jobs, approximately a dozen stayed in the city and brought their families to settle in St. Petersburg. These families established the first African American community, known as Pepper Town, along 4th Avenue South between 7th and 9th Streets. Most found work as day laborers, domestics, artisans and fishermen. Although the Donaldson family had been accepted by local white settlers of the frontier community, this influx of black settlement brought racial customs and laws back to the forefront of local white society. As more black settlers arrived, a second community, initially named Cooper's Quarters, developed south of the railroad tracks on 9th Street (Peck and Wilson, 41; Grismer 1948, 188; Arsenault 123-24).



African-American neighborhoods according to the 1920 Polk's St. Petersburg City Directory. As published in *St. Petersburg's Historic 22nd Street South* by Peck and Wilson, 2006, 42

Although the Orange Belt Railway was completed, it was not successful. At the 1885 annual convention of the American Medical

Association, Dr. Van Bibber had endorsed the Pinellas peninsula as the perfect location for a "Health City." To boost usage, the Orange Belt Railway started to offer seaside excursions to St. Petersburg in 1889 (Arsenault 62). These excursions were one of the first concentrated efforts by the community and the development company to attract tourists (Grismer 1948, 70, 97, 111; "Heavy Real Estate Deal" 1906, 1). When the railroad could not pay its debts in 1889, the syndicate of Philadelphia financiers holding the debts took over the railroad and the investment company, which was responsible for the land held in the name of the railroad (Grismer 1948, 70, 97, 111; "Heavy Real Estate Deal" 1906, 1).

Frank Davis, a prominent publisher from Philadelphia who arrived in Florida to alleviate his own health problems, also utilized Dr. Van Bibber's endorsement to heavily promote the benefits of St. Petersburg. Davis, along with other new residents including *St. Petersburg Times* editor William Straub and *St. Petersburg Evening Independent* editor Lew Brown, tirelessly promoted the community during the late 1800s and early 1900s (Arsenault 82-85). By 1890, the population grew from less than 50, prior to the arrival of the railroad, to 273 residents. With two hotels, two ice plants, two churches, a school, a pier, and a sawmill, the economy remained largely dependent on commercial fishing (Arsenault 52-61). Incorporated in 1892, the community received telephone, public water, and electric service by 1900. During the early 1900s, the creation of St. Petersburg's waterfront park system, the incorporation of a trolley system, and the construction of the Electric Pier drew additional tourists and new residents to the area (Arsenault 64, 81-82, 87-89).

Largely through the efforts of city boosters to attract businesses and residents, developers such as H. Walter Fuller, Noel Mitchell, Charles Hall, Charles Roser, and C. Perry Snell triggered the city's first real estate land boom from 1909 to the start of World War I (Arsenault 136). Promotional efforts by the Atlantic Coast Line railroad (created in 1902 from the former Orange Belt Railroad and Henry Plant's South Florida Railroad) brought organized tourist trains from New York in 1909 and from the Midwest in 1913. Many of these tourists continued to winter in the city with some even relocating to St. Petersburg (Arsenault 135-37, 144-45).

The City's administration started to formally encourage tourism with promotional campaigns following the election of Al Lang as mayor in 1916. Lang was elected after he arranged to bring the Philadelphia Phillies baseball team to the city for spring training. Under his leadership, the City publicly encouraged tourism and made efforts to improve the physical appearance of the city. With approximately 83 real estate companies operating in the city in 1914, the focus turned increasingly to winter residents with the local population doubling during the season. These winter residents even formed tourist societies organized by state or region of origin which acted as booster clubs in their native states. Although the land boom collapsed during World War I, the development created a pattern for the future growth of the city. During the 1910s, the city's population grew from 4,127 in 1910 to 14,237 in 1920. By 1910, African Americans composed 26.6 percent of the city's 4,127 residents (Arsenault 121-25, 143-46, 190; Peck and Wilson, 41; Grismer 1948, 189).

The construction of new buildings and public improvements drew more African Americans to the city in search of work. Many of the men worked as day laborers while the women were often employed as laundresses and maids. Although the blacks could work in the white businesses and households, they were relegated to live in certain areas. The races were rigidly separated by custom and laws known as the "Jim Crow" system. Many of the new black residents settled in the area west of present-day Dr. Martin Luther King Jr. Street between Central and 5th Avenue North. This African American neighborhood came to be known as Methodist Town after the Bethel African Methodist Episcopalian (AME) Church which served as an anchor in the community. Directly south of Methodist Town, Cooper's Quarters became known as the Gas Plant district, named for the two large cylinders that stored the city's natural gas supply (Arsenault 121-25; Peck and Wilson, 41; Grismer 1948, 189).

George Washington, one of the new Methodist Town residents, would play an important role in the growth of the city's African American neighborhoods. Divorced with two daughters who remained with his ex-wife, Washington came to St. Petersburg around 1912 from his native South Carolina. After working as a day laborer for several years, he found work as a baker. In 1917, he married Cleora Walker and lived with her family. He may have met her through his

work or learned the bakery trade through her father, a cook, or her brother, a baker. Following his wife's untimely death in 1919 and the death of their daughter, Edith, in 1921, Washington established his own bakery and grocery store business. He operated out of a storefront at 916 Hanson Avenue (present-day Burlington Avenue North), while he

GEORGE WASHINGTON
BAKER AND GROCER
PIES—CAKES—ICE CREAM
Phone 151-RR 239 Eleventh N
CIGARETTES, CIGARS, TOBACCOS, COLD DRINKS AND
CONFECTIONS
916 HANSON AVE.

R.L. Polk's St. Petersburg City Directory, 1922.

constructed a store and residence at 239 11th Street North, which would become his primary business and home until the 1940s. After placing an advertisement in the 1922 St. Petersburg City Directory, his business prospered during the 1920s with the influx of new African American residents (Ancestry 1910, 1920; Polk 1918, 1920, 1922, 1925, 1927, 1929; PGS databases, Pinellas County Marriages, Divorces, and Deaths; *St. Petersburg Times*, 29 October 1948).

White and black institutions remained separate and unequal. A school for black children, named Davis Academy (later Davis Elementary School), opened in 1910 at 950 3rd Avenue



Davis Academy.

South. Although the opening of the school was progress, the school term for black schools was only six months compared to nine months for white students, and black teachers were paid far less than white teachers. Education for African Americans focused primarily on manual training and domestic science rather than academic studies. Broom making, sewing, mending, washing and laundering,

as well as basket weaving and cooking were taught (Ponder n.d.; Schnur 1991; Fleming, 9; Costrini, 19-20, 116-17; Arsenault 121-26, 243, 268).

As white residential areas expanded from the downtown area, black neighborhoods shifted further west and south. Periodic outbursts of vigilante "justice" with lynchings and marches reinforced segregationist policies (Arsenault 121-25, 143-46, 190; Peck and Wilson, 41; Grismer 1948, 189). During this period, the first subdivisions were platted in the area which would become the 22nd Street South neighborhood. Pennington's Survey was filed in 1902, which was followed by Highland Crest in 1912 and Prather's Royal Subdivision in 1914, where the Merriwether Building would later be built. Owner George C. Prather filed Prather's Royal Subdivision as the first of many subdivisions he subsequently filed in the area through the 1920s. Prather had made his money in the oil business in Pennsylvania before settling in St. Petersburg and investing in real estate (Helser, 2012). Like many of the City's earliest settlers, Prather initially settled along Tangerine Avenue South (now 18th Avenue South) before moving north to 2536 Central Avenue during the early 1920s and opening the Prather Hotel at 133 Central Avenue. The new subdivisions platted along Central Avenue during the 1910s led City

Council to annex the land along Central from 16th Street to Boca Ciega Bay between 5th Avenue North and 7th Avenue South. This would include the northern section of the 22nd Street South neighborhood (PCCCC, Plat Book H2, Page 36, Plat Book 1, Page 20, Plat Book 3, Page 18; Polk 1920, 1924, 1926, 1933; Ancestry 1930; Peck and Wilson 98).

Because black residents were required to live and stay in their own communities after dark, African American owned and operated businesses, churches, and institutions developed to serve the needs of their residents. This contributed to the creation of a small black middle class. By 1920, the black labor force included 18 teachers, ten grocery store owners, seven barbers, seven tailors, six ministers, four insurance agents, four restaurant owners, two doctors, one dentist, and one hospital superintendent which accounted for 6.7 percent of the local black working population. The growth of the black middle class during the 1910s and 1920s led to the establishment of a local chapter of the National Association for the Advancement of Colored People (NAACP) to defend against the worst of the racial discrimination. In counterpoint, the Ku Klux Klan, which championed white supremacy, grew increasingly active during the subsequent decades (Ponder, n.d.; Fleming, 9; Arsenault 121-26, 243, 268).

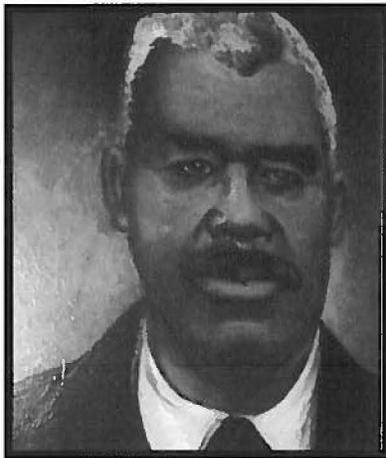
Although World War I limited tourism, St. Petersburg quickly rebounded following the war with the winter season of 1918-1919 more profitable than before the war. Thanks in part to the efforts of John Lodwick, publicity agent for the Chamber of Commerce and the City of St. Petersburg, the hotels and boarding houses were filled to capacity during the season. The construction of a national, state, and local road system opened St. Petersburg to an increasing number of middle-class vacationers and a new type of vacationer known as "tin-can tourists." This type of vacationer typically came by car and generally favored inexpensive campgrounds to hotels. The city's shortage of hotel rooms led to the 1920 creation of Tent City, a municipal campground for the "tin-can tourists." This new type of tourist threatened the city's established hotel industry and was not the class of visitor the leaders of the city were interested in attracting (Arsenault 186-189).

The lack of hotel space and the booming economy during the late 1910s and early 1920s prompted the conversion of a number of private residences surrounding downtown into boarding houses, apartment buildings, or small hotels. Many owners recognized the inevitable growth of the central business district and built new houses in the most fashionable residential section now known as the Old Northeast. The opening of the Gandy Bridge to Tampa in 1924 further encouraged widespread development and construction extending north of downtown to the bridge (Arsenault 199-200). With only five hotels providing fewer than 500 hotel rooms at the start of the boom, city leaders were encouraged by the construction of mid-sized hotels, such as the Alexander Hotel, the Mari-Jean, and the Hotel Cordova, and several large hotels, including the Princess Martha, Pennsylvania Hotel, and Vinoy Park Hotel, during the boom (Arsenault 201).

The boom in construction and services for tourists during the 1920s drew additional African Americans to the city in search of work. The demand for construction workers was so great that contractors sent agents to Georgia and Alabama to entice African American workers to come to St. Petersburg. When African American contractors were hired to construct residences in white neighborhoods in 1925, two letters of complaint were sent to the City Commission (the present-day City Council). Commissioner W. Scott Serviss stated, "Activities of the sort on the part of the negroes leads to ill feeling that should be avoided, if possible...This particular trouble started I think when a city employee engaged a negro contractor to build a house for him." The City Commission then voted to accept the letters, and stated that, "It be the sense of the commission that the letting of contracts to negro contractors for work in the white sections of the

city be disapproved (*Evening Independent* 13 October 1925).” From 1920 to 1930, the local African American population tripled from 2,444 to 7,416 residents. With the limited housing available in the established African American communities, new residents settled a newly annexed rural area along 22nd Street South (Arsenault 206-07; Peck and Wilson, 41, 98; Grismer 1948, 189).

Elder Jordan, Sr. was an African American pioneer who spearheaded the development along 22nd Street South, which essentially became the “main street” of St. Petersburg’s African American community. Born as a slave, Jordan became a successful farmer in north Florida after the Civil War, but abandoned his farm after a disagreement with white vigilantes. He and his Cherokee wife, Mary Frances Strobles, brought their family to St. Petersburg in 1904 and opened a produce stand in their home on 9th Street South. Jordan made deliveries using a horse-drawn wagon and opened a livery stable. With the proceeds and the money he brought from his farm, Jordan invested in real estate. When city leaders “encouraged” expansion of the



Elder Jordan, Sr. From *St. Petersburg’s Historic 22nd Street South* (Peck and Wilson, 40).

African American community to the southwest to provide more room for white settlement, Jordan bought land on the edge of the city limits. He started building rooming houses and homes, grouping them in enclaves called courts. He and his sons operated a bus line between Tampa, Clearwater, and St. Petersburg and opened a beach north of the city for African Americans. By the 1920s, he and his sons opened new businesses including a filling station on 16th Street South and business block which later became known as the Manhattan Casino, on 22nd Street South. In response to the population growth and overcrowding at Davis Academy, a new elementary school was constructed and named in honor of Elder Jordan, Sr., who appears to have donated the land for the school. Jordan Academy, named in his honor, served as the neighborhood elementary school for the growing 22nd Street corridor, while Davis Academy continued to support the neighborhood surrounding the Gas Plant district (Peck and Wilson, 39-45; Arsenault 206-07; Grismer 1948, 189; Hartzell 21).

Although the Jordan family was perhaps the most well-known African American developers during the early twentieth century, other black pioneers made their mark along 22nd Street as well. Mercy Hospital had opened in 1923 south of the Manhattan Casino along 22nd Street. At the same time that the Manhattan Casino and Jordan Academy were under construction, commercial buildings at 919-23, 931-35, 943-47, 951-63, and 1117 22nd Street South also received permits in 1925.¹ Several of these buildings were built by African American contractors Buggs and Childs and owned by African Americans John and Mamie Merriwether (Merriwether Building, Local Landmark Designation and Staff Report 12-90300004, 2012).

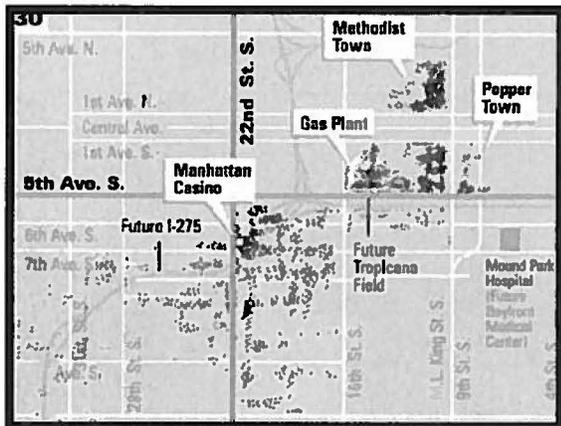
A relatively healthy tourist trade initially kept the local economy afloat following the downturn of the real estate market in 1926 and the devastating hurricanes which damaged south Florida in 1926 and 1928. The economic decline inadvertently provided the African American community with their first high school, Gibbs High, located on 34th Street South at 11th Avenue. Designed and built as a white elementary school for 350 students in 1925, the bust of the real estate market led to a decline in enrollment eliminating the need for the school. After sitting vacant for

¹ These are current addresses. The addresses were different at the time of construction and subsequently changed in 1928 and again in 1940.

a year, African American leaders persuaded the school board to allow them to use the facility for a high school. Although inadequate for the student body of 700 students, the black community worked together to improve it. Residents raised funds and donated time, money, and effort to provide science equipment and school busses, and build a gymnasium, a cafeteria, and basketball and tennis courts (Phillips 1994, 118-20; "G.W. Perkins Dies", 1955).

The crash of the stock market in 1929 kept the traveling public at home during the ensuing national depression. A dismal tourist season during the winter of 1929-1930 led to business failures, mortgage foreclosures, and unemployment in the city. Every bank in the city failed and closed by April 1931 (Arsenault 253-255). Federal relief projects helped revive the city's economy by the mid-1930s. Local projects included the construction of Bay Pines Veterans' Hospital, an addition to Albert Whitted Airport, Bartlett Park, an addition to Mound Park City Hospital, a beach water system, a new city hall, the construction of the U.S. Coast Guard Air Station near Bayboro Harbor, the North Shore sewer system, a National Guard armory, and a new campus for the St. Petersburg Junior College. By providing these kinds of projects throughout the nation, the New Deal agencies brought partial economic recovery to residents of St. Petersburg as well as other cities. With an improved financial outlook, tourists returned to St. Petersburg during the late-1930s (Arsenault 257-260).

During the 1930s, the black population in the city grew from 7,416 in 1930 to 11,982 in 1940, a 61 percent increase. Although there was an overall increase in the African American population, a number of black residents left the city with the decline in the real estate market and onset of the Great Depression (Arsenault 264-66). With no tourists, service jobs evaporated and with little new construction, laborers went elsewhere to find work. The effort to revive tourism during the 1930s led local leaders to "redouble their efforts to provide tourists with a sanitized social environment" by downplaying the importance and size of the local black community (Arsenault 264).



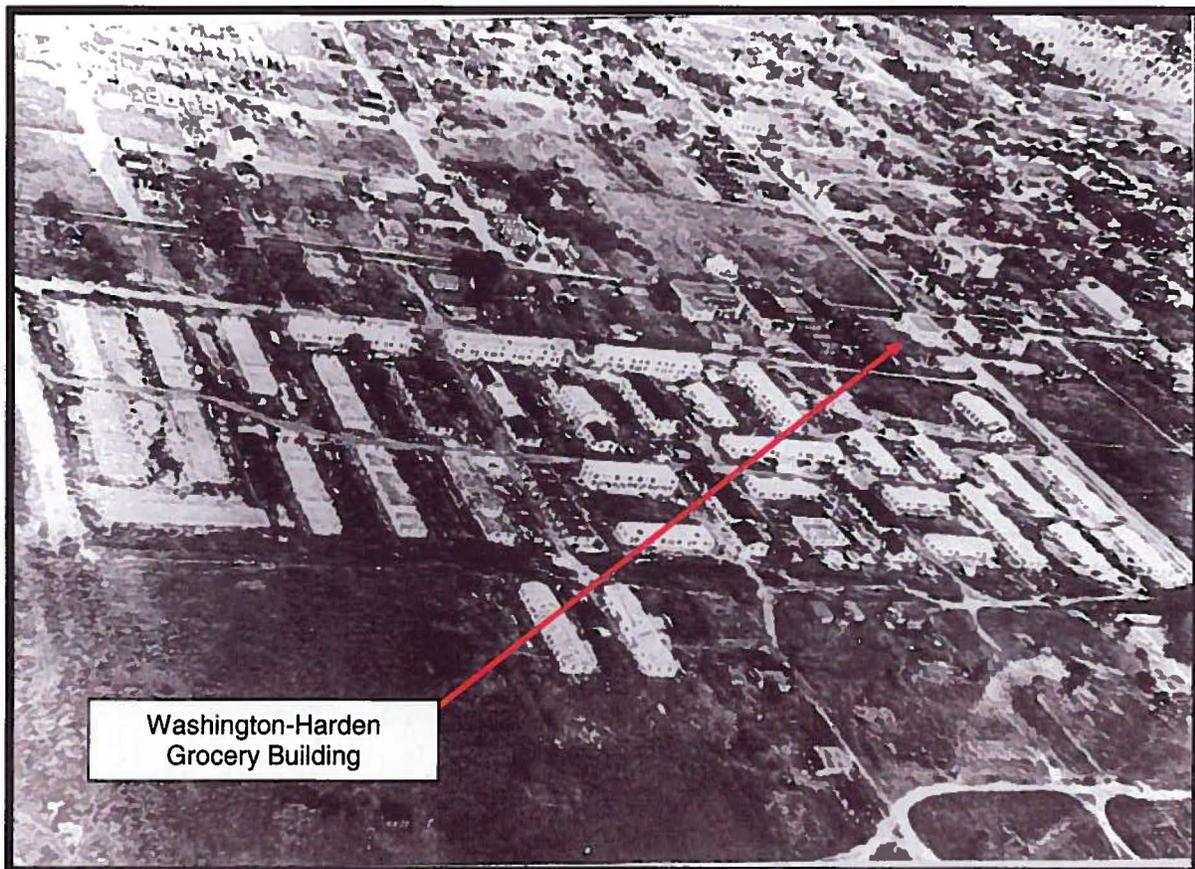
African-American neighborhoods according to the 1930 Polk's St. Petersburg City Directory. As published in *St. Petersburg's Historic 22nd Street South* by Peck and Wilson, 2006, 42.

The new city charter adopted in 1931 incorporated a mandate restricting blacks to certain territorial limits within the city, going beyond the previously accepted restrictive covenants and racial customs. After approved, the only acceptable reason a black resident could leave the black section of the city was for employment. A subsequent resolution approved by City Council in 1936 limited African Americans

to the area west of 17th Street and south of 6th Avenue South. However, the area was too small to accommodate the black population and would have required the relocation of over a thousand black families making it unenforceable (Arsenault 264-66). Efforts were made to educate the city's African American residents concerning their jobs in the tourism based economy. As tourists returned to the city, classes in hotel work were offered in 1938 at the Bethel A.M.E. Church in Methodist Town to black bellmen and maids, as estimates indicated that 75 per cent of this work was performed by African Americans. Classes such as these may have offered some instruction, but more likely educated workers who already had experience in these positions during the boom of the 1920s on how to "stay in their place" in the white based tourism economy (*St. Petersburg Times*, 26 October 1938).

In an effort to provide improved housing and to remove African Americans from the neighborhoods closer to the downtown core, the Jordan Park Housing Complex was built in the African American community centered around 22nd Street South. With overcrowding and substandard housing conditions rampant in the city's black neighborhoods, reformers turned to the federal government for assistance in slum removal. Funded by the U.S. Housing Authority as a way to eliminate slums, the two phases of construction spanning 1939 through 1941 incorporated 446 apartments. Like the nearby school, the housing complex was also named for Elder Jordan, Sr., who had died in 1936. The public housing was a success with full occupancy. It provided improved housing to hundreds, but the all black complex also reinforced segregation and the "separate but equal" construction of facilities (Grismer 1948, 189-91; Arsenault 270-72; Peck and Wilson, 90).

Construction of the Jordan Park Housing Complex reinvigorated development along 22nd Street South. As an example of the limited commercial opportunities along the corridor, John McNeil operated a wood yard during the early 1930s, on the corner where the Washington-Harden Grocery Building would later be built (Polk 1930, 1931, 1933). The Merriwether Building, completed in 1925 at 951 22nd Street South, was largely vacant between 1929 and 1938 (Merriwether Building Local Landmark Designation, 2012). With the new construction of the housing complex providing jobs and the mass relocation of a number of African American residents, businessman George Washington decided to build a commercial building at the



Jordan Park and the 22nd Street Corridor, ca. 1940, printed in reverse. Courtesy of St. Petersburg Museum of History.

corner of 22nd Street and 9th Avenue South, immediately adjacent to the new housing complex. During the 1920s and 1930s, Washington had continued to operate his grocery and live at 239 11th Street North in the Methodist Town neighborhood. After marrying and divorcing his third wife, Aline, between 1922 and 1929, his daughter, Hortense, moved in with him in 1933 and started managing the grocery store. Washington started investing in land and building houses in the Methodist Town neighborhood. During the late 1920s through the 1930s, Washington was arrested and fined several times for acting as a bolita operator, which was a form of gambling. Following the end of prohibition in 1933, Washington opened an establishment alternately known as a pool hall, liquor establishment, beer garden on 3rd Avenue South in the Gas Plant neighborhood (Polk 1922, 1925, 1927, 1931, 1933, 1934, 1936, 1939, 1940; Property Card, 901-903 22nd Street South and 239 11th Street North; *St. Petersburg Times* 13 May 1928, 22 November 1938, 29 November 1938, 2 December 1938, 16 April 1941, 29 October 1948; *Evening Independent*, 29 August 1930, 6 July 1937, 6 January 1938, 30 November 1938; PGS Pinellas Marriages, Divorces, and Deaths). In 1938, he was sentenced to two years in state prison for selling two 10-cent bolita tickets in a crackdown on bolita operations with Sherriff E.G. Cunningham claiming that "Washington was a notorious bolita peddler (*St. Petersburg Times* 22 November 1938)." Appealed to the Florida Supreme Court, the sentence was upheld even though two justices dissented calling the sentence "excessive and shocking." Within days, the dissenting opinion written by Justice Roy Chapman was withdrawn from official records (*St. Petersburg Times* 2 December 1938).

In the midst of this upheaval, Washington decided to build and move his business to 22nd Street South. One of the first new buildings since the 1920s, owner and builder, George Washington, constructed a two room store building at the corner of 22nd Street and 9th Avenue South to house his own restaurant as well as an additional store. Anticipated to cost \$3,000, the permit was issued for construction on August 2, 1939. By 1942, he had closed his Gas Plant location, but continued to live at his Methodist Town property and operated the beer garden on 22nd Street South (Polk 1940, 1942, 1944; Property Card, 901-903 22nd Street South).

Washington leased the northern portion of the commercial building to David J. Schleifer, who opened a dry goods store in 1940 (Polk 1940, 1941, 1942). Although he owned a business in the African American community, Schleifer and his wife, Irene, lived along Tangerine Avenue South (present-day 18th Avenue South). Open for only two years, Schleifer closed his store as well as the three gas stations he owned, when he reenlisted in the Army in October 1942. Master Sgt. Schleifer had already served during World War I, but re-enlisted to serve as morale officer at Jefferson Barracks, Missouri. Honorably discharged near the end of the war with a plaque, testimonials, and an article in *Yank Magazine*, Schleifer returned to St. Petersburg to open a store at 822 Central Avenue. Until his death in 1953, Schleifer remained active in veteran's organizations, Jewish veterans groups, and in the business

<h3>Morale Officer's Work Brought Him Testimonial Plaque</h3> <p>David Schleifer Handled Cases Of Departing Soldiers</p> <p>By Herb Penn—Honor, a bit of glory, and the testified love and respect of both men and superiors was the reward given Master Sgt. David Schleifer, 822 Central Avenue, for outstanding service as a morale officer attached to the overseas school at Jefferson Barracks, Mo.</p> <p>Schleifer is a modest fellow and has said so very little about himself since his discharge last February that few residents of St. Petersburg know of the honors that have been heaped upon him. It is possible that</p>	 <p>QUIT WITH HONORS — David Schleifer, former master sergeant, who was morale officer at Jefferson Barracks, Mo., was honored with a testimonial dinner, attended by officers and men, when he was honorably discharged from the army. He is proprietor of David's Outlet store,</p>
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Evening Independent, September 26, 1944.

community of St. Petersburg (Property card, 901-03 22nd Street South; Polk, 1940, 1941, 1942, 1944, 1945, 1947; Ancestry, US Headstone Applications for Military Veterans; *Evening Independent*, 26 September 1944.)

City Directories during this formative period for 22nd Street reveal a strong Jewish presence in the growing 22nd Street neighborhood (Polk 1925-1937). Like blacks, Jewish residents were a target of discriminatory practices. In 1924, racist signs stating "Gentiles Only Wanted – No Jews Wanted Here" had been placed along the newly opened Gandy Boulevard, which served as the main route to Tampa. The signs were installed by Jim Coad, the secretary of the St. Petersburg Chamber of Commerce who helped organize the local Klu Klux Klan klavern. This was in direct response to the growth of the Jewish community in St. Petersburg. Although a few Jewish families resided in the City prior to the 1920s, the growth of the community led to the formation of the B'Nai Israel congregation in 1923. Although less legally imposing than the Jim Crow system, social restrictions barred Jews from membership in private clubs, residency in the fashionable neighborhoods, and eating at or staying in most of the local restaurants and hotels which advertised "Christians Only (Arsenault, 206-08)." As a result, Jewish businesses and entrepreneurs were largely limited to the African American neighborhoods like 22nd Street South.

After Schleifer rejoined the Army, Washington leased the north half of his commercial building to Sidney Harden. Born in Waynesboro, Georgia in 1901, Sidney Harden, Sr. and his wife Mary Berrien Harden along with their four sons arrived in St. Petersburg around 1926. By the 1930s, Harden worked as a mechanic at the Gray Front Service Station located at 626



Sidney Harden and butcher James Nelson in front of Harden's Grocery, ca. 1945. Provided by Betty J. Harden for the African American Heritage Project.

22nd Street South, while his family lived in the 22nd Street neighborhood at 1117 Union Street South. The Hardens separated during the mid-1930s. During this period, Harden was arrested several times for possession of liquor during the Prohibition era and bootlegging after the repeal of Prohibition (Harden 2012; Polk 1931, 1935, 1936, 1939; *St. Petersburg Times* 29 November 1930, 5 July 1931, 9 July 1931, and 21 September 1938; *Evening Independent* 12 August 1938, 21 September 1938, and 28 November 1940). He also operated a cab for a few years around 1938 or 1939. According to Jacob Simmons in *St. Petersburg's Historic 22nd Street South*

Harden's Chrysler had a slogan on the side that read, "If you want to go to town and don't want to be late, catch Sidney Harden and his Chrysler Eight (Peck and Wilson 69)."

After Sidney Harden opened his grocery store at 901 22nd Street South around 1942, he moved into a new house at 2300 Fairfield Avenue South in 1945 owned by Bessie Williams, who eventually became his common law wife. Harden's Grocery specialized in ethnic and cultural foods, meeting the needs of neighborhood residents. Harden supported his community by raising funds for the March of Dimes, Christmas Seals, and the National Association for the Advancement of Colored People (NAACP). During difficult times, he provided food to families on credit and employment to the unemployed. Known as "a compassionate man with a strong work ethic," Harden created an institution in the 22nd Street South neighborhood (Harden 2012; Polk 1940, 1942, 1944, 1945; *Evening Independent* 28 November 1940; Property Card, 901-03 22nd Street South).

Although tourism had rebounded to some extent by 1940, the activation of the military, rationing, and travel restrictions of World War II severely curtailed St. Petersburg's tourism based economy. Most of the city's hotels and boarding houses remained empty during the winter of 1941-42. Realizing that the empty rooms could be an asset as military housing, city leaders successfully lobbied the War Department for a military base. The opening of a technical services training center for the Army Air Corps brought over ten thousand soldiers to the city during the summer of 1942. The military leased almost every major hotel and many of the smaller hotels in the city. Only the Suwannee Hotel and some of the smaller hotels and boarding houses were open to civilian use. By the time the training center closed in July 1943, over 100,000 soldiers had visited St. Petersburg. Although the training center closed, the United States Maritime Service Bayboro Harbor Base, which trained merchant seamen, continued to grow, and eventually leased four of the downtown hotels abandoned by the Army Air Corps. Other bases and support facilities throughout the area brought thousands of soldiers, including African American soldiers, to central Florida and the St. Petersburg area. African Americans stationed at MacDill Field in Tampa would come to St. Petersburg's 22nd Street South community to enjoy their Saturday night leave (Arsenault 298-301).

The military use of the city's hotels and the decline in building construction left some black workers unemployed. However, this was offset somewhat by military employment and the general improvement of the local economy. A source of great pride, nearly two thousand black men and women from St. Petersburg served in the war in spite of segregated training facilities and units (Arsenault 303).

One of the most notable impacts in the black community was expanded coverage and a transition to a more racially liberal stance for the *St. Petersburg Times* following the death of long-time editor William Straub in April 1939. In October 1939, the new



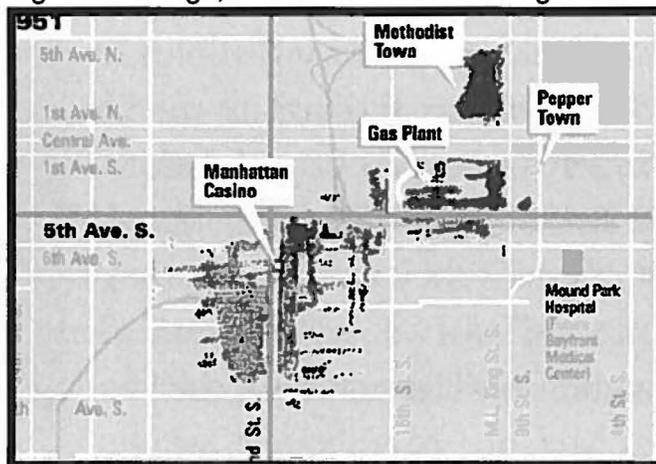
Jordan Elementary School. Christmas play photo, ca.1950.

editor, Nelson Poynter, started publishing the “Negro News Page.” A weekly insert into the papers distributed in black neighborhoods, the issue carried articles about events and activities in the African American community written exclusively by African American reporters. News about African Americans no longer focused on negative events and criminal acts. Changed to a daily insert in 1948, the page was discontinued in 1967 following integration. Although the page generally avoided controversial political and racial issues, the insert provided the black community with a voice for the first time. The repeal by the Florida legislature of the state poll tax in 1937 followed by court cases declaring white-only primaries unconstitutional, prompted more African Americans to register to vote and an increase in political activity (Arsenault 293, 303).

In 1943, the City Planning Commission prepared a new master plan for the city which included a candid analysis of the economic and social conditions of the black community. Although Jordan Park was lauded as an improvement, most of the African American housing was considered substandard. A stark contrast existed between white and black schools as well with the black schools overcrowded, under-funded, and lacking basic educational materials. For example, Jordan Elementary had 690 students in a structure designed for 595. The African American community also needed additional park and recreation space (Arsenault 306-07; Fleming, 20).

A 1945 report by the National Urban League expanded and reinforced the planning study findings. According to the report, “The black school system had no kindergarten classes, no facilities for technical education, and no access to St. Petersburg Junior College...Black teachers earned far less than their white counterparts...and everything from blackboards to school buses was in short supply (Arsenault 306-07).” Although a black middle class had emerged in the city, the African American community lacked lawyers, a swimming pool, and a library. With only two doctors, Mercy Hospital, which served the black community, was overcrowded and understaffed (Arsenault 307). Backing up these findings, a 1948 study sponsored by the Juvenile Board, Business and Professional Woman’s Club and the Woman’s Club identified the social needs of the cities in Pinellas County. The study found that African Americans in St. Petersburg needed, among other things, a “decent hotel for Negro tourists, branch employment office, ball park for out-of-state teams for Spring training, [and a] bathing beach on open water (St. Petersburg Times, 10 December 1948).”

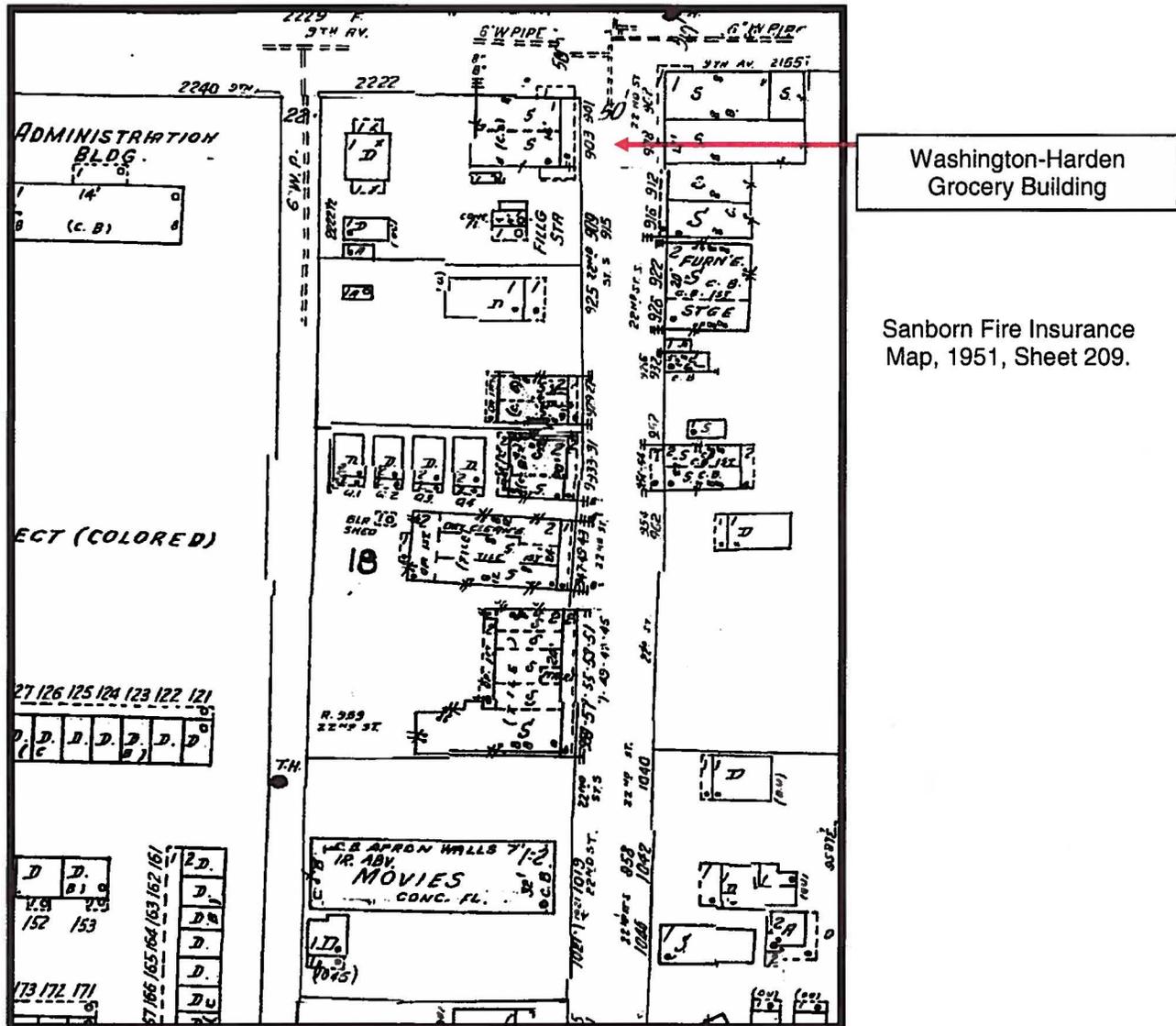
The city rapidly demilitarized following the war, and many veterans returned to St. Petersburg. The Great Depression and governmental restrictions during the war led to a housing shortage following World War II. Many hotels and boarding houses were again filled with tourists and new residents awaiting the construction of new homes. New houses filled the subdivisions platted during the 1920s, but left vacant by the real estate decline and depression. As development spread westward, the introduction of shopping centers, including Central Plaza and Tyrone Gardens Shopping Center, and



African-American neighborhoods according to the 1951 Polk's St. Petersburg City Directory. As published in *St. Petersburg's Historic 22nd Street South* by Peck and Wilson, 2006, 42.

motels along the west coast drew new residents and tourists away from downtown St. Petersburg (Arsenault 307-313).

With the post-war boom in population and business, the city's African American community flourished in spite of the challenges. New schools were built and existing schools were enlarged. Jordan Elementary received an addition in 1948 and a cafeteria in 1952 followed by a classroom building in 1960. The Sixteenth Street Middle School opened in 1952 to serve the African American community. By 1946, 58 businesses operated along 22nd Street South. Mercy Hospital was enlarged and the Royal Theater opened in 1948 (Christian, 50; Peck and Wilson 74, 100; City of St. Petersburg, property card, 955-65 [959-63] 22nd Street South; Polk 1946-1975).



In October 1948, George S. Washington passed way. At the time of his death, he had recently constructed a new home at 2366 7th Avenue South, operated the beer garden at 903 22nd Street South, and owned a number of properties in St. Petersburg. He donated generously to schools, churches, hospitals, and other charitable causes while serving as a member of the First Baptist Institutional Church, Sunshine City Lodge No. 255 of Elks, and the Progressive Voters League. Upon his death, his daughter, Hortense Washington Berrien, took over management of the beer garden, his business interests, and the residence they shared. Her daughter and son-in-law, Ernest and Joyce Fillyau, eventually inherited the commercial building upon her death in 1976. Ernest Fillyau later served as City Councilman from 1991 to 1999 (Ancestry 1940; *St. Petersburg Times* 29 October 1948, 2 January 1965, 2 March 1959; *Evening Independent* 16 May 1949, 6 June 1949, 2 October 1950, 10 December 1976).

Although progress was slow, institutions, offices, and schools integrated during the post-war years. The traditionally conservative police department hired four African American officers in 1949. The construction of a Municipal Negro Swimming Pool, also known as the Jennie Hall Pool, at Wildwood Park in 1954 was followed by the forced desegregation of the Municipal Spa Pool in 1958 (Arsenault 305, 328-30; Paulson 10-14). In 1954, Dr. Robert Swain broke the "red line," which restricted African Americans to living and operating businesses to the area north of 15th Avenue South. Dr. Swain filed for permits to open a dentist office at 1501 22nd Street South. Although the City initially refused to issue a permit, it was finally issued after Swain threatened to sue. In 1956, Swain opened apartments next to his dentist office at 1511 22nd Street South. The apartments were built to accommodate African American baseball players who were banned from staying at "whites only" hotels during spring training. Swain, along with Dr. Ralph Wimbish, president of the St. Petersburg branch of the NAACP, refused to continue to house the African American baseball players in 1961 as they believed that it was furthering the cause of segregation. This stand led to the integration of hotels and made national news when major league teams requested that their African American players be housed at the same hotel. Both the Yankees and the Cardinals found lodging outside of downtown St. Petersburg which would accommodate all of their players. Integration cost Swain not only the weekly rent at the apartments, but also the Robert James Hotel in Methodist Town. With the end of segregation in lodging, the hotels declined as African Americans now had choices in entertainment and lodging (Peck and Wilson 74, 100; *St. Petersburg Times*, 1 February 1961; *St. Petersburg Times*, 30 August 1996; *St. Petersburg Times*, 12 May 1996).

As 22nd Street South boomed during the 1950s, another wave of new construction brought new business to the street. In 1959, Clarence E. Moure hired contractor P.P. Perkins to construct a three-unit store building at 909-13 22nd Street South. In 1946, owner John Hicks (also listed as Peter Hicks) had built a service station and garage immediately south of the Washington-Harden Grocery Building which he operated until 1955. During the mid-1950s Southside Cab operated from the former gas station, and, in 1959, demolished the service station and enclosed the carport to serve as their office. Moure demolished the part of the shed roof which extended onto his property. Moure's contractor, Peter Primus Perkins, was an African American carpenter and contractor who had long served the St. Petersburg community. Peter came to St. Petersburg with his parents and siblings around 1923 from Bainbridge, Georgia. Peter learned



St. Petersburg Times, October 29, 1948.

the carpenter's trade from his father, Primus Perkins. Born ca. 1839, Primus Perkins had been among the first African Americans to register to vote in Georgia in 1867 and no doubt moved his large family to St. Petersburg at the height of the Florida land boom to take advantage of the employment opportunities. In 1925, Peter worked as a carpenter and lived at 1041 3rd Avenue South with his wife Julia. Although primarily a carpenter, Peter also seems to have worked as a store clerk, tailor, and teacher at Gibbs High, depending on the economy and job availability. By the post-World War II boom of the late 1940s, he returned to his roots by working full time as a carpenter and contractor and remained as such until his death in 1980 (Ancestry 1900, 1910, 1917-18, 1930, 1945; Polk 1925, 1927, 1931, 1945, 1947, 1948, 1949, 1957; *Evening Independent* 7 June 1980).

Like Peter Perkins, Moure came to St. Petersburg around 1924 with his wife Kellie. Relocated from High Springs in Alachua County, Florida, he had worked as an employee for the Atlantic Coast Line Railroad Company. Once in St. Petersburg, he opened a barber shop at 932 2nd Avenue South in the Gas Plant neighborhood, and by 1927 occupied a home at 1422 5th Avenue South, in St. Petersburg's high class African American section commonly known as Sugar Hill. With the growth of 22nd Street, Moure decided to build on the street and move his barber shop to occupy one of the three commercial units (Polk 1924, 1927 1936, 1939, 1940, 1942, 1956; Property Card 909-13 22nd Street South; Ancestry 1917-18).

By the early 1960s, more than 100 businesses operated along 22nd Street South of which approximately 75 percent were African American owned. According to Askia Aqil, the former president of the 22nd Street Redevelopment Corporation as quoted in *St. Petersburg's Historic 22nd Street South*, "African American neighborhoods 'grew out of necessity, the mother of invention, the need to provide goods and services for ourselves,'" in a segregation based society where blacks were denied doing business in white neighborhoods (Peck and Wilson, 43). A strike by the largely African American city sanitation workers in 1968, which occurred in the midst of the assassinations of Dr. Martin Luther King, Jr. and Senator Robert Kennedy, was the first en masse challenge to City Hall and led to improved political conditions and representation for African Americans (Phillips 1994, 125-28; Paulson and Stiff, 421-33). Pinellas County schools finally complied with desegregation in 1971 following a 1968 ruling that all "Negro schools in Florida and six other southern states must be integrated or abandoned (Phillips 1994, 129)." In response, the county closed all but three of the traditional African American schools.

During the 1960s, downtown and the neighborhoods surrounding the city core entered a period of decline and abandonment. Many of the buildings associated with the early history of the African American community slowly deteriorated as well. The construction of Interstate 275, started in the late 1960s and extended south with a feeder into downtown between 1978 and 1981, bisected the 22nd Street community and led to the disintegration of the north half of the neighborhood. As a result, numerous families and businesses were displaced and significant structures in the African American community were demolished along 22nd Street and in the other African American neighborhoods (Arsenault 243; Peck and Wilson, 102).

Significance

Community Planning and Development, Commerce, and Ethnic Heritage

The Washington-Harden Grocery and the Moure Buildings are significant at the local level in the areas of Community Planning and Development, Commerce, and Ethnic Heritage as two of the oldest remaining commercial buildings anchoring the 22nd Street corridor. They meet the

following criteria for designation of a property found in Section 16.30.070.2.5 of the City of St. Petersburg Code:

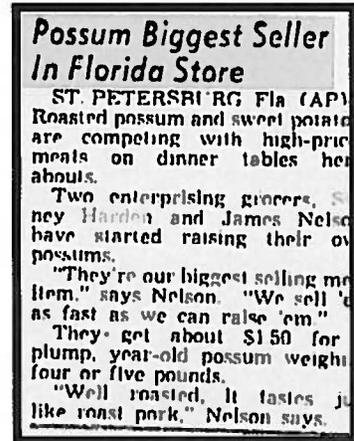
- (1) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation.
- (3) It is identified with a person or persons who significantly contributed to the development of the city, state, or nation.
- (6) It had distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

Constructed in 1939, the Washington-Harden Grocery Building remains a significant commercial and cultural landmark in the African American community. It provided opportunities for the advancement of African American and Jewish entrepreneurs during a period of racial and social restrictions. Harden's Grocery and Washington's Beer Garden remain well-known institutions which served the community for decades. The commercial corridor of 22nd Street South contributed to the emergence of an African American and Jewish middle class. These businesses provided opportunities for self-employment not open to African Americans a generation earlier and allowed for success even without an education or advanced training. The Washington-Harden Grocery Building was one of the core buildings which composed the commercial and entertainment center of the African American neighborhood. It is one of the few historic buildings which remain.

Built in 1959, the Moure Building represents the later period of success of the business community along 22nd Street. Constructed at the height of the district's popularity, the building housed businesses such as Moure's Barber Shop Delux and Lois's Beauty Salon, which were essential to the independence and community atmosphere of the neighborhood. In 1956, African American barbers in Pinellas County established the Suncoast Associated Barbers to advocate for their professional interests. In addition to promoting better shops and service to local residents, this humanitarian group sponsored community projects and contributed to the United Community Fund, the American Legion Hospital, the Little League, nursery schools, and other causes. Similarly, local beauticians formed the Orange Blossom Beauticians League Unit 2, which was part of a state-wide organization formed around 1937. Composed of African American women with cosmetology training, the group advocated for the profession, celebrated their craftsmanship, and held educational sessions (Rooks 59; *St. Petersburg Times* 28 May 1950, 25 May 1952, 7 July 1955, 9 January 1956, 15 August 1956, 28 November 1956, 22 October 1962, 1 January 1966; Peck and Wilson 67). The Moure Building remains not only a good representative example of 1950s commercial architecture, but also indicates the importance of the barber and the beautician's shop as gathering places for the community and opportunities for advancement.

The buildings are significant for their association with pioneer African American businessmen George Washington, Sidney Harden, and Clarence Moure. George Washington played an important role in the development of Methodist Town and the 22nd Street neighborhoods and his story is indicative of the impact of government regulations as well as the evolution of business under the restrictions and repeal of Prohibition. Clarence Moure's success relates the importance of the barber and the barber shop in the African American community. As a small, locally owned grocery, Harden's Grocery was part of a soon-to-disappear American landscape overtaken by large chain companies with supermarkets. When Harden opened his store, approximately 125 small, independent grocers operated stores in St. Petersburg, of which only 11 were owned by African Americans. A & P Food Stores, the only grocery chain in St. Petersburg, operated five stores in the city (Polk 1944). Beyond its importance as a

neighborhood grocery, Harden's became an institution in the 22nd Street South neighborhood and the greater St. Petersburg African American community. Harden's Grocery met the cultural needs of the community selling items like Georgia sausage, hog heads, possums, raccoons, chitterlings, gopher turtles, Dixie Lily grits, Dixie Lily meal, raw peanuts, snuff, Prince Albert tobacco, and kerosene. In 1951, Harden's Grocery made international news when the Associated Press picked up a story about Harden and his butcher, James Nelson, deciding to raise possums because the meat sold so well. The story appeared in papers from Miami to Calgary, Canada. For local kids, Harden's was famous for their chocolate chip cookies (Harden 2012; *St. Petersburg Times* 2 November 2005; *Miami News* 8 August 1951; *Calgary Herald* 9 August 1951).



Calgary Herald,
August 9, 1951.

When local residents were unemployed or families were limited due to rationing during World War II, Harden would allow the purchase of items on credit. Harden would put individuals who hung around the store but had no work or money to work shelling black-eyed peas and pecans or cleaning around the store. He provided them with food for their work and a few quarters. The store would often remain open seven days a week from around 5 am till midnight. He assisted the March of Dimes, Christmas Seals, and the National Association for the Advancement of Negro People (NAACP) in collecting contributions for their causes at his store. Surprisingly, Harden never attended school and could not read or write. However, he knew how to count money, read the scales, and the prices of products in the store. Stella Black Sug, sister of John Black who operated nearby Geech's Bar-b-que, kept the books for Harden. In addition to the store, Harden invested in local real estate. In 1945, he was issued a permit for the construction of a concrete block residence at 2026 Melrose Avenue South utilizing materials from the concrete block plant to be constructed by Pinellas Lumber Company. He received a permit for another house in 1947 to be constructed at 2227 Fairfield Avenue South. By the time he passed away in 1969, Harden owned at least 12 properties in St. Petersburg. After his death, his sons continued to operate the grocery until 1992 (Harden 2012; *St. Petersburg Times* 12 July 1945, 14 June 1947, 7 February 1950, 8 February 1948, 28 December 1951, 13 May 1954, 24 December 1958, 2 November 2005; *Miami News* 8 August 1951; *Calgary Herald* 9 August 1951).

The buildings are also significant as structures designed and constructed by African American contractors and carpenters for African American businessmen. Although the extent of George Washington and Peter Perkin's construction work may never be known, their longevity in the St. Petersburg construction industry indicates that they contributed significantly to the African American community. Although 22nd Street South flourished with construction, the challenge of building in a white based society was still apparent in the simple design and construction of the buildings. Essentially, with white construction projects demanding the first and best materials, the African American workers used whatever construction materials they could obtain to build the structure. Finer materials and finishes were saved to create a unified and appealing front façade. Interior decorative elements, such as the pressed metal ceilings in the Washington-Harden Grocery Building, were popular in commercial construction during the early 1900s but had fallen from popular use by the 1920s and 1930s. With a reduced cost but attractive appearance, Washington could afford to obtain and use these high end decorative elements in his new commercial building in 1939. The Washington-Harden Grocery and Moure Buildings were typical of twentieth century commercial construction, and their overall designs remain apparent and indicative of the African American main street.

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**ATTACHMENTS: ADDITIONAL PHOTOGRAPHS
 DESIGNATION APPLICATION**



Community Preservation Commission

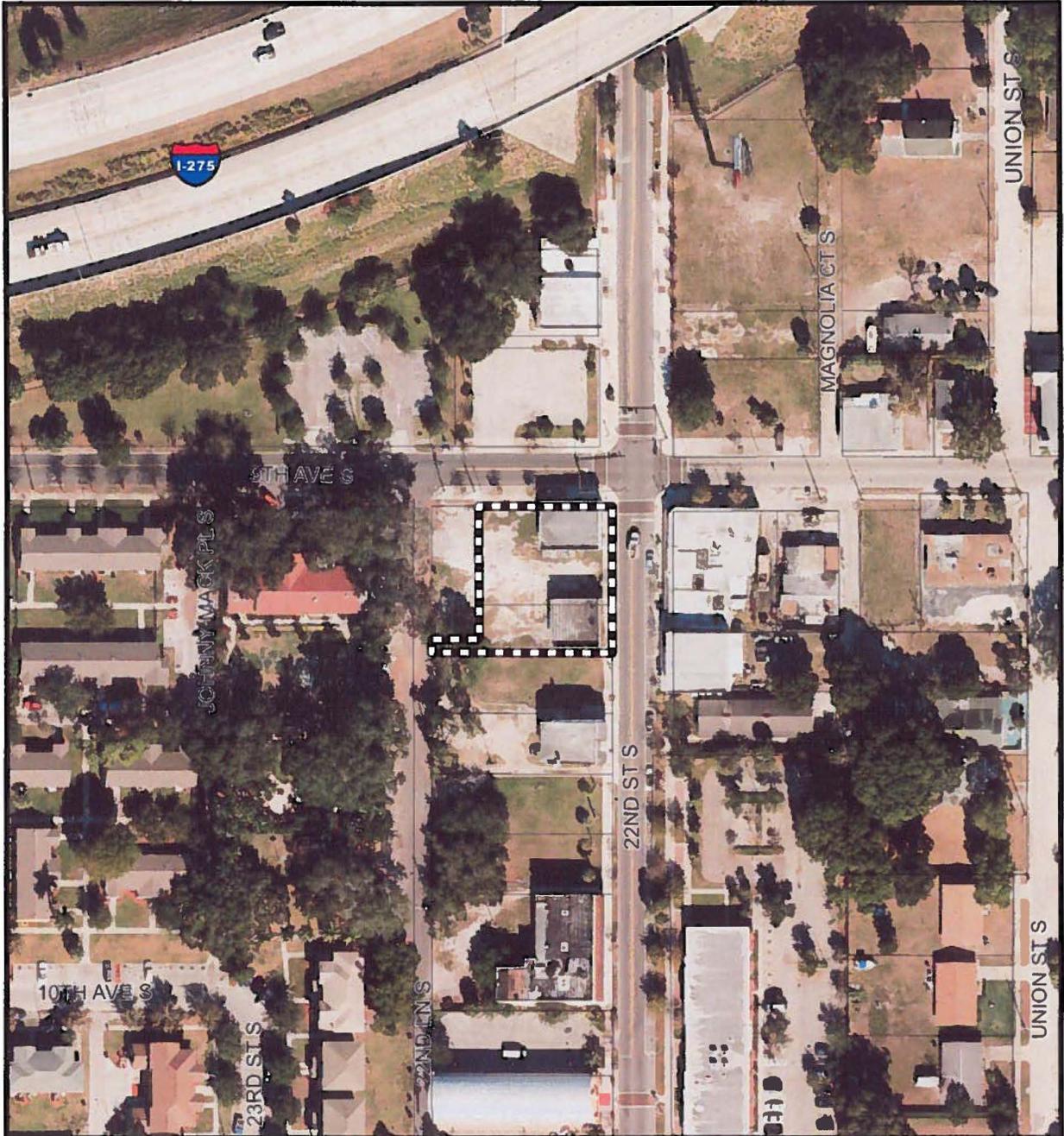
901-03 & 909-13 22nd Street South

**AREA TO BE APPROVED,
SHOWN IN** 

**CASE NUMBER
13-90300003**



N
SCALE:
Not to Scale



Community Preservation Commission

901-03 & 909-13 22nd Street South

**AREA TO BE APPROVED,
SHOWN IN**



**CASE NUMBER
13-90300003**



N
SCALE:
Not to Scale

ADDITIONAL PHOTOGRAPHS



East (front) façade, 2013, the Moure Building (left) and Washington-Harden Grocery (right).



East (front) façade, 2013, the Moure Building.



North and west (rear) elevations, 2013, Moure Building.



South and west (rear) elevations, 2013, Moure Building.



East (front) elevation, 2013, Washington-Harden Grocery.



North elevation, 2013, Washington-Harden Grocery.



West elevation, 2013, Washington-Harden Grocery.



South elevation, 2013, Washington-Harden Grocery.

13-90300003



City of St. Petersburg
Division of Urban Design
and Historic Preservation

Local Landmark Designation Application

Type of property nominated (for staff use only)
 building structure site object
 historic district multiple resource

1. NAME AND LOCATION OF PROPERTY

historic name The Old Sidney Hardin Building
other names/site number The George Washington Tavern
address 901-903 - 22nd St. South & 909-13-22nd St. South
historic address 901-903 - 22nd Street South & 909-13-22nd St. South

2. PROPERTY OWNER(S) NAME AND ADDRESS

name Equity Trust Company, Custodian FBO, Carolyn Brayboy, IRA
street and number 144-23rd Ave South
city or town St. Petersburg state FL zip code 33705
phone number (h) 727-415-9519 (w) _____ e-mail Carolynbrayboy@yahoo.com

3. NOMINATION PREPARED BY

name/title Editha Brayboy
organization _____
street and number 144-23rd Ave. So.
city or town St. Pete state FL zip code 33705
phone number (h) 727-415-9519 (w) _____ e-mail Carolynbrayboy@yahoo.com
date prepared 5-09-2013 signature Editha Brayboy

4. BOUNDARY DESCRIPTION AND JUSTIFICATION

Describe boundary line encompassing all man-made and natural resources to be included in designation (general legal description or survey). Attach map delimiting proposed boundary. (Use continuation sheet if necessary)

Prather's Royal E 110 FT. of Lot 25 & N 10 FT.
of E 110 FT OF Lot 24 S 40 FT. of E 110 FT. &
S 11 FT OF W 40 FT. OF Lot 24

5. GEOGRAPHIC DATA

acreage of property _____
property identification number 26/31/16/72864/000/0250 & 26/31/16/72864/000/0240

Old Sidney Hardin Grocery Store & George Washington Tavern
Name of Property

6. FUNCTION OR USE

Historic Functions

Grocery Store
Neighborhood bar
Barber Shop

Current Functions

Restaurant
Restaurant & Bar
Vacant

7. DESCRIPTION

Architectural Classification

(See Appendix A for list)

Exterior Walls
Concrete Blk/Stucco
Roof Frame
Flo. Finish
Interior Finish

Materials

Concrete Blk/Stucco
Flat
Concrete
Plaster

Narrative Description

On one or more continuation sheets describe the historic and existing condition of the property use conveying the following information: original location and setting; natural features; pre-historic man-made features; subdivision design; description of surrounding buildings; major alterations and present appearance; interior appearance;

8. NUMBER OF RESOURCES WITHIN PROPERTY

<u>Contributing</u>	<u>Noncontributing</u>	<u>Resource Type</u>	<u>Contributing resources previously listed on the National Register or Local Register</u>
<u>2</u>	<u>0</u>	<u>Buildings</u>	<u>N/A</u>
		<u>Sites</u>	
		<u>Structures</u>	
		<u>Objects</u>	<u>Number of multiple property listings</u>
		<u>Total</u>	<u>N/A</u>

Sidney Hardin & George Washington TAVEN
Name of Property

9 STATEMENT OF SIGNIFICANCE

Criteria for Significance

(mark one or more boxes for the appropriate criteria)

- Its value is a significant reminder of the cultural or archaeological heritage of the City, state, or nation.
- Its location is the site of a significant local, state, or national event.
- It is identified with a person or persons who significantly contributed to the development of the City, state, or nation.
- It is identified as the work of a master builder, designer, or architect whose work has influenced the development of the City, state, or nation.
- Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.
- It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.
- Its character is a geographically definable area possessing a significant concentration, or continuity or sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.
- Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.
- It has contributed, or is likely to contribute, information important to the prehistory or history of the City, state, or nation.

Areas of Significance

(see Attachment B for detailed list of categories)

Historic Businesses for the
African American Community of
St. Petersburg

Period of Significance

1939-1992

Significant Dates (date constructed & altered)

Date of Construction: 8/02/1939

Significant Person(s)

Mr. Sidney Hardin, Grocery Store Owner
Mr. George Washington Tavern Owner
Mrs. Florence Moore Barber
Cultural Affiliation/Historic Period

Builder

Architect

Narrative Statement of Significance

(Explain the significance of the property as it relates to the above criteria and information on one or more continuation sheets. Include biographical data on significant person(s), builder and architect, if known.)

10. MAJOR BIBLIOGRAPHICAL REFERENCES

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

ST. PETERSBURG CITY COUNCIL
Meeting of September 19, 2013

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

SUBJECT: Owner initiated Historic Landmark Designation of the Washington-Harden Grocery and Moure Buildings, located at 901-03 and 909-13 22nd Street South (HPC Case No. 13-90300003)

An analysis of the request is provided in the attached Staff Report.

REQUEST: The request is to approve two ordinances designating the Washington-Harden Grocery and Moure Buildings, located at 901-03 and 909-13 22nd Street South, as local historic landmarks (City File HPC 13-90300003).

RECOMMENDATION:

Administration: Administration recommends approval.

Community Preservation Commission: On August 16, 2013 the Community Preservation Commission held a public hearing on this matter, and voted 6 to 0 to recommend approval of the landmark designation to City Council.

Recommended City Council Action: 1) CONDUCT the first reading of the attached proposed ordinances; AND 2) SET the second reading and the quasi-judicial public hearing for October 3, 2013.

Additional Information: Additional information regarding the proposed designations' consistency with the Comprehensive Plan and affect on any existing or future plans for the development of the City is attached.

Attachments: Ordinances (Including Map), Additional Information Regarding Consistency with the Comprehensive Plan, Staff Report to the CPC, Designation Application

**Additional Information Regarding
Consistency with the Comprehensive Plan**

The subject properties are developed with two commercial buildings located at 901-03 and 909-13 22nd Street South. The properties are designated Planned Redevelopment-Mixed Use on the City's Future Land Use Map (FLUM) and CCT-1 (Corridor Commercial Traditional-1) on the City's Official Zoning Map. The proposed historic landmark designation, which is consistent with Objective LU26 of the City's Comprehensive Plan, will not affect the FLUM or zoning designations, thus will not affect any existing or future plans for the development of the City.

OBJECTIVE LU26: The City's LDRs shall continue to support the adaptive reuse of existing and historic buildings in order to maximize the use of existing infrastructure, preserve natural areas from being harvested for the production of construction materials, minimize the vehicle miles traveled for transporting new construction materials over long distances, preserve existing natural carbon sinks within the City, and encourage the use of alternative transportation options.

The proposed landmark designation is also consistent with Objective LU10, Policy LU10.1 and Policy HP2.6 of the City's Comprehensive Plan, shown below.

OBJECTIVE LU10: The historic resources locally designated by the St. Petersburg City Council and Community Preservation Commission shall be incorporated onto the Land Use Map or map series at the time of original adoption or through the amendment process and protected from development and redevelopment activities consistent with the provisions of the Historic Preservation Element and the Historic Preservation Ordinance.

Policy LU10.1 Decisions regarding the designation of historic resources shall be based on the criteria and policies outlined in the Historic Preservation Ordinance and the Historic Preservation Element of the Comprehensive Plan.

Policy HP2.6 Decisions regarding the designation of historic resources shall be based on National Register eligibility criteria and policies outlined in the Historic Preservation Ordinance and the Comprehensive Plan. The City will use the following selection criteria for City initiated landmark designations as a guideline for staff recommendations to the Community Preservation Commission and City Council:

- National Register or DOE status
- Prominence/importance related to the City
- Prominence/importance related to the neighborhood
- Degree of threat to the landmark
- Condition of the landmark
- Degree of owner support

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE WASHINGTON-HARDEN GROCERY BUILDING (LOCATED AT 901-03 22ND STREET SOUTH) AS A LOCAL LANDMARK AND ADDING THE PROPERTY TO THE LOCAL REGISTER PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The City Council finds that the Washington-Harden Grocery Building, which was constructed in 1939, meets three of the nine criteria listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the property meets the following criteria:

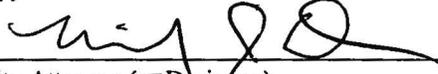
- (1) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation.
- (3) It is identified with a person who significantly contributed to the development of the City, state, or nation.
- (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

SECTION 2. The Washington-Harden Grocery Building, as depicted on the accompanying map and located upon the following described property, is hereby designated as a local landmark and shall be added to the local register listing of designated landmarks, landmark sites, and historic and thematic districts which is maintained in the office of the City Clerk:

Parcel Description: North 10 ft of the East 110 ft of Lot 24 and the East 110 ft of Lot 25 of Geo. C. Prather Royal Subdivision, according to the map or plat thereof recorded in Plat Book 3, Page 18 of the Public Records of Pinellas County, Florida.

SECTION 3. This ordinance is effective immediately upon adoption.

Approved as to Form and Substance:



City Attorney (or Designee)

9/10/13

Date



Planning and Economic Development Department

9-10-13

Date

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE MOURE BUILDING (LOCATED AT 909-13 22ND STREET SOUTH) AS A LOCAL LANDMARK AND ADDING THE PROPERTY TO THE LOCAL REGISTER PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The City Council finds that the Moure Building, which was constructed in 1959, meets three of the nine criteria listed in Section 16.30.070.2.5.D, City Code, for designating historic properties. More specifically, the property meets the following criteria:

- (1) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation.
- (3) It is identified with a person who significantly contributed to the development of the City, state, or nation.
- (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

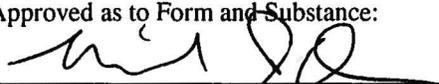
SECTION 2. The Moure Building, as depicted on the accompanying map and located upon the following described property, is hereby designated as a local landmark and shall be added to the local register listing of designated landmarks, landmark sites, and historic and thematic districts which is maintained in the office of the City Clerk:

Parcel 1 Description: North 10 ft of the East 110 ft of Lot 24 and the East 110 ft of Lot 25 of Geo. C. Prather Royal Subdivision, according to the map or plat thereof recorded in Plat Book 3, Page 18 of the Public Records of Pinellas County, Florida.

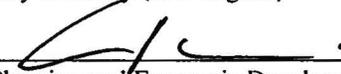
Parcel 2 Description: South 40 ft of the East 110 ft of Lot 24, and the South 11 ft of the West 40 ft of Lot 24 of Geo. C. Prather Royal Subdivision, according to the map or plat thereof as recorded in Plat Book 3, Page 18, of the Public Records of Pinellas County, Florida.

SECTION 3. This ordinance is effective immediately upon adoption.

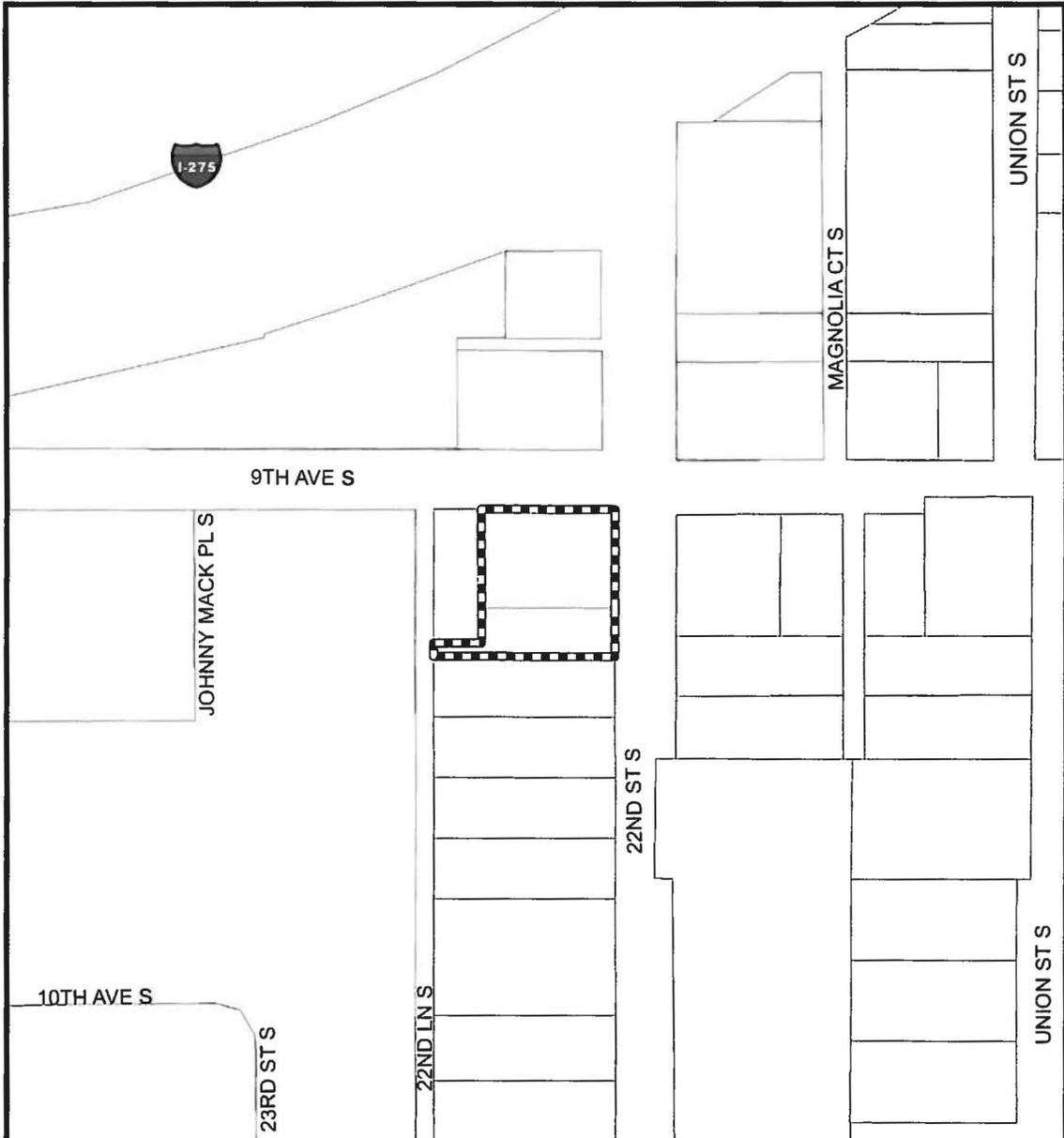
Approved as to Form and Substance:



City Attorney (or Designee) 9/10/13
Date



Planning and Economic Development Department 9-10-13
Date



Community Preservation Commission

901-03 & 909-13 22nd Street South

AREA TO BE APPROVED,

SHOWN IN



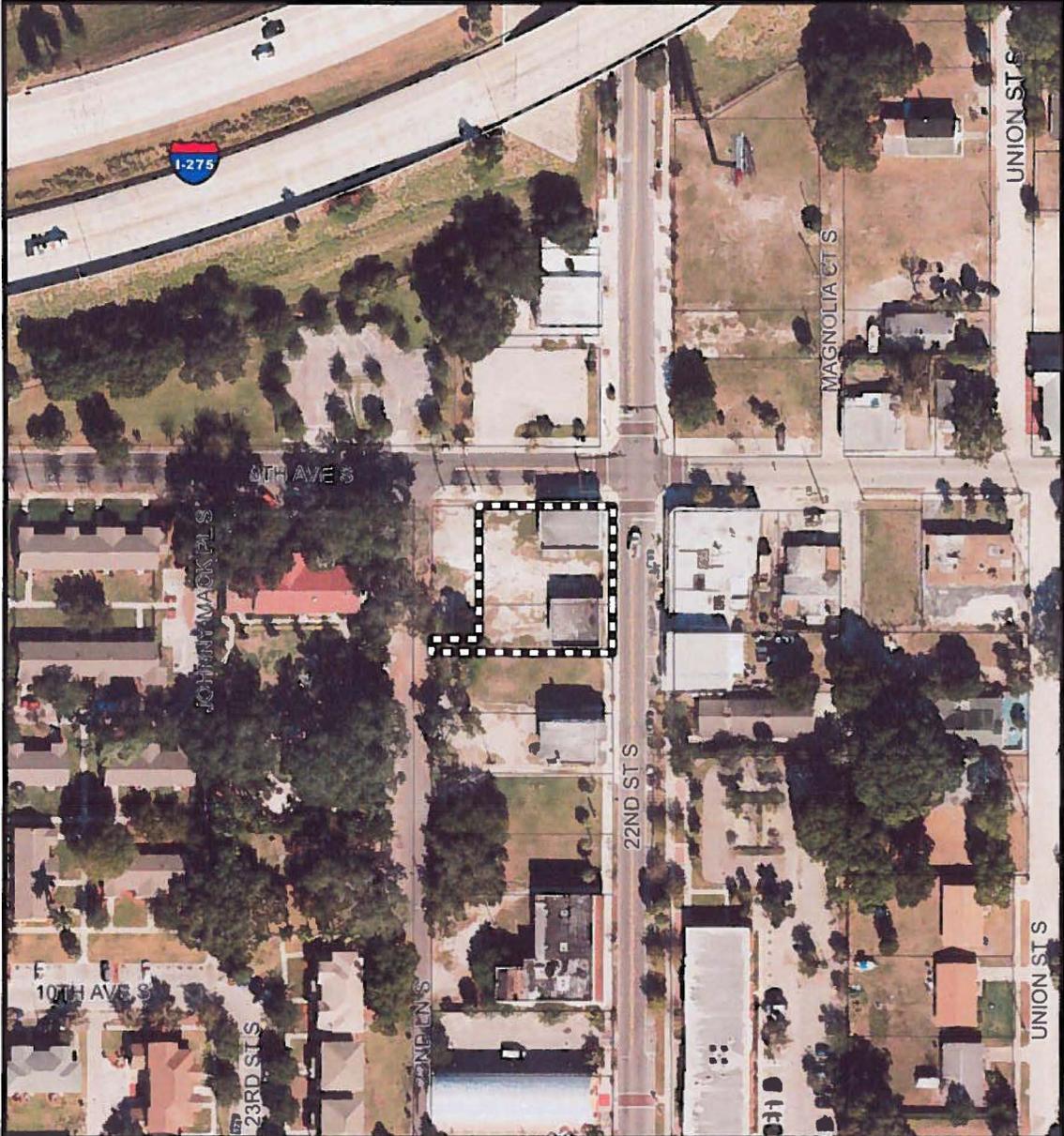
CASE NUMBER

13-90300003



N

SCALE:
Not to Scale



Community Preservation Commission

901-03 & 909-13 22nd Street South

AREA TO BE APPROVED,

SHOWN IN



CASE NUMBER

13-90300003



N

SCALE:
Not to Scale



st.petersburg
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CITY OF ST. PETERSBURG, FLORIDA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
URBAN PLANNING AND HISTORIC PRESERVATION

STAFF REPORT
COMMUNITY PRESERVATION COMMISSION
LOCAL DESIGNATION REQUEST

For **Public Hearing and Recommendation to City Council on August 16, 2013** beginning at 9:00 A.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning and Economic Development Department records, no commission members reside or have 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.

CASE NO.:	HPC 13-90300003
STREET ADDRESS:	901-03 & 909-13 22 nd Street South
LANDMARK:	Washington-Harden Grocery and the Moure Buildings
OWNER/APPLICANT:	Equity Trust Co. CDN, Elihu and Carolyn Brayboy
REQUEST:	Local Designation of the Washington-Harden Grocery and the Moure Buildings



Washington-Harden Grocery and the Moure Buildings
901-03 & 909-13 22nd Street South

RECOMMENDATION

Staff recommends **APPROVAL** of the request to designate the Washington-Harden Grocery and the Moure Buildings, located at 901-03 & 909-13 22nd Street South, as a local historic landmark, thereby referring the application to City Council for first and second reading and public hearing.

The designation application and this staff report found that the Washington-Harden Grocery and the Moure Buildings are significant at the local level in the areas of COMMUNITY PLANNING AND DEVELOPMENT, COMMERCE, and ETHNIC HERITAGE under the local landmark designation criteria found in Section 16.30.070.2.5(D) of the City Code:

- (1) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation.
- (3) It is identified with a person or persons who significantly contributed to the development of the city, state, or nation.
- (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials

PROPERTY OWNER CONSENT AND IMPACT OF DESIGNATION

The owners initiated and consent to this designation of their property.

BACKGROUND

Elihu and Carolyn Brayboy submitted a local landmark designation application in conjunction with their rehabilitation of the commercial buildings located at 901-03 & 909-13 22nd Street South. The application provided a foundation concerning the role the buildings played in the growth of the African American community. Staff prepared the following architectural description and history to identify significant features as a supplement to the application.

Architectural Description

The Washington-Harden Grocery Building was constructed in 1939 by businessman George Washington. The two-room store building is a one-story commercial Masonry Vernacular style building constructed of concrete block clad with stucco. Aside from a small, concrete block storage room added on the southwest corner in 1955, the building maintains its rectangular footprint. The awning roof is set behind a parapet wall with a cap which steps down from the front to the rear of the building.

The east (front) elevation is divided into two bays distinguished by the storefront openings accessing the two spaces. Most original windows and doors were removed and boarded or infilled. Historic photographs and remaining original windows on site indicate the front storefront windows were topped by transom windows with a one-over-one and two-over-two pattern. A suspended canopy, which shaded the sidewalk, was installed between the storefront windows and transom windows in 1944. Two sets of storefront and transom windows define the front elevation facing 22nd Street. The north elevation facing 9th Avenue also has a set of storefront and transom windows near the corner entrance as well as two windows set high in the all which retain their original windows. The west (rear) elevation features two pairs of one-over-one single-hung sash separated by two independently placed smaller one-over-one single-hung

sash windows. Fenestration on the south elevation consists of another set of storefront and transom windows set near the front façade.

The corner space, occupied by Harden's Grocery retains its character defining corner entry. The original double doors and transom have been replaced with new units to match the size and style of the original. A secondary entrance to the space is located on the west elevation. The primary entrance to Washington's Beer Garden, which was situated in the southern half of the building, was located on 22nd Street, although a secondary entrance is situated on the south elevation. Metal vents and hooks which supported the suspended canopy pierce the north, east, and south elevations at the roof line. On the interior, both stores retain their pressed metal plate ceilings utilizing square plates set in a grid pattern. Floors were simple concrete with little other decorative features. Washington's Beer Garden still has the original section of the bar which was set against the wall.

Businessman Clarence E. Moure hired contractor P.P. Perkins to build the second building on site. Constructed in 1959 as a three-unit store building, Moure operated his barber shop in one of the storefront spaces. Built of concrete block, the front façade has a pressed brick face finish at the street level with stucco above the cantilevered canopy which shades the sidewalk. Side and rear elevations remain concrete block but feature emphasized horizontal mortar joints typical of 1950s commercial design. The awning roof is set behind a low parapet wall with tile coping.

The east (front) elevation is divided into three bays distinguished by the simple one-light storefront openings and doors set under one-light transoms accessing the three spaces. Original metal windows and doors have been replaced. Secondary entrances to the three stores are located on the rear elevation with small single-hung sash windows set high in the wall for each unit. The north and south elevations remain unornamented with the exception of the emphasized horizontal mortar joints. On the interior, the layout of the three storefront spaces remains with simple polished concrete floors and wood baseboards as decorative elements.

Integrity

The evolution of the buildings and subsequent abandonment resulted in some changes including the enclosure of the storefront openings, removal of the awning from the Washington-Harden Grocery Building, and the removal or boarding up of the windows. However, the buildings are undergoing rehabilitation and retain sufficient evidence of their original design and remain significant for their historical associations. The Washington-Harden Grocery and the Moure Buildings retain integrity of location, design, setting, and feeling.

Architectural History

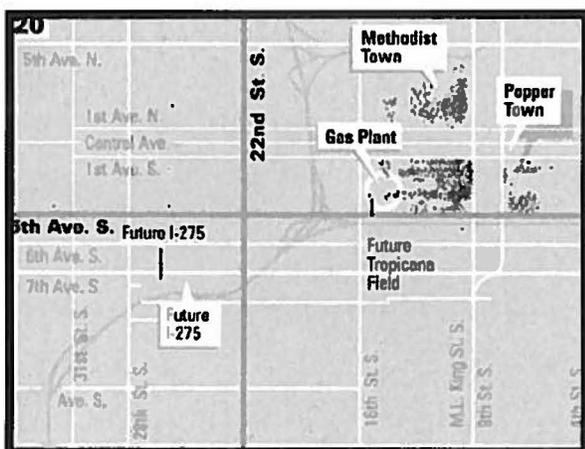
The arrival of Detroit native John C. Williams in 1875 and the construction of the Orange Belt Railroad in 1888 served as the major impetus to the formation of St. Petersburg. Hamilton Disston, who owned and developed thousands of acres in Florida during the 1880s, financed the construction of the Orange Belt Railway to the sparsely settled Pinellas Peninsula under the assumption that the railroad would terminate in his newest development, Disston City (now Gulfport). Filed in 1884, the plat for Disston City included the site where the Merriwether Building would later be built (Pinellas County Clerk of Circuit Court [PCCCC], Plat Book H1, Page 104). However, instead of building to Disston City, Orange Belt owner, Peter Demens, built the narrow gauge railroad to land situated northeast of Disston City owned by John C.

Williams. The first train arrived in June 1888 to a settlement with little more than a store and a few residences. In return for Demens building the railroad to Williams' land, Williams deeded 250 acres to the Orange Belt Railway. Demens and Williams collaborated in their plans to build a new community around the terminus of the railroad, complete with a park, depot, and hotel. Prepared by Engineer A.L. Hunt and Draftsman G.A. Miller in August 1888, the Map of the Town of St. Petersburg was officially filed in April 1889 and revised in October 1889 (PCCCC, Plat Book H1, Pages 27 and 49). In exchange for naming the city after Demens' birthplace, St. Petersburg, Russia, the hotel was named after Williams' hometown, Detroit, Michigan (Arsenault, 64, 81-82; Grismer 1948, 68, 74, 271-72; "Heavy Real Estate Deal" 1906, 1).

One of the settlers who lived in the greater St. Petersburg area prior to the arrival of the railroad was African American John Donaldson and his wife Anna Germain. The couple arrived on the lower Pinellas peninsula in 1868 as employees of Louis Bell, Jr. They purchased 40 acres in 1871 on present-day 18th Avenue South and established a truck farm with cattle, hogs, and an orange grove (Arsenault 41). According to historian Karl Grismer, "Donaldson was considered one of the 'best well off' settlers on the lower peninsula and he and his family were respected by all their white neighbors (Grismer 1948, 188)." Several of their children attended the Disston City School along with white students (Arsenault 124).

The arrival of the railroad in 1888 brought more than 100 African American railroad employees. With the completion of the railroad tracks, the railroad company transitioned many of the workers to construct the depot and the Detroit Hotel. Although some left to pursue other

railroad jobs, approximately a dozen stayed in the city and brought their families to settle in St. Petersburg. These families established the first African American community, known as Pepper Town, along 4th Avenue South between 7th and 9th Streets. Most found work as day laborers, domestics, artisans and fishermen. Although the Donaldson family had been accepted by local white settlers of the frontier community, this influx of black settlement brought racial customs and laws back to the forefront of local white society. As more black settlers arrived, a second community, initially named Cooper's Quarters, developed south of the railroad tracks on 9th Street (Peck and Wilson, 41; Grismer 1948, 188; Arsenault 123-24).



African-American neighborhoods according to the 1920 Polk's St. Petersburg City Directory. As published in *St. Petersburg's Historic 22nd Street South* by Peck and Wilson, 2006, 42

Although the Orange Belt Railway was completed, it was not successful. At the 1885 annual convention of the American Medical

Association, Dr. Van Bibber had endorsed the Pinellas peninsula as the perfect location for a "Health City." To boost usage, the Orange Belt Railway started to offer seaside excursions to St. Petersburg in 1889 (Arsenault 62). These excursions were one of the first concentrated efforts by the community and the development company to attract tourists (Grismer 1948, 70, 97, 111; "Heavy Real Estate Deal" 1906, 1). When the railroad could not pay its debts in 1889, the syndicate of Philadelphia financiers holding the debts took over the railroad and the investment company, which was responsible for the land held in the name of the railroad (Grismer 1948, 70, 97, 111; "Heavy Real Estate Deal" 1906, 1).

Frank Davis, a prominent publisher from Philadelphia who arrived in Florida to alleviate his own health problems, also utilized Dr. Van Bibber's endorsement to heavily promote the benefits of St. Petersburg. Davis, along with other new residents including *St. Petersburg Times* editor William Straub and *St. Petersburg Evening Independent* editor Lew Brown, tirelessly promoted the community during the late 1800s and early 1900s (Arsenault 82-85). By 1890, the population grew from less than 50, prior to the arrival of the railroad, to 273 residents. With two hotels, two ice plants, two churches, a school, a pier, and a sawmill, the economy remained largely dependent on commercial fishing (Arsenault 52-61). Incorporated in 1892, the community received telephone, public water, and electric service by 1900. During the early 1900s, the creation of St. Petersburg's waterfront park system, the incorporation of a trolley system, and the construction of the Electric Pier drew additional tourists and new residents to the area (Arsenault 64, 81-82, 87-89).

Largely through the efforts of city boosters to attract businesses and residents, developers such as H. Walter Fuller, Noel Mitchell, Charles Hall, Charles Roser, and C. Perry Snell triggered the city's first real estate land boom from 1909 to the start of World War I (Arsenault 136). Promotional efforts by the Atlantic Coast Line railroad (created in 1902 from the former Orange Belt Railroad and Henry Plant's South Florida Railroad) brought organized tourist trains from New York in 1909 and from the Midwest in 1913. Many of these tourists continued to winter in the city with some even relocating to St. Petersburg (Arsenault 135-37, 144-45).

The City's administration started to formally encourage tourism with promotional campaigns following the election of Al Lang as mayor in 1916. Lang was elected after he arranged to bring the Philadelphia Phillies baseball team to the city for spring training. Under his leadership, the City publicly encouraged tourism and made efforts to improve the physical appearance of the city. With approximately 83 real estate companies operating in the city in 1914, the focus turned increasingly to winter residents with the local population doubling during the season. These winter residents even formed tourist societies organized by state or region of origin which acted as booster clubs in their native states. Although the land boom collapsed during World War I, the development created a pattern for the future growth of the city. During the 1910s, the city's population grew from 4,127 in 1910 to 14,237 in 1920. By 1910, African Americans composed 26.6 percent of the city's 4,127 residents (Arsenault 121-25, 143-46, 190; Peck and Wilson, 41; Grismer 1948, 189).

The construction of new buildings and public improvements drew more African Americans to the city in search of work. Many of the men worked as day laborers while the women were often employed as laundresses and maids. Although the blacks could work in the white businesses and households, they were relegated to live in certain areas. The races were rigidly separated by custom and laws known as the "Jim Crow" system. Many of the new black residents settled in the area west of present-day Dr. Martin Luther King Jr. Street between Central and 5th Avenue North. This African American neighborhood came to be known as Methodist Town after the Bethel African Methodist Episcopalian (AME) Church which served as an anchor in the community. Directly south of Methodist Town, Cooper's Quarters became known as the Gas Plant district, named for the two large cylinders that stored the city's natural gas supply (Arsenault 121-25; Peck and Wilson, 41; Grismer 1948, 189).

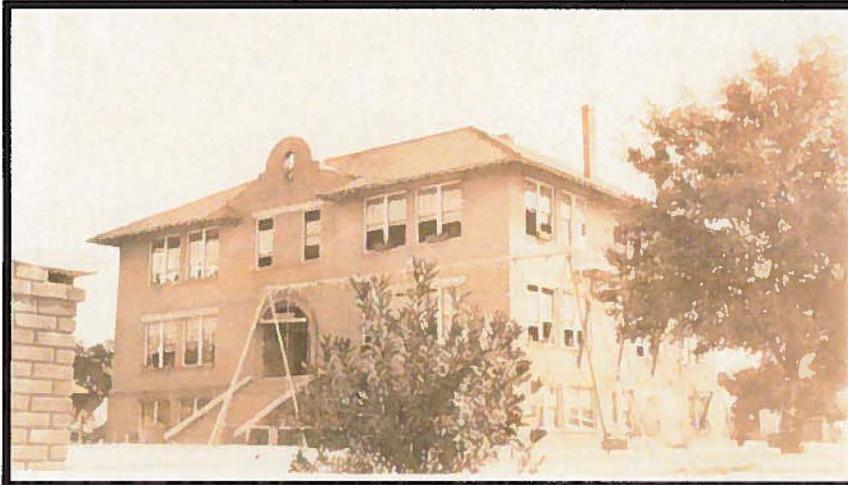
George Washington, one of the new Methodist Town residents, would play an important role in the growth of the city's African American neighborhoods. Divorced with two daughters who remained with his ex-wife, Washington came to St. Petersburg around 1912 from his native South Carolina. After working as a day laborer for several years, he found work as a baker. In 1917, he married Cleora Walker and lived with her family. He may have met her through his

work or learned the bakery trade through her father, a cook, or her brother, a baker. Following his wife's untimely death in 1919 and the death of their daughter, Edith, in 1921, Washington established his own bakery and grocery store business. He operated out of a storefront at 916 Hanson Avenue (present-day Burlington Avenue North), while he constructed a store and residence at 239 11th Street North, which would become his primary business and home until the 1940s. After placing an advertisement in the 1922 St. Petersburg City Directory, his business prospered during the 1920s with the influx of new African American residents (Ancestry 1910, 1920; Polk 1918, 1920, 1922, 1925, 1927, 1929; PGS databases, Pinellas County Marriages, Divorces, and Deaths; *St. Petersburg Times*, 29 October 1948).

GEORGE WASHINGTON
BAKER AND GROCER
PIES—CAKES—ICE CREAM
Phone 151-RR 239 Eleventh N
CIGARETTES, CIGARS, TOBACCOS, COLD DRINKS AND
CONFECTIONS
916 HANSON AVE.

R.L. Polk's St. Petersburg City Directory, 1922.

White and black institutions remained separate and unequal. A school for black children, named Davis Academy (later Davis Elementary School), opened in 1910 at 950 3rd Avenue South.



Davis Academy.

Although the opening of the school was progress, the school term for black schools was only six months compared to nine months for white students, and black teachers were paid far less than white teachers. Education for African Americans focused primarily on manual training and domestic science rather than academic studies. Broom making, sewing, mending, washing and laundering,

as well as basket weaving and cooking were taught (Ponder n.d.; Schnur 1991; Fleming, 9; Costrini, 19-20, 116-17; Arsenault 121-26, 243, 268).

As white residential areas expanded from the downtown area, black neighborhoods shifted further west and south. Periodic outbursts of vigilante "justice" with lynchings and marches reinforced segregationist policies (Arsenault 121-25, 143-46, 190; Peck and Wilson, 41; Grismer 1948, 189). During this period, the first subdivisions were platted in the area which would become the 22nd Street South neighborhood. Pennington's Survey was filed in 1902, which was followed by Highland Crest in 1912 and Prather's Royal Subdivision in 1914, where the Merriwether Building would later be built. Owner George C. Prather filed Prather's Royal Subdivision as the first of many subdivisions he subsequently filed in the area through the 1920s. Prather had made his money in the oil business in Pennsylvania before settling in St. Petersburg and investing in real estate (Helser, 2012). Like many of the City's earliest settlers, Prather initially settled along Tangerine Avenue South (now 18th Avenue South) before moving north to 2536 Central Avenue during the early 1920s and opening the Prather Hotel at 133 Central Avenue. The new subdivisions platted along Central Avenue during the 1910s led City

Council to annex the land along Central from 16th Street to Boca Ciega Bay between 5th Avenue North and 7th Avenue South. This would include the northern section of the 22nd Street South neighborhood (PCCCC, Plat Book H2, Page 36, Plat Book 1, Page 20, Plat Book 3, Page 18; Polk 1920, 1924, 1926, 1933; Ancestry 1930; Peck and Wilson 98).

Because black residents were required to live and stay in their own communities after dark, African American owned and operated businesses, churches, and institutions developed to serve the needs of their residents. This contributed to the creation of a small black middle class. By 1920, the black labor force included 18 teachers, ten grocery store owners, seven barbers, seven tailors, six ministers, four insurance agents, four restaurant owners, two doctors, one dentist, and one hospital superintendent which accounted for 6.7 percent of the local black working population. The growth of the black middle class during the 1910s and 1920s led to the establishment of a local chapter of the National Association for the Advancement of Colored People (NAACP) to defend against the worst of the racial discrimination. In counterpoint, the Ku Klux Klan, which championed white supremacy, grew increasingly active during the subsequent decades (Ponder, n.d.; Fleming, 9; Arsenault 121-26, 243, 268).

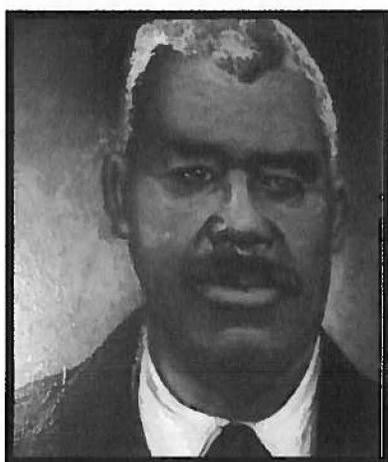
Although World War I limited tourism, St. Petersburg quickly rebounded following the war with the winter season of 1918-1919 more profitable than before the war. Thanks in part to the efforts of John Lodwick, publicity agent for the Chamber of Commerce and the City of St. Petersburg, the hotels and boarding houses were filled to capacity during the season. The construction of a national, state, and local road system opened St. Petersburg to an increasing number of middle-class vacationers and a new type of vacationer known as "tin-can tourists." This type of vacationer typically came by car and generally favored inexpensive campgrounds to hotels. The city's shortage of hotel rooms led to the 1920 creation of Tent City, a municipal campground for the "tin-can tourists." This new type of tourist threatened the city's established hotel industry and was not the class of visitor the leaders of the city were interested in attracting (Arsenault 186-189).

The lack of hotel space and the booming economy during the late 1910s and early 1920s prompted the conversion of a number of private residences surrounding downtown into boarding houses, apartment buildings, or small hotels. Many owners recognized the inevitable growth of the central business district and built new houses in the most fashionable residential section now known as the Old Northeast. The opening of the Gandy Bridge to Tampa in 1924 further encouraged widespread development and construction extending north of downtown to the bridge (Arsenault 199-200). With only five hotels providing fewer than 500 hotel rooms at the start of the boom, city leaders were encouraged by the construction of mid-sized hotels, such as the Alexander Hotel, the Mari-Jean, and the Hotel Cordova, and several large hotels, including the Princess Martha, Pennsylvania Hotel, and Vinoy Park Hotel, during the boom (Arsenault 201).

The boom in construction and services for tourists during the 1920s drew additional African Americans to the city in search of work. The demand for construction workers was so great that contractors sent agents to Georgia and Alabama to entice African American workers to come to St. Petersburg. When African American contractors were hired to construct residences in white neighborhoods in 1925, two letters of complaint were sent to the City Commission (the present-day City Council). Commissioner W. Scott Serviss stated, "Activities of the sort on the part of the negroes leads to ill feeling that should be avoided, if possible...This particular trouble started I think when a city employee engaged a negro contractor to build a house for him." The City Commission then voted to accept the letters, and stated that, "It be the sense of the commission that the letting of contracts to negro contractors for work in the white sections of the

city be disapproved (*Evening Independent* 13 October 1925).” From 1920 to 1930, the local African American population tripled from 2,444 to 7,416 residents. With the limited housing available in the established African American communities, new residents settled a newly annexed rural area along 22nd Street South (Arsenault 206-07; Peck and Wilson, 41, 98; Grismer 1948, 189).

Elder Jordan, Sr. was an African American pioneer who spearheaded the development along 22nd Street South, which essentially became the “main street” of St. Petersburg’s African American community. Born as a slave, Jordan became a successful farmer in north Florida after the Civil War, but abandoned his farm after a disagreement with white vigilantes. He and his Cherokee wife, Mary Frances Strobles, brought their family to St. Petersburg in 1904 and opened a produce stand in their home on 9th Street South. Jordan made deliveries using a horse-drawn wagon and opened a livery stable. With the proceeds and the money he brought from his farm, Jordan invested in real estate. When city leaders “encouraged” expansion of the



Elder Jordan, Sr. From *St. Petersburg's Historic 22nd Street South* (Peck and Wilson, 40).

African American community to the southwest to provide more room for white settlement, Jordan bought land on the edge of the city limits. He started building rooming houses and homes, grouping them in enclaves called courts. He and his sons operated a bus line between Tampa, Clearwater, and St. Petersburg and opened a beach north of the city for African Americans. By the 1920s, he and his sons opened new businesses including a filling station on 16th Street South and business block which later became known as the Manhattan Casino, on 22nd Street South. In response to the population growth and overcrowding at Davis Academy, a new elementary school was constructed and named in honor of Elder Jordan, Sr., who appears to have donated the land for the school. Jordan Academy, named in his honor, served as the neighborhood elementary school for the growing 22nd Street corridor, while Davis Academy continued to support the neighborhood surrounding the Gas Plant district (Peck and Wilson, 39-45; Arsenault 206-07; Grismer 1948, 189; Hartzell 21).

Although the Jordan family was perhaps the most well-known African American developers during the early twentieth century, other black pioneers made their mark along 22nd Street as well. Mercy Hospital had opened in 1923 south of the Manhattan Casino along 22nd Street. At the same time that the Manhattan Casino and Jordan Academy were under construction, commercial buildings at 919-23, 931-35, 943-47, 951-63, and 1117 22nd Street South also received permits in 1925.¹ Several of these buildings were built by African American contractors Buggs and Childs and owned by African Americans John and Mamie Merriwether (Merriwether Building, Local Landmark Designation and Staff Report 12-90300004, 2012).

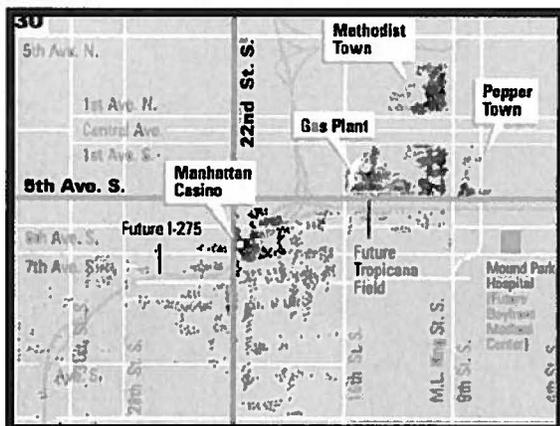
A relatively healthy tourist trade initially kept the local economy afloat following the downturn of the real estate market in 1926 and the devastating hurricanes which damaged south Florida in 1926 and 1928. The economic decline inadvertently provided the African American community with their first high school, Gibbs High, located on 34th Street South at 11th Avenue. Designed and built as a white elementary school for 350 students in 1925, the bust of the real estate market led to a decline in enrollment eliminating the need for the school. After sitting vacant for

¹ These are current addresses. The addresses were different at the time of construction and subsequently changed in 1928 and again in 1940.

a year, African American leaders persuaded the school board to allow them to use the facility for a high school. Although inadequate for the student body of 700 students, the black community worked together to improve it. Residents raised funds and donated time, money, and effort to provide science equipment and school busses, and build a gymnasium, a cafeteria, and basketball and tennis courts (Phillips 1994, 118-20; "G.W. Perkins Dies", 1955).

The crash of the stock market in 1929 kept the traveling public at home during the ensuing national depression. A dismal tourist season during the winter of 1929-1930 led to business failures, mortgage foreclosures, and unemployment in the city. Every bank in the city failed and closed by April 1931 (Arsenault 253-255). Federal relief projects helped revive the city's economy by the mid-1930s. Local projects included the construction of Bay Pines Veterans' Hospital, an addition to Albert Whitted Airport, Bartlett Park, an addition to Mound Park City Hospital, a beach water system, a new city hall, the construction of the U.S. Coast Guard Air Station near Bayboro Harbor, the North Shore sewer system, a National Guard armory, and a new campus for the St. Petersburg Junior College. By providing these kinds of projects throughout the nation, the New Deal agencies brought partial economic recovery to residents of St. Petersburg as well as other cities. With an improved financial outlook, tourists returned to St. Petersburg during the late-1930s (Arsenault 257-260).

During the 1930s, the black population in the city grew from 7,416 in 1930 to 11,982 in 1940, a 61 percent increase. Although there was an overall increase in the African American population, a number of black residents left the city with the decline in the real estate market



African-American neighborhoods according to the 1930 Polk's St. Petersburg City Directory. As published in *St. Petersburg's Historic 22nd Street South* by Peck and Wilson, 2006, 42.

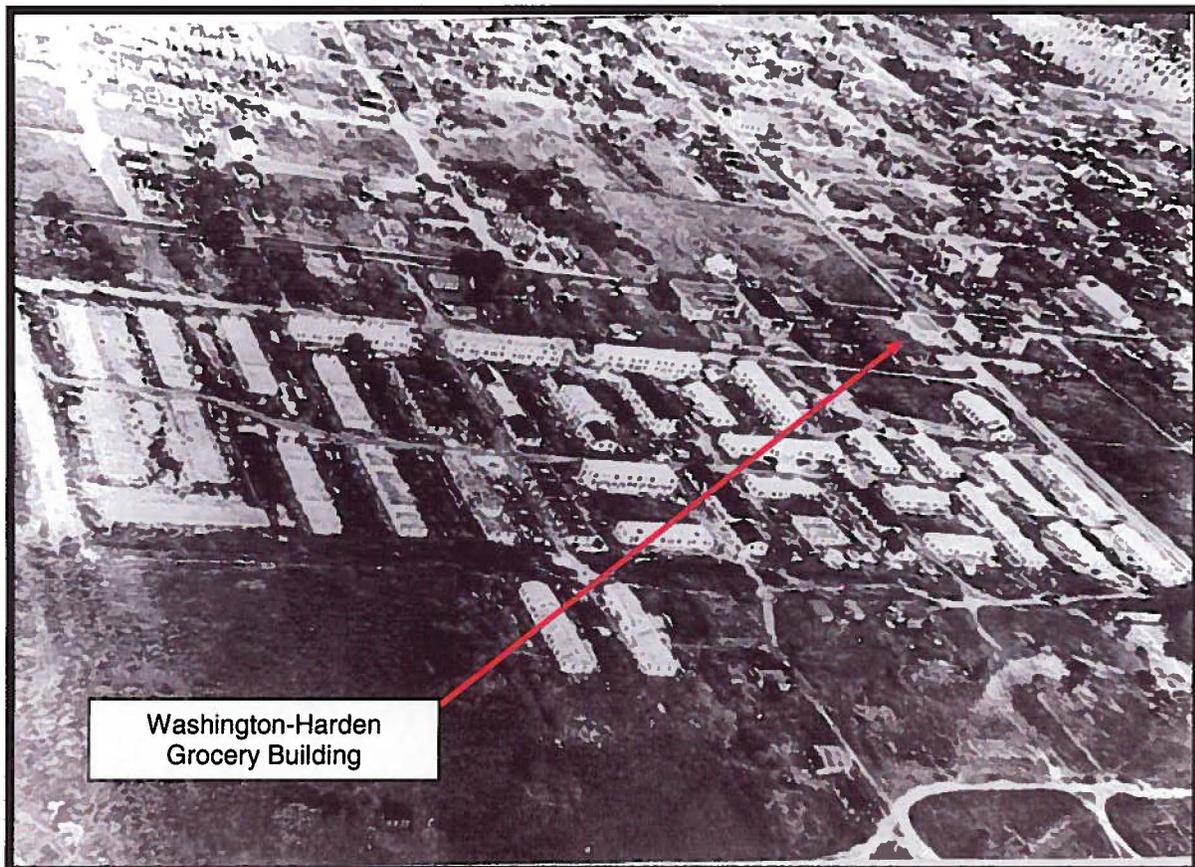
and onset of the Great Depression (Arsenault 264-66). With no tourists, service jobs evaporated and with little new construction, laborers went elsewhere to find work. The effort to revive tourism during the 1930s led local leaders to "redouble their efforts to provide tourists with a sanitized social environment" by downplaying the importance and size of the local black community (Arsenault 264).

The new city charter adopted in 1931 incorporated a mandate restricting blacks to certain territorial limits within the city, going beyond the previously accepted restrictive covenants and racial customs. After approved, the only acceptable reason a black resident could leave the black section of the city was for employment. A subsequent resolution approved by City Council in 1936 limited African Americans

to the area west of 17th Street and south of 6th Avenue South. However, the area was too small to accommodate the black population and would have required the relocation of over a thousand black families making it unenforceable (Arsenault 264-66). Efforts were made to educate the city's African American residents concerning their jobs in the tourism based economy. As tourists returned to the city, classes in hotel work were offered in 1938 at the Bethel A.M.E. Church in Methodist Town to black bellmen and maids, as estimates indicated that 75 per cent of this work was performed by African Americans. Classes such as these may have offered some instruction, but more likely educated workers who already had experience in these positions during the boom of the 1920s on how to "stay in their place" in the white based tourism economy (*St. Petersburg Times*, 26 October 1938).

In an effort to provide improved housing and to remove African Americans from the neighborhoods closer to the downtown core, the Jordan Park Housing Complex was built in the African American community centered around 22nd Street South. With overcrowding and substandard housing conditions rampant in the city's black neighborhoods, reformers turned to the federal government for assistance in slum removal. Funded by the U.S. Housing Authority as a way to eliminate slums, the two phases of construction spanning 1939 through 1941 incorporated 446 apartments. Like the nearby school, the housing complex was also named for Elder Jordan, Sr., who had died in 1936. The public housing was a success with full occupancy. It provided improved housing to hundreds, but the all black complex also reinforced segregation and the "separate but equal" construction of facilities (Grismer 1948, 189-91; Arsenault 270-72; Peck and Wilson, 90).

Construction of the Jordan Park Housing Complex reinvigorated development along 22nd Street South. As an example of the limited commercial opportunities along the corridor, John McNeil operated a wood yard during the early 1930s, on the corner where the Washington-Harden Grocery Building would later be built (Polk 1930, 1931, 1933). The Merriwether Building, completed in 1925 at 951 22nd Street South, was largely vacant between 1929 and 1938 (Merriwether Building Local Landmark Designation, 2012). With the new construction of the housing complex providing jobs and the mass relocation of a number of African American residents, businessman George Washington decided to build a commercial building at the



Jordan Park and the 22nd Street Corridor, ca. 1940, printed in reverse. Courtesy of St. Petersburg Museum of History.

corner of 22nd Street and 9th Avenue South, immediately adjacent to the new housing complex. During the 1920s and 1930s, Washington had continued to operate his grocery and live at 239 11th Street North in the Methodist Town neighborhood. After marrying and divorcing his third wife, Aline, between 1922 and 1929, his daughter, Hortense, moved in with him in 1933 and started managing the grocery store. Washington started investing in land and building houses in the Methodist Town neighborhood. During the late 1920s through the 1930s, Washington was arrested and fined several times for acting as a bolita operator, which was a form of gambling. Following the end of prohibition in 1933, Washington opened an establishment alternately known as a pool hall, liquor establishment, beer garden on 3rd Avenue South in the Gas Plant neighborhood (Polk 1922, 1925, 1927, 1931, 1933, 1934, 1936, 1939, 1940; Property Card, 901-903 22nd Street South and 239 11th Street North; *St. Petersburg Times* 13 May 1928, 22 November 1938, 29 November 1938, 2 December 1938, 16 April 1941, 29 October 1948; *Evening Independent*, 29 August 1930, 6 July 1937, 6 January 1938, 30 November 1938; PGS Pinellas Marriages, Divorces, and Deaths). In 1938, he was sentenced to two years in state prison for selling two 10-cent bolita tickets in a crackdown on bolita operations with Sherriff E.G. Cunningham claiming that "Washington was a notorious bolita peddler (*St. Petersburg Times* 22 November 1938)." Appealed to the Florida Supreme Court, the sentence was upheld even though two justices dissented calling the sentence "excessive and shocking." Within days, the dissenting opinion written by Justice Roy Chapman was withdrawn from official records (*St. Petersburg Times* 2 December 1938).

In the midst of this upheaval, Washington decided to build and move his business to 22nd Street South. One of the first new buildings since the 1920s, owner and builder, George Washington, constructed a two room store building at the corner of 22nd Street and 9th Avenue South to house his own restaurant as well as an additional store. Anticipated to cost \$3,000, the permit was issued for construction on August 2, 1939. By 1942, he had closed his Gas Plant location, but continued to live at his Methodist Town property and operated the beer garden on 22nd Street South (Polk 1940, 1942, 1944; Property Card, 901-903 22nd Street South).

Washington leased the northern portion of the commercial building to David J. Schleifer, who opened a dry goods store in 1940 (Polk 1940, 1941, 1942). Although he owned a business in the African American community, Schleifer and his wife, Irene, lived along Tangerine Avenue South (present-day 18th Avenue South). Open for only two years, Schleifer closed his store as well as the three gas stations he owned, when he reenlisted in the Army in October 1942. Master Sgt. Schleifer had already served during World War I, but re-enlisted to serve as morale officer at Jefferson Barracks, Missouri. Honorably discharged near the end of the war with a plaque, testimonials, and an article in *Yank Magazine*, Schleifer returned to St. Petersburg to open a store at 822 Central Avenue. Until his death in 1953, Schleifer remained active in veteran's organizations, Jewish veterans groups, and in the business

**Morale Officer's
Work Brought Him
Testimonial Plaque**

**David Schleifer
Handled Cases Of
Departing Soldiers**



By Herb Penn—Honor, a bit of glory, and the testified love and respect of both men and superiors was the reward given Master Sgt. David Schleifer, 822 Central Avenue, for outstanding service as a morale officer attached to the overseas school at Jefferson Barracks, Mo.

Schleifer is a modest fellow and has said so very little about himself since his discharge last February that few residents of St. Petersburg know of the honors that have been heaped upon him. It is possible that

QUIT WITH HONORS — David Schleifer, former master sergeant, who was morale officer at Jefferson Barracks, Mo., was honored with a testimonial dinner, attended by officers and men, when he was honorably discharged from the army. He is proprietor of David's Outlet store,

Evening Independent, September 26, 1944.

community of St. Petersburg (Property card, 901-03 22nd Street South; Polk, 1940, 1941, 1942, 1944, 1945, 1947; Ancestry, US Headstone Applications for Military Veterans; *Evening Independent*, 26 September 1944.)

City Directories during this formative period for 22nd Street reveal a strong Jewish presence in the growing 22nd Street neighborhood (Polk 1925-1937). Like blacks, Jewish residents were a target of discriminatory practices. In 1924, racist signs stating “Gentiles Only Wanted – No Jews Wanted Here” had been placed along the newly opened Gandy Boulevard, which served as the main route to Tampa. The signs were installed by Jim Coad, the secretary of the St. Petersburg Chamber of Commerce who helped organize the local Klu Klux Klan klavern. This was in direct response to the growth of the Jewish community in St. Petersburg. Although a few Jewish families resided in the City prior to the 1920s, the growth of the community led to the formation of the B’Nai Israel congregation in 1923. Although less legally imposing than the Jim Crow system, social restrictions barred Jews from membership in private clubs, residency in the fashionable neighborhoods, and eating at or staying in most of the local restaurants and hotels which advertised “Christians Only (Arsenault, 206-08).” As a result, Jewish businesses and entrepreneurs were largely limited to the African American neighborhoods like 22nd Street South.

After Schleifer rejoined the Army, Washington leased the north half of his commercial building to Sidney Harden. Born in Waynesboro, Georgia in 1901, Sidney Harden, Sr. and his wife Mary Berrien Harden along with their four sons arrived in St. Petersburg around 1926. By the 1930s, Harden worked as a mechanic at the Gray Front Service Station located at 626



Sidney Harden and butcher James Nelson in front of Harden's Grocery, ca. 1945. Provided by Betty J. Harden for the African American Heritage Project.

22nd Street South, while his family lived in the 22nd Street neighborhood at 1117 Union Street South. The Hardens separated during the mid-1930s. During this period, Harden was arrested several times for possession of liquor during the Prohibition era and bootlegging after the repeal of Prohibition (Harden 2012; Polk 1931, 1935, 1936, 1939; *St. Petersburg Times* 29 November 1930, 5 July 1931, 9 July 1931, and 21 September 1938; *Evening Independent* 12 August 1938, 21 September 1938, and 28 November 1940). He also operated a cab for a few years around 1938 or 1939. According to Jacob Simmons in *St. Petersburg's Historic 22nd Street South*

Harden's Chrysler had a slogan on the side that read, "If you want to go to town and don't want to be late, catch Sidney Harden and his Chrysler Eight (Peck and Wilson 69)."

After Sidney Harden opened his grocery store at 901 22nd Street South around 1942, he moved into a new house at 2300 Fairfield Avenue South in 1945 owned by Bessie Williams, who eventually became his common law wife. Harden's Grocery specialized in ethnic and cultural foods, meeting the needs of neighborhood residents. Harden supported his community by raising funds for the March of Dimes, Christmas Seals, and the National Association for the Advancement of Colored People (NAACP). During difficult times, he provided food to families on credit and employment to the unemployed. Known as "a compassionate man with a strong work ethic," Harden created an institution in the 22nd Street South neighborhood (Harden 2012; Polk 1940, 1942, 1944, 1945; *Evening Independent* 28 November 1940; Property Card, 901-03 22nd Street South).

Although tourism had rebounded to some extent by 1940, the activation of the military, rationing, and travel restrictions of World War II severely curtailed St. Petersburg's tourism based economy. Most of the city's hotels and boarding houses remained empty during the winter of 1941-42. Realizing that the empty rooms could be an asset as military housing, city leaders successfully lobbied the War Department for a military base. The opening of a technical services training center for the Army Air Corps brought over ten thousand soldiers to the city during the summer of 1942. The military leased almost every major hotel and many of the smaller hotels in the city. Only the Suwannee Hotel and some of the smaller hotels and boarding houses were open to civilian use. By the time the training center closed in July 1943, over 100,000 soldiers had visited St. Petersburg. Although the training center closed, the United States Maritime Service Bayboro Harbor Base, which trained merchant seamen, continued to grow, and eventually leased four of the downtown hotels abandoned by the Army Air Corps. Other bases and support facilities throughout the area brought thousands of soldiers, including African American soldiers, to central Florida and the St. Petersburg area. African Americans stationed at MacDill Field in Tampa would come to St. Petersburg's 22nd Street South community to enjoy their Saturday night leave (Arsenault 298-301).

The military use of the city's hotels and the decline in building construction left some black workers unemployed. However, this was offset somewhat by military employment and the general improvement of the local economy. A source of great pride, nearly two thousand black men and women from St. Petersburg served in the war in spite of segregated training facilities and units (Arsenault 303).

One of the most notable impacts in the black community was expanded coverage and a transition to a more racially liberal stance for the *St. Petersburg Times* following the death of long-time editor William Straub in April 1939. In October 1939, the new



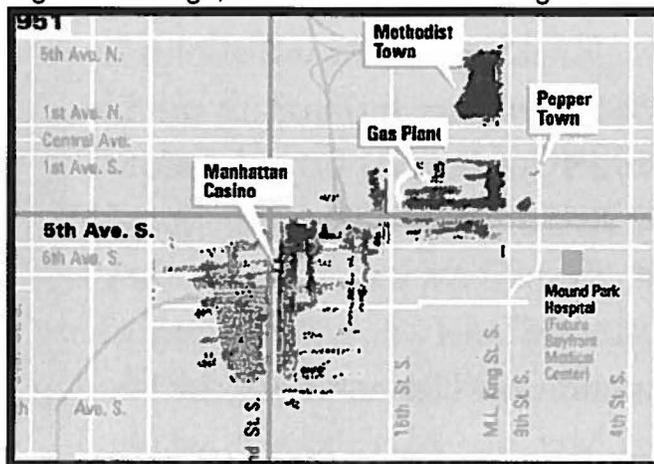
Jordan Elementary School. Christmas play photo, ca.1950.

editor, Nelson Poynter, started publishing the “Negro News Page.” A weekly insert into the papers distributed in black neighborhoods, the issue carried articles about events and activities in the African American community written exclusively by African American reporters. News about African Americans no longer focused on negative events and criminal acts. Changed to a daily insert in 1948, the page was discontinued in 1967 following integration. Although the page generally avoided controversial political and racial issues, the insert provided the black community with a voice for the first time. The repeal by the Florida legislature of the state poll tax in 1937 followed by court cases declaring white-only primaries unconstitutional, prompted more African Americans to register to vote and an increase in political activity (Arsenault 293, 303).

In 1943, the City Planning Commission prepared a new master plan for the city which included a candid analysis of the economic and social conditions of the black community. Although Jordan Park was lauded as an improvement, most of the African American housing was considered substandard. A stark contrast existed between white and black schools as well with the black schools overcrowded, under-funded, and lacking basic educational materials. For example, Jordan Elementary had 690 students in a structure designed for 595. The African American community also needed additional park and recreation space (Arsenault 306-07; Fleming, 20).

A 1945 report by the National Urban League expanded and reinforced the planning study findings. According to the report, “The black school system had no kindergarten classes, no facilities for technical education, and no access to St. Petersburg Junior College...Black teachers earned far less than their white counterparts...and everything from blackboards to school buses was in short supply (Arsenault 306-07).” Although a black middle class had emerged in the city, the African American community lacked lawyers, a swimming pool, and a library. With only two doctors, Mercy Hospital, which served the black community, was overcrowded and understaffed (Arsenault 307). Backing up these findings, a 1948 study sponsored by the Juvenile Board, Business and Professional Woman’s Club and the Woman’s Club identified the social needs of the cities in Pinellas County. The study found that African Americans in St. Petersburg needed, among other things, a “decent hotel for Negro tourists, branch employment office, ball park for out-of-state teams for Spring training, [and a] bathing beach on open water (*St. Petersburg Times*, 10 December 1948).”

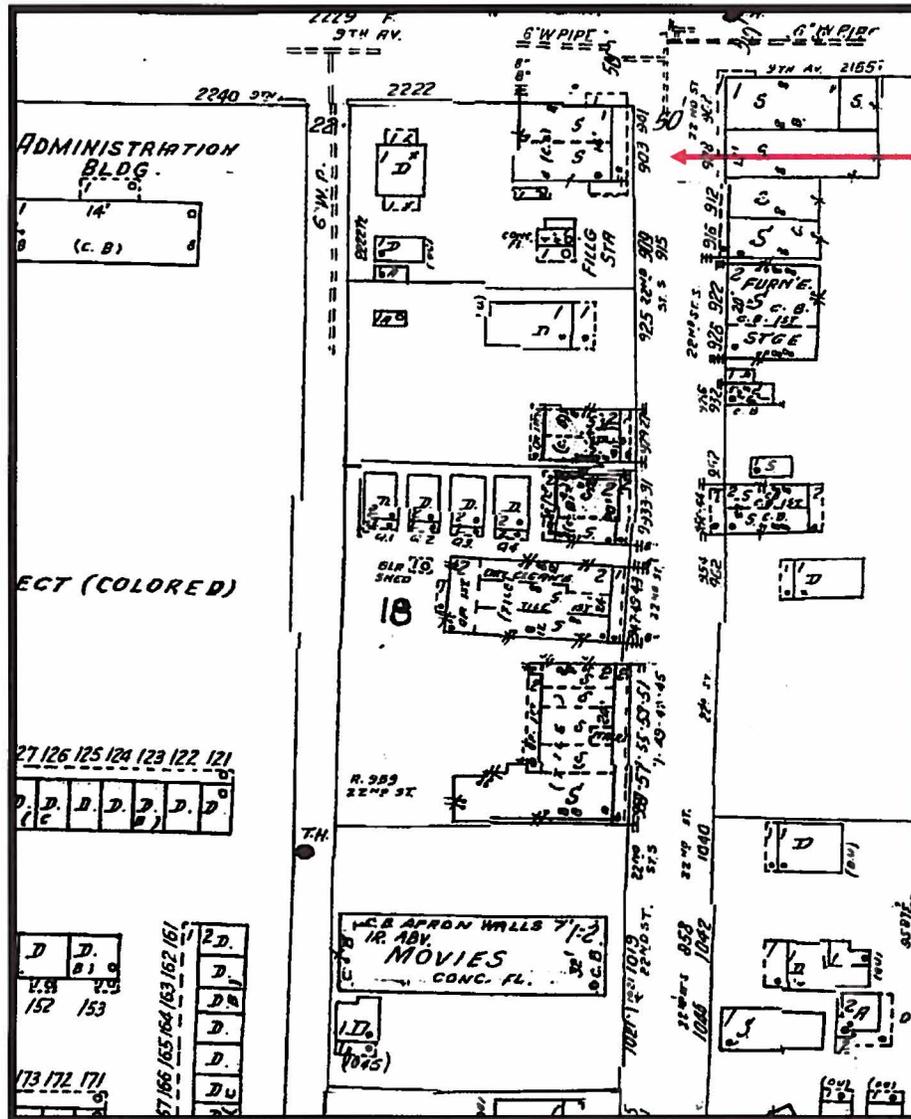
The city rapidly demilitarized following the war, and many veterans returned to St. Petersburg. The Great Depression and governmental restrictions during the war led to a housing shortage following World War II. Many hotels and boarding houses were again filled with tourists and new residents awaiting the construction of new homes. New houses filled the subdivisions platted during the 1920s, but left vacant by the real estate decline and depression. As development spread westward, the introduction of shopping centers, including Central Plaza and Tyrone Gardens Shopping Center, and



African-American neighborhoods according to the 1951 Polk’s St. Petersburg City Directory. As published in *St. Petersburg’s Historic 22nd Street South* by Peck and Wilson, 2006, 42.

motels along the west coast drew new residents and tourists away from downtown St. Petersburg (Arsenault 307-313).

With the post-war boom in population and business, the city's African American community flourished in spite of the challenges. New schools were built and existing schools were enlarged. Jordan Elementary received an addition in 1948 and a cafeteria in 1952 followed by a classroom building in 1960. The Sixteenth Street Middle School opened in 1952 to serve the African American community. By 1946, 58 businesses operated along 22nd Street South. Mercy Hospital was enlarged and the Royal Theater opened in 1948 (Christian, 50; Peck and Wilson 74, 100; City of St. Petersburg, property card, 955-65 [959-63] 22nd Street South; Polk 1946-1975).



Washington-Harden
Grocery Building

Sanborn Fire Insurance
Map, 1951, Sheet 209.

In October 1948, George S. Washington passed way. At the time of his death, he had recently constructed a new home at 2366 7th Avenue South, operated the beer garden at 903 22nd Street South, and owned a number of properties in St. Petersburg. He donated generously to schools, churches, hospitals, and other charitable causes while serving as a member of the First Baptist Institutional Church, Sunshine City Lodge No. 255 of Elks, and the Progressive Voters League. Upon his death, his daughter, Hortense Washington Berrien, took over management of the beer garden, his business interests, and the residence they shared. Her daughter and son-in-law, Ernest and Joyce Fillyau, eventually inherited the commercial building upon her death in 1976. Ernest Fillyau later served as City Councilman from 1991 to 1999 (Ancestry 1940; *St. Petersburg Times* 29 October 1948, 2 January 1965, 2 March 1959; *Evening Independent* 16 May 1949, 6 June 1949, 2 October 1950, 10 December 1976).

Although progress was slow, institutions, offices, and schools integrated during the post-war years. The traditionally conservative police department hired four African American officers in 1949. The construction of a Municipal Negro Swimming Pool, also known as the Jennie Hall Pool, at Wildwood Park in 1954 was followed by the forced desegregation of the Municipal Spa Pool in 1958 (Arsenault 305, 328-30; Paulson 10-14). In 1954, Dr. Robert Swain broke the "red line," which restricted African Americans to living and operating businesses to the area north of 15th Avenue South. Dr. Swain filed for permits to open a dentist office at 1501 22nd Street South. Although the City initially refused to issue a permit, it was finally issued after Swain threatened to sue. In 1956, Swain opened apartments next to his dentist office at 1511 22nd Street South. The apartments were built to accommodate African American baseball players who were banned from staying at "whites only" hotels during spring training. Swain, along with Dr. Ralph Wimbish, president of the St. Petersburg branch of the NAACP, refused to continue to house the African American baseball players in 1961 as they believed that it was furthering the cause of segregation. This stand led to the integration of hotels and made national news when major league teams requested that their African American players be housed at the same hotel. Both the Yankees and the Cardinals found lodging outside of downtown St. Petersburg which would accommodate all of their players. Integration cost Swain not only the weekly rent at the apartments, but also the Robert James Hotel in Methodist Town. With the end of segregation in lodging, the hotels declined as African Americans now had choices in entertainment and lodging (Peck and Wilson 74, 100; *St. Petersburg Times*, 1 February 1961; *St. Petersburg Times*, 30 August 1996; *St. Petersburg Times*, 12 May 1996).

As 22nd Street South boomed during the 1950s, another wave of new construction brought new business to the street. In 1959, Clarence E. Moure hired contractor P.P. Perkins to construct a three-unit store building at 909-13 22nd Street South. In 1946, owner John Hicks (also listed as Peter Hicks) had built a service station and garage immediately south of the Washington-Harden Grocery Building which he operated until 1955. During the mid-1950s Southside Cab operated from the former gas station, and, in 1959, demolished the service station and enclosed the carport to serve as their office. Moure demolished the part of the shed roof which extended onto his property. Moure's contractor, Peter Primus Perkins, was an African American carpenter and contractor who had long served the St. Petersburg community. Peter came to St. Petersburg with his parents and siblings around 1923 from Bainbridge, Georgia. Peter learned



St. Petersburg Times, October 29, 1948.

the carpenter's trade from his father, Primus Perkins. Born ca. 1839, Primus Perkins had been among the first African Americans to register to vote in Georgia in 1867 and no doubt moved his large family to St. Petersburg at the height of the Florida land boom to take advantage of the employment opportunities. In 1925, Peter worked as a carpenter and lived at 1041 3rd Avenue South with his wife Julia. Although primarily a carpenter, Peter also seems to have worked as a store clerk, tailor, and teacher at Gibbs High, depending on the economy and job availability. By the post-World War II boom of the late 1940s, he returned to his roots by working full time as a carpenter and contractor and remained as such until his death in 1980 (Ancestry 1900, 1910, 1917-18, 1930, 1945; Polk 1925, 1927, 1931, 1945, 1947, 1948, 1949, 1957; *Evening Independent* 7 June 1980).

Like Peter Perkins, Moure came to St. Petersburg around 1924 with his wife Kellie. Relocated from High Springs in Alachua County, Florida, he had worked as an employee for the Atlantic Coast Line Railroad Company. Once in St. Petersburg, he opened a barber shop at 932 2nd Avenue South in the Gas Plant neighborhood, and by 1927 occupied a home at 1422 5th Avenue South, in St. Petersburg's high class African American section commonly known as Sugar Hill. With the growth of 22nd Street, Moure decided to build on the street and move his barber shop to occupy one of the three commercial units (Polk 1924, 1927 1936, 1939, 1940, 1942, 1956; Property Card 909-13 22nd Street South; Ancestry 1917-18).

By the early 1960s, more than 100 businesses operated along 22nd Street South of which approximately 75 percent were African American owned. According to Askia Aqil, the former president of the 22nd Street Redevelopment Corporation as quoted in *St. Petersburg's Historic 22nd Street South*, "African American neighborhoods 'grew out of necessity, the mother of invention, the need to provide goods and services for ourselves,'" in a segregation based society where blacks were denied doing business in white neighborhoods (Peck and Wilson, 43). A strike by the largely African American city sanitation workers in 1968, which occurred in the midst of the assassinations of Dr. Martin Luther King, Jr. and Senator Robert Kennedy, was the first en masse challenge to City Hall and led to improved political conditions and representation for African Americans (Phillips 1994, 125-28; Paulson and Stiff, 421-33). Pinellas County schools finally complied with desegregation in 1971 following a 1968 ruling that all "Negro schools in Florida and six other southern states must be integrated or abandoned (Phillips 1994, 129)." In response, the county closed all but three of the traditional African American schools.

During the 1960s, downtown and the neighborhoods surrounding the city core entered a period of decline and abandonment. Many of the buildings associated with the early history of the African American community slowly deteriorated as well. The construction of Interstate 275, started in the late 1960s and extended south with a feeder into downtown between 1978 and 1981, bisected the 22nd Street community and led to the disintegration of the north half of the neighborhood. As a result, numerous families and businesses were displaced and significant structures in the African American community were demolished along 22nd Street and in the other African American neighborhoods (Arsenault 243; Peck and Wilson, 102).

Significance

Community Planning and Development, Commerce, and Ethnic Heritage

The Washington-Harden Grocery and the Moure Buildings are significant at the local level in the areas of Community Planning and Development, Commerce, and Ethnic Heritage as two of the oldest remaining commercial buildings anchoring the 22nd Street corridor. They meet the

following criteria for designation of a property found in Section 16.30.070.2.5 of the City of St. Petersburg Code:

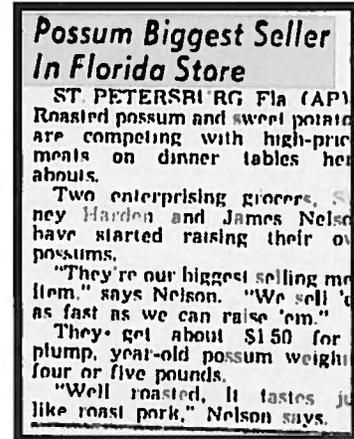
- (1) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation.
- (3) It is identified with a person or persons who significantly contributed to the development of the city, state, or nation.
- (6) It had distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

Constructed in 1939, the Washington-Harden Grocery Building remains a significant commercial and cultural landmark in the African American community. It provided opportunities for the advancement of African American and Jewish entrepreneurs during a period of racial and social restrictions. Harden's Grocery and Washington's Beer Garden remain well-known institutions which served the community for decades. The commercial corridor of 22nd Street South contributed to the emergence of an African American and Jewish middle class. These businesses provided opportunities for self-employment not open to African Americans a generation earlier and allowed for success even without an education or advanced training. The Washington-Harden Grocery Building was one of the core buildings which composed the commercial and entertainment center of the African American neighborhood. It is one of the few historic buildings which remain.

Built in 1959, the Moure Building represents the later period of success of the business community along 22nd Street. Constructed at the height of the district's popularity, the building housed businesses such as Moure's Barber Shop Delux and Lois's Beauty Salon, which were essential to the independence and community atmosphere of the neighborhood. In 1956, African American barbers in Pinellas County established the Suncoast Associated Barbers to advocate for their professional interests. In addition to promoting better shops and service to local residents, this humanitarian group sponsored community projects and contributed to the United Community Fund, the American Legion Hospital, the Little League, nursery schools, and other causes. Similarly, local beauticians formed the Orange Blossom Beauticians League Unit 2, which was part of a state-wide organization formed around 1937. Composed of African American women with cosmetology training, the group advocated for the profession, celebrated their craftsmanship, and held educational sessions (Rooks 59; *St. Petersburg Times* 28 May 1950, 25 May 1952, 7 July 1955, 9 January 1956, 15 August 1956, 28 November 1956, 22 October 1962, 1 January 1966; Peck and Wilson 67). The Moure Building remains not only a good representative example of 1950s commercial architecture, but also indicates the importance of the barber and the beautician's shop as gathering places for the community and opportunities for advancement.

The buildings are significant for their association with pioneer African American businessmen George Washington, Sidney Harden, and Clarence Moure. George Washington played an important role in the development of Methodist Town and the 22nd Street neighborhoods and his story is indicative of the impact of government regulations as well as the evolution of business under the restrictions and repeal of Prohibition. Clarence Moure's success relates the importance of the barber and the barber shop in the African American community. As a small, locally owned grocery, Harden's Grocery was part of a soon-to-disappear American landscape overtaken by large chain companies with supermarkets. When Harden opened his store, approximately 125 small, independent grocers operated stores in St. Petersburg, of which only 11 were owned by African Americans. A & P Food Stores, the only grocery chain in St. Petersburg, operated five stores in the city (Polk 1944). Beyond its importance as a

neighborhood grocery, Harden's became an institution in the 22nd Street South neighborhood and the greater St. Petersburg African American community. Harden's Grocery met the cultural needs of the community selling items like Georgia sausage, hog heads, possums, raccoons, chitterlings, gopher turtles, Dixie Lily grits, Dixie Lily meal, raw peanuts, snuff, Prince Albert tobacco, and kerosene. In 1951, Harden's Grocery made international news when the Associated Press picked up a story about Harden and his butcher, James Nelson, deciding to raise possums because the meat sold so well. The story appeared in papers from Miami to Calgary, Canada. For local kids, Harden's was famous for their chocolate chip cookies (Harden 2012; *St. Petersburg Times* 2 November 2005; *Miami News* 8 August 1951; *Calgary Herald* 9 August 1951).



Calgary Herald,
August 9, 1951.

When local residents were unemployed or families were limited due to rationing during World War II, Harden would allow the purchase of items on credit. Harden would put individuals who hung around the store but had no work or money to work shelling black-eyed peas and pecans or cleaning around the store. He provided them with food for their work and a few quarters. The store would often remain open seven days a week from around 5 am till midnight. He assisted the March of Dimes, Christmas Seals, and the National Association for the Advancement of Negro People (NAACP) in collecting contributions for their causes at his store. Surprisingly, Harden never attended school and could not read or write. However, he knew how to count money, read the scales, and the prices of products in the store. Stella Black Sug, sister of John Black who operated nearby Geech's Bar-b-que, kept the books for Harden. In addition to the store, Harden invested in local real estate. In 1945, he was issued a permit for the construction of a concrete block residence at 2026 Melrose Avenue South utilizing materials from the concrete block plant to be constructed by Pinellas Lumber Company. He received a permit for another house in 1947 to be constructed at 2227 Fairfield Avenue South. By the time he passed away in 1969, Harden owned at least 12 properties in St. Petersburg. After his death, his sons continued to operate the grocery until 1992 (Harden 2012; *St. Petersburg Times* 12 July 1945, 14 June 1947, 7 February 1950, 8 February 1948, 28 December 1951, 13 May 1954, 24 December 1958, 2 November 2005; *Miami News* 8 August 1951; *Calgary Herald* 9 August 1951).

The buildings are also significant as structures designed and constructed by African American contractors and carpenters for African American businessmen. Although the extent of George Washington and Peter Perkin's construction work may never be known, their longevity in the St. Petersburg construction industry indicates that they contributed significantly to the African American community. Although 22nd Street South flourished with construction, the challenge of building in a white based society was still apparent in the simple design and construction of the buildings. Essentially, with white construction projects demanding the first and best materials, the African American workers used whatever construction materials they could obtain to build the structure. Finer materials and finishes were saved to create a unified and appealing front façade. Interior decorative elements, such as the pressed metal ceilings in the Washington-Harden Grocery Building, were popular in commercial construction during the early 1900s but had fallen from popular use by the 1920s and 1930s. With a reduced cost but attractive appearance, Washington could afford to obtain and use these high end decorative elements in his new commercial building in 1939. The Washington-Harden Grocery and Moure Buildings were typical of twentieth century commercial construction, and their overall designs remain apparent and indicative of the African American main street.

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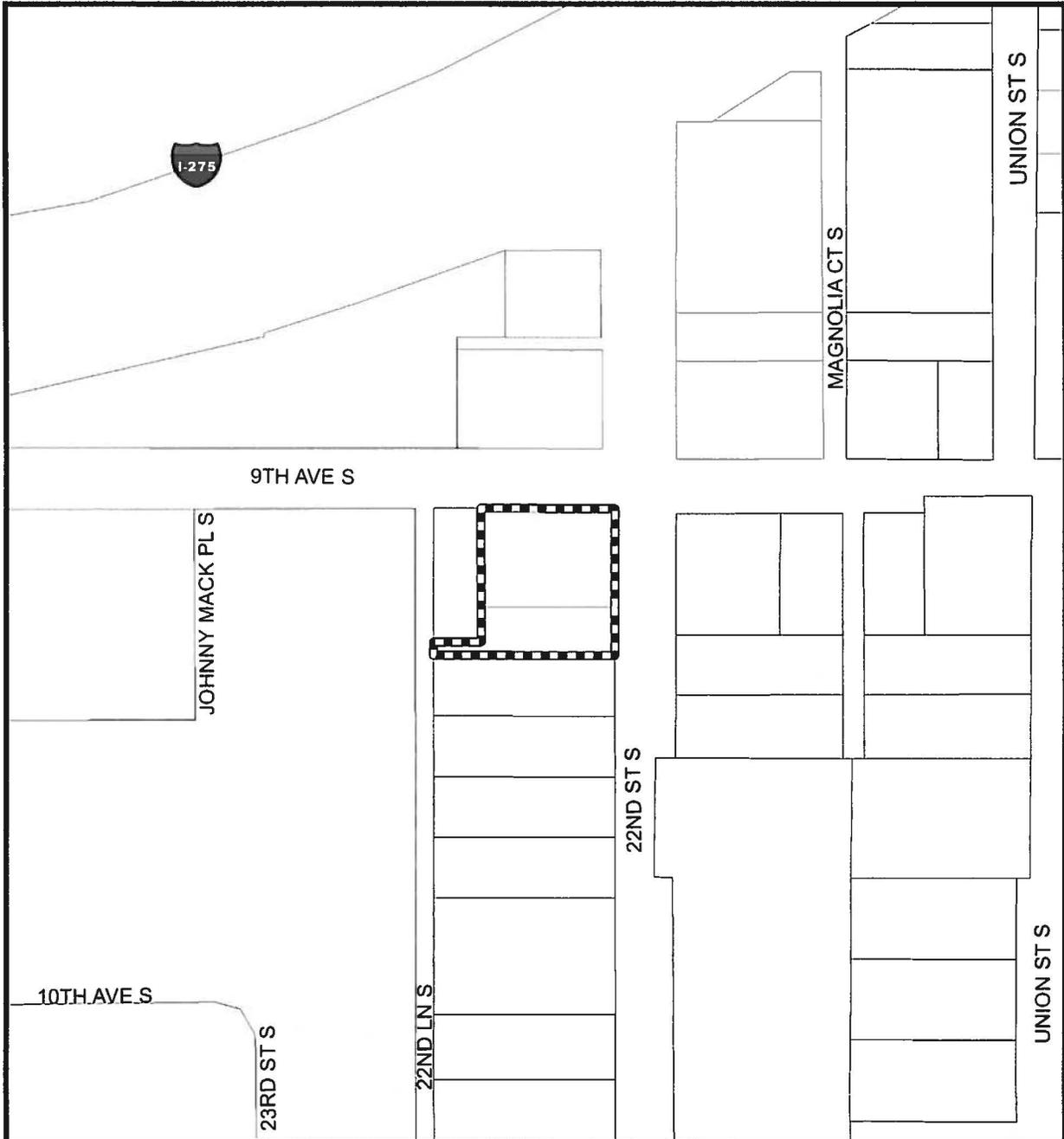
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**ATTACHMENTS: ADDITIONAL PHOTOGRAPHS
 DESIGNATION APPLICATION**



Community Preservation Commission

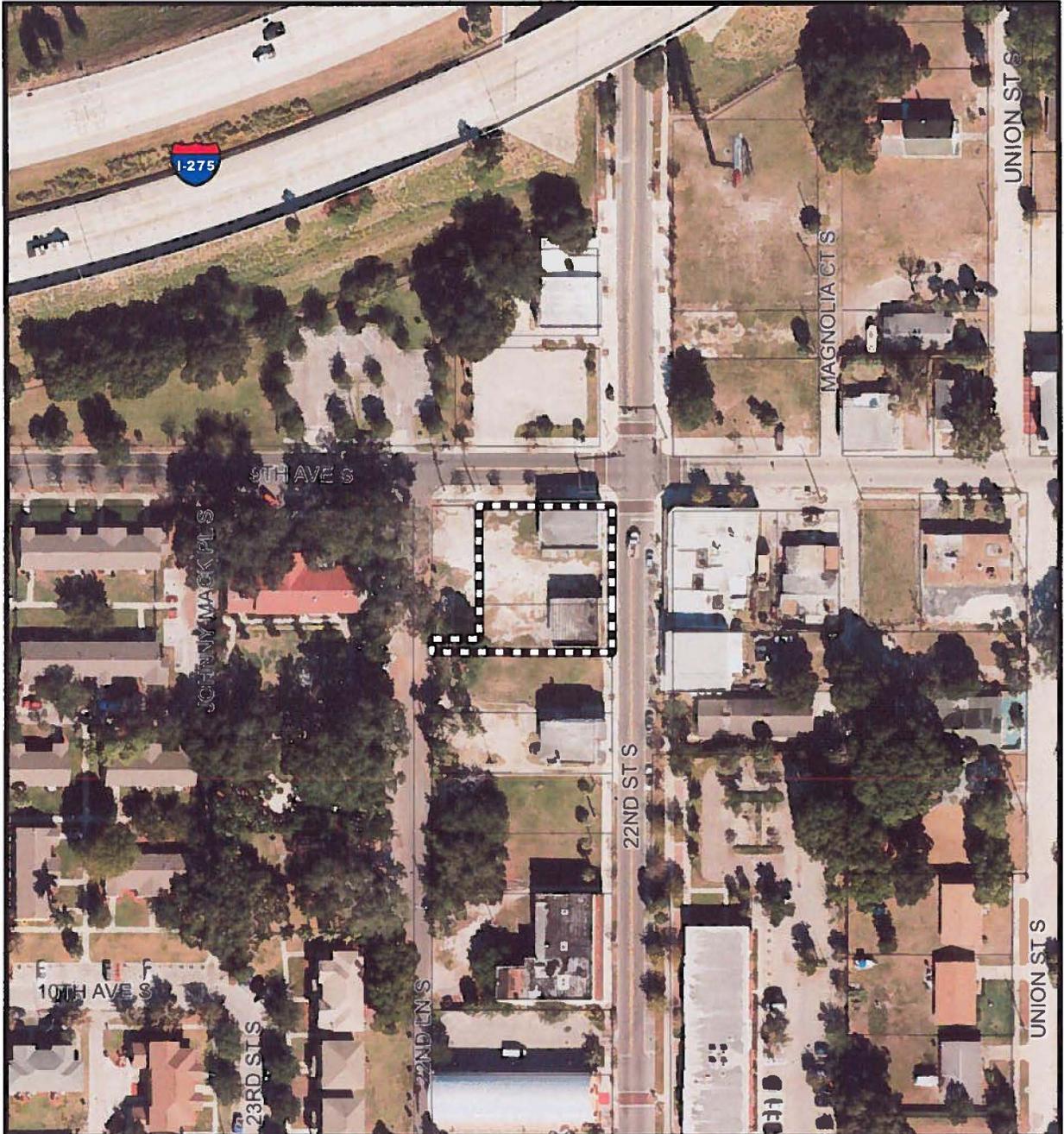
901-03 & 909-13 22nd Street South

**AREA TO BE APPROVED,
SHOWN IN** 

**CASE NUMBER
13-90300003**



N
SCALE:
Not to Scale



Community Preservation Commission

901-03 & 909-13 22nd Street South

**AREA TO BE APPROVED,
SHOWN IN**



**CASE NUMBER
13-90300003**

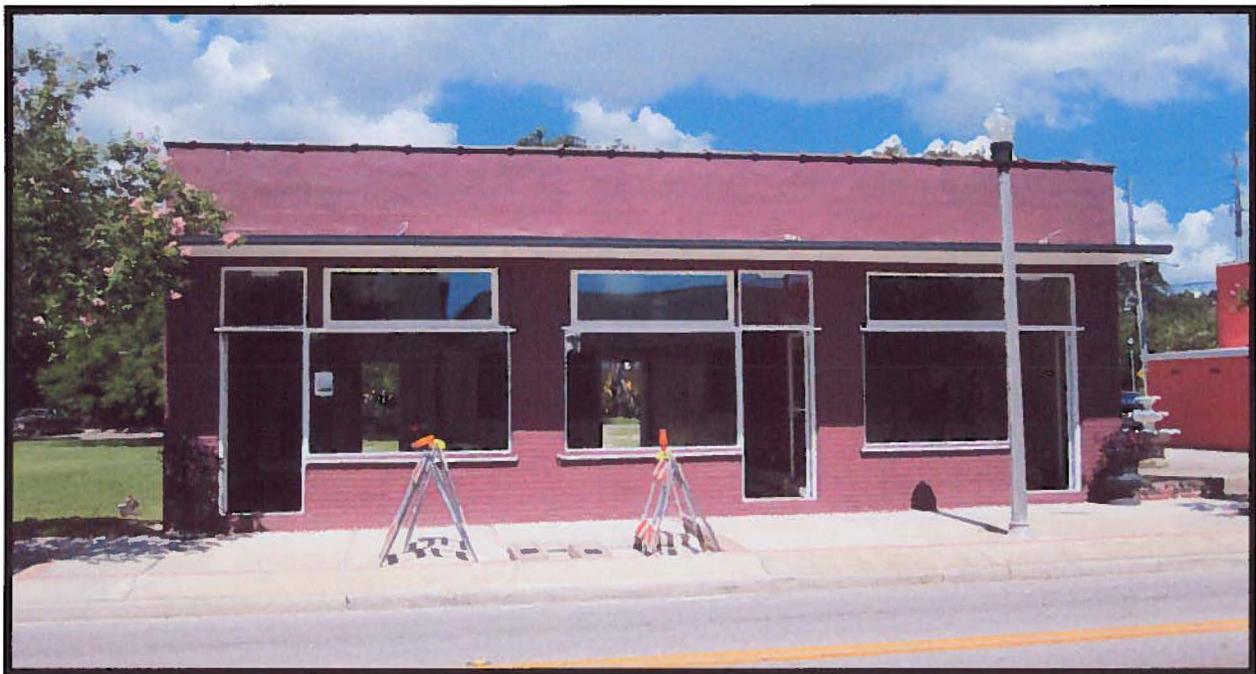


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ADDITIONAL PHOTOGRAPHS



East (front) façade, 2013, the Moure Building (left) and Washington-Harden Grocery (right).



East (front) façade, 2013, the Moure Building.



North and west (rear) elevations, 2013, Moure Building.



South and west (rear) elevations, 2013, Moure Building.



East (front) elevation, 2013, Washington-Harden Grocery.



North elevation, 2013, Washington-Harden Grocery.



West elevation, 2013, Washington-Harden Grocery.



South elevation, 2013, Washington-Harden Grocery.

13-90300003



City of St. Petersburg
Division of Urban Design
and Historic Preservation

Local Landmark Designation Application

Type of property nominated (for staff use only)
 building structure site object
 historic district multiple resource

1. NAME AND LOCATION OF PROPERTY

historic name The Old Sidney Hardin Building
other names/site number The George Washington Tavern
address 901-903 - 22nd St. South & 909-13-22nd St. South
historic address 901-903 - 22nd Street South & 909-13-22nd St. South

2. PROPERTY OWNER(S) NAME AND ADDRESS

name Equity Trust Company, Custodian FBO, Carolyn Brayboy, TR
street and number 144-23rd Ave South
city or town St. Petersburg state FL zip code 33705
phone number (h) 727-415-9519 (w) _____ e-mail Carolynbrayboy@yahoo.com

3. NOMINATION PREPARED BY

name/title Editha Brayboy
organization _____
street and number 144-23rd Ave. So.
city or town St. Pete state FL zip code 33705
phone number (h) 727-415-9519 (w) _____ e-mail Carolynbrayboy@yahoo.com
date prepared 5-09-2013 signature Editha Brayboy

4. BOUNDARY DESCRIPTION AND JUSTIFICATION

Describe boundary line encompassing all man-made and natural resources to be included in designation (general legal description or survey). Attach map delimiting proposed boundary. (Use continuation sheet if necessary)

Prather's Royal E 110 FT. of Lot 25 & N 10 FT.
of E 110 FT OF Lot 24 S 40 FT. OF E 110 FT. &
S 11 FT OF W 40 FT. OF Lot 24

5. GEOGRAPHIC DATA

acreage of property _____
property identification number 26/31/16/72864/000/0250 & 26/31/16/72864/000/0240

Old Sidney Hardin Grocery Store & George Washington Tavern
Name of Property

6. FUNCTION OR USE

Historic Functions

Grocery Store
Neighborhood bar
Barber Shop

Current Functions

Restaurant
Restaurant & Bar
Vacant

7. DESCRIPTION

Architectural Classification

(See Appendix A for list)

Exterior Walls
Concrete Blk/Stucco
Roof Frame
Floor Finish
Interior Finish

Materials

Concrete Blk/Stucco
Flot
Concrete
Plaster

Narrative Description

On one or more continuation sheets describe the historic and existing condition of the property use conveying the following information: original location and setting; natural features; pre-historic man-made features; subdivision design; description of surrounding buildings; major alterations and present appearance; interior appearance;

8. NUMBER OF RESOURCES WITHIN PROPERTY

<u>Contributing</u>	<u>Noncontributing</u>	<u>Resource Type</u>	<u>Contributing resources previously listed on the National Register or Local Register</u>
<u>2</u>	<u>0</u>	<u>Buildings</u>	<u>N/A</u>
		<u>Sites</u>	
		<u>Structures</u>	
		<u>Objects</u>	<u>Number of multiple property listings</u>
		<u>Total</u>	<u>N/A</u>

Sidney Hardin & George Washington TAVEN
Name of Property

9 STATEMENT OF SIGNIFICANCE

Criteria for Significance

(mark one or more boxes for the appropriate criteria)

- Its value is a significant reminder of the cultural or archaeological heritage of the City, state, or nation.
- Its location is the site of a significant local, state, or national event.
- It is identified with a person or persons who significantly contributed to the development of the City, state, or nation.
- It is identified as the work of a master builder, designer, or architect whose work has influenced the development of the City, state, or nation.
- Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.
- It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.
- Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development.
- Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.
- It has contributed, or is likely to contribute, information important to the prehistory or history of the City, state, or nation.

Areas of Significance

(see Attachment B for detailed list of categories)

Historic Businesses for the
African American Community of
St. Petersburg

Period of Significance

1939-1992

Significant Dates (date constructed & altered)

Date of Construction: 8/02/1939

Significant Person(s)

Mr. Sidney Hardin, Grocery Store Owner
Mr. George Washington Tavern Owner
Mrs. CLOSERIE Moore Barber
Cultural Affiliation/Historic Period

Builder

Architect

Narrative Statement of Significance

(Explain the significance of the property as it relates to the above criteria and information on one or more continuation sheets. Include biographical data on significant person(s), builder and architect, if known.)

10. MAJOR BIBLIOGRAPHICAL REFERENCES

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Attached documents for item Employees' Retirement System:

**St. Petersburg City Council Agenda Item
Meeting of September 19, 2013**

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

Subject: Ordinances amending sections of Division Two and Division Three, Chapter 22 of the St. Petersburg City Code relating to the Employees' Retirement System ('Plan') for the purpose of complying with provisions of the Internal Revenue Code.

Action Being Requested: Council action is being sought to approve amendments to Sections 22-126, 22-132, 22-162 and 22-165 and approve adding sections 22-140, 22-141, 22-172 and 22-173 to comply with provisions of the Internal Revenue Code.

Summary: The City operates a pension program for general employees. The Plan was created by Ordinance and it is necessary to modify the City Code for changes. The Plan operates in accordance with both Florida Statutes and the Internal Revenue Code ('Code'). Changes in the Code require that the Plan be amended in order to remain Code compliant. Every 5 years, the Internal Revenue Service ('IRS') provides Public Sector plans a review period for compliance with the Code. A favorable tax determination letter expresses the opinion of the IRS that the Plan document is in compliance and that the Plan qualifies for favorable tax treatment under Code Section 401(a). The Plan was recently reviewed by outside tax attorneys and the attached changes were recommended to comply with the Code.

The proposed Ordinances add certain definitions to the Plan, clarify the purpose of the Plan and add language regarding minimum required distributions and eligible rollover distributions. The Plan has been operating in accordance with the proposed changes. Further detail is provided in the attached document. The proposed changes are technical in nature and do not have a monetary impact on the Plan or its funding.

Since no material benefit changes are incorporated in this proposed Ordinance, no union action is required.

Cost: The most recent actuarial study approved by the Employees' Retirement System Board of Trustees was conducted as of October 1, 2012. The actuary has provided an impact statement indicating there is no expected significant financial impact to make this change. Additionally, there is no increase to the Unfunded Actuarial Accrued Liability (UAAL) for this change.

Recommendations:

Recommended City Council Action:

- (1) Conduct second reading and Public Hearing

- Attachments:** (1) Proposed Ordinance
(2) Discussion of Proposed Changes
(3) Actuarial Impact Statement

Approvals:

Tish Elston
Administration

8/30/13
Date

Damir
Budget

8/30/13
Date

EMPLOYEES' RETIREMENT SYSTEM
DISCUSSION OF PROPOSED CHANGES
PROVIDED BY SUGARMAN & SUSSKIND, P.A.

The amendments contained within the ordinances are summarized as follows:

100% Vesting Upon Normal Retirement Age

The Code requires that a participant's benefit become 100% vested upon the attainment of Normal Retirement Age under the plan. That requirement must be reflected in writing in the plan document.

Amendment for Heroes Earnings Assistance and Relief Tax Act ("HEART" Act)

The HEART Act provided for certain benefits for survivors of participants who die while In USERRA-qualified military service.

Under HEART, survivor benefits are determined as though the person returned to work and died immediately thereafter. Also, for vesting purposes with respect to survivor benefits, service credit is given for the time during which the person was acting in USERRA-qualified service.

General Internal Revenue Compliance Provisions

The major IRS compliance provisions have been combined into one section of the Plan. That amendment appears as Section 3 and provides for the following requirements of the Code:

Subsection (a) relates to Section 415 defined benefit limitations. In April, 2007, the IRS issued new, final regulations relating to Section 415 of the Code. Section 415 limits the amount of benefits that a participant can receive each year under the plan. The limitation is adjusted annually for the cost of living. Currently, Section 415 limits annual benefits payable under defined benefit plans to \$205,000.00.

Subsection (b) provides for the Required Beginning Date for the commencement of benefit payments, in accordance with 401(a)(9).

Subsection (c) provides for compliance with the distribution requirements under 401(a)(9). Section 401(a)(9) of the Code provides for certain rules relating to the time frame and manner in which benefits must be paid under the plan. Recent changes in the law amended some of those requirements.

Subsection (d) updates the plan for all current Code provisions relating to Rollover Distributions.

Subsection (e) limits the amount of Mandatory Distributions under the Plan, in order to avoid the requirements of 401(a)(31)(B).

Subsection (f) updates the 401(a)(17) limitations regarding the amount of compensation that a Plan may take into consideration for the purpose of benefit calculations.

Subsection (g) satisfies the Code requirement that the fund be used exclusively for the provision of benefits.

100% Vesting Upon Termination of the Plan

As with vesting upon the attainment of Normal Retirement Age, the Code provides that all accrued benefits shall become 100% vested upon termination of the Plan. That amendment appears as Section 4.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE IV, DIVISION 2, ST. PETERSBURG CITY CODE, RELATING TO THE PRIOR RETIREMENT SYSTEM (EMPLOYEES RETIREMENT SYSTEM) BY AMENDING SAID RETIREMENT SYSTEM TO PROVIDE FOR CHANGES REQUIRED BY THE INTERNAL REVENUE CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That Section 22-126, Definitions, of Chapter 22, Article IV, Division 2 of the St. Petersburg Code relating to the Prior Retirement System is hereby amended as follows:

Sec. 22-126. Definitions.

...

Annuity Starting Date means the Annuity Starting Date as defined in Section 417 of the Internal Revenue Code.

...

SECTION 2. That Section 22-132, Benefits, of Chapter 22, Article IV, Division 2 of the St. Petersburg City Code relating to the Prior Retirement System is hereby amended as follows:

Sec. 22-132. Benefits

(a) *Service retirement income:*

- (1) a. Any member in service may retire upon written application to the board setting forth at what time, not less than 30 days nor more than 90 days subsequent to the execution and filing thereof, such person desires to be retired; provided, that at the time so specified for retirement such person shall have attained the age of 60, and provided that if such person became a member of the retirement system

on or after October 1, 1989, such person shall have completed five years of creditable service and provided that if such person became a member of the retirement system on or after March 1, 2000, such person shall have completed ten years of creditable service, or shall have attained the age of 55 and shall have completed 25 years of creditable service or shall have attained the age of 51 and shall have completed 30 years of creditable service, notwithstanding that during such period of notification such person may have separated from service. Any provision of the retirement system notwithstanding, a member's benefit shall become fully vested (100% non-forfeitable upon the attainment of his or her Normal Retirement Age, as defined by the preceding sentence.

...

(k) Death while performing USERRA-qualified active military service - In the case of a member who dies on or after January 1, 2007 while performing "Qualified Military Service" under Title 38, United States Code, Chapter 43, Uniformed Services Employment and Reemployment Rights Act ("USERRA") within the meaning of Section 414(u) of the Internal Revenue Code, any "additional benefits" (as defined by Section 401(a)(37) of the Internal Revenue Code) provided under the retirement system that are contingent upon a member's termination of employment due to death shall be determined as though the member had resumed employment immediately prior to his death. With respect to any such "additional benefits," for vesting purposes only, credit shall be given for the period of the member's absence from covered employment during "Qualified Military Service".

SECTION 3. That Chapter 22, Article IV, Division 2 of the St. Petersburg City Code relating to the Prior Retirement System is hereby amended by adding a Section 22-140 titled "Internal Revenue Code Compliance" as follows:

Sec. 22-140. Internal Revenue Code Compliance.

(a) Maximum amount of retirement income.

- (1) The limitations of this Subsection (a) shall apply in limitation years beginning on or after July 1, 2007, except as otherwise provided herein, and are intended to comply with the requirements of the Pension Protection Act of 2006 and shall be construed in accordance with said Act and guidance issued thereunder. The provisions of this Subsection (a) shall supersede any provision of the retirement system to the extent such provision is inconsistent with this Subsection.

The Annual Pension as defined in Paragraph (2) below otherwise payable to a member at any time shall not exceed the Dollar Limitation for the member multiplied by a fraction whose value cannot exceed one, the numerator of which is the member's number of years (or part thereof, but not less than one year) of service with the City and the denominator of which is 10. For this purpose, no more than one year of service may be credited for any plan year. If the benefit the member would otherwise accrue in a limitation year would produce an Annual Pension in excess of the Dollar Limitation, the benefit shall be limited (or the rate of accrual reduced) to a benefit that does not exceed the Dollar Limitation.

- (2) "Annual Pension" means the sum of all annual benefits, payable in the form of a straight life annuity. Benefits payable in any other form shall be adjusted to the larger of:

a. For limitation years beginning on or after July 1, 2007

1. the straight life annuity (if any) payable to the member under the retirement system commencing at the same annuity starting date as the member's form of benefit, or
2. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

b. For limitation years beginning before July 1, 2007

1. the actuarially equivalent straight life annuity commencing at the same annuity starting date,

computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system for the particular form of payment, or

2. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

No actuarial adjustment to the benefit shall be made for benefits that are not directly related to retirement benefits (such as a qualified disability benefit, preretirement incidental death benefits, and postretirement medical benefits); or the inclusion in the form of benefit of an automatic benefit increase feature, provided the form of benefit is not subject to §417(e)(3) of the Internal Revenue Code and would otherwise satisfy the limitations of this Subsection (a), and the amount payable under the form of benefit in any limitation year shall not exceed the limits of this Subsection (a) applicable at the annuity starting date, as increased in subsequent years pursuant to § 415(d) of the Code. For this purpose, an automatic benefit increase feature is included in a form of benefit if the form of benefit provides for automatic, periodic increases to the benefits paid in that form.

- (3) “Dollar Limitation” means, effective for the first limitation year beginning after January 1, 2001, \$160,000, automatically adjusted under Code Section 415(d), effective January 1 of each year, as published in the Internal Revenue Bulletin, and payable in the form of a straight life annuity. The new limitation shall apply to limitation years ending with or within the calendar year of the date of the adjustment, but a member’s benefits shall not reflect the adjusted limit prior to January 1 of that calendar year. The Dollar Limitation shall be further adjusted based on the age of the member when the benefit begins as follows:

- a. For annuity starting dates in limitation years beginning on or after July 1, 2007

1. If the annuity starting date for the member's benefit is after age 65

- (i) If the retirement system does not have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the member's annuity starting date that is the actuarial equivalent of the Dollar Limitation with actuarial equivalence computed using a 5.00% interest rate assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that annuity starting date (and expressing the member's age based on completed calendar months as of the annuity starting date).

- (ii) If the retirement system does have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at the member's annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at age 65, both determined without applying the limitations of this Subsection (a), and (bb) the limitation determined under Subclause (3)a.1.(i) of this Subsection(a). For this purpose, the adjusted immediately commencing

straight life annuity under the retirement system at the member's annuity starting date is the annual amount of such annuity payable to the member, computed disregarding the member's accruals after age 65 but including actuarial adjustments even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing straight life annuity under the retirement system at age 65 is the annual amount of such annuity that would be payable under the retirement system to a hypothetical member who is age 65 and has the same Accrued Benefit as the member.

2. Except with respect to a member who is a "Qualified member" as defined in Section 415(b)(2)(H) of the Code, for benefits (except survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code), if the annuity starting date for the member's benefit is before age 62
- (i) If the retirement system does not have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the member's annuity starting date that is the actuarial equivalent of the Dollar Limitation with actuarial equivalence computed using a 5.00% interest rate assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that annuity starting date (and expressing the member's age based on completed calendar months as of the annuity starting date).

- (ii) If the retirement system does have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at the member's annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at age 62, both determined without applying the limitations of this Subsection (a), and (bb) the limitation determined under Subclause (3)a.2.(i) of this Subsection (a).

- b. For annuity starting dates in limitation years beginning before July 1, 2007

<u>Age as of annuity starting date:</u>	<u>Adjustment of Dollar Limitation:</u>
<u>Over 65</u>	<p>The smaller of: (a) <u>the actuarial equivalent of the limitation for age 65, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system, or</u></p> <p>(b) <u>the actuarial equivalent of the limitation for age 65, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>Any increase in the Dollar Limitation determined in accordance with this paragraph shall not reflect a mortality decrement between age 65 and the age at which benefits commence if benefits are not forfeited upon the death of the member. If any benefits are forfeited upon death, the full mortality decrement is taken into account.</u></p>
<u>62 to 65</u>	<u>No adjustment.</u>
<u>Less than 62</u>	<p>The smaller of: (a) <u>the actuarial equivalent of the limitation for age 62, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system, or</u></p> <p>(b) <u>the actuarial equivalent of the limitation for age 62, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>This adjustment shall not apply to any "Qualified member" as defined in Section 415(b)(2)(H), nor to survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code.</u></p>

- (4) With respect to subclause (3)a.1.(i), subclause (3)a.2.(i) and Subparagraph (3)(B) above, no adjustment shall be made to the Dollar Limitation to reflect the probability of a member's death between the annuity starting date and age 62, or between age 65 and the annuity starting date, as applicable, if benefits are not forfeited upon the death of the member prior to the annuity starting date. To the extent benefits are forfeited upon death before the annuity starting date, such an adjustment shall be made. For this purpose, no forfeiture

shall be treated as occurring upon the member's death if the retirement system does not charge members for providing a qualified preretirement survivor annuity, as defined in Code Section 417(c), upon the member's death.

- (5) The term "limitation year" is the 12 month period which is used for application of the limitations under Code Section 415 and shall be the calendar year.
- (6) The limitations set forth in this Subsection (a) shall not apply if the Annual Pension does not exceed \$10,000 provided the member has never participated in a defined contribution plan maintained by the City.
- (7) Cost-of-living adjustments in the Dollar Limitation for benefits shall be limited to scheduled annual increases determined by the Secretary of the Treasury under Section Subsection 415(d) of the Code.
- (8) In the case of a member who has fewer than 10 years of participation in the retirement system, the Dollar Limitation set forth in Paragraph (3) of this Subsection (a) shall be multiplied by a fraction - (i) the numerator of which is the number of years (or part thereof) of participation in the retirement system, and (ii) the denominator of which is 10.
- (9) Any portion of a member's benefit that is attributable to mandatory member contributions (unless picked-up by the City) or rollover contributions, shall be taken into account in the manner prescribed in the regulations under Section 415 of the Code.
- (10) Should any member participate in more than one defined benefit plan maintained by the City, in any case in which the member's benefits under all such defined benefit plans (determined as of the same age) would exceed the Dollar Limitation applicable at that age, the accrual of the member's benefit under the retirement system shall be reduced so that the member's combined benefits will equal the Dollar Limitation.
- (11) For a member who has or will have distributions commencing at more than one annuity starting date, the Annual Benefit shall be determined as of each such annuity

starting date (and shall satisfy the limitations of this Section as of each such date), actuarially adjusting for past and future distributions of benefits commencing at the other annuity starting dates. For this purpose, the determination of whether a new starting date has occurred shall be made without regard to § 1.401(a)-20, Q&A 10(d), and with regard to § 1.415(b)1(b)(1)(iii)(B) and (C) of the Income Tax Regulations.

- (12) The determination of the Annual Pension under Paragraph (2) of this Subsection (a) shall take into account (in the manner prescribed by the regulations under Section 415 of the Code) social security supplements described in § 411(a)(9) of the Internal Revenue Code and benefits transferred from another defined benefit plan, other than transfers of distributable benefits pursuant § 1.411(d)-4, Q&A-3(c) of the Income Tax Regulations.
- (13) The above limitations are intended to comply with the provisions of Section 415 of the Code, as amended, so that the maximum benefits provided by plans of the City shall be exactly equal to the maximum amounts allowed under Section 415 of the Code and regulations thereunder. If there is any discrepancy between the provisions of this Subsection (a) and the provisions of Section 415 of the Code and regulations thereunder, such discrepancy shall be resolved in such a way as to give full effect to the provisions of Section 415 of the Code. The value of any benefits forfeited as a result of the application of this Subsection (a) shall be used to decrease future employer contributions.
- (14) For the purpose of applying the limitations set forth in Sections 401(a)(17) and 415 of the Internal Revenue Code, Compensation shall include any elective deferral (as defined in Code Section 402(g)(3) of the Internal Revenue Code), and any amount which is contributed or deferred by the employer at the election of the member and which is not includible in the gross income of the member by reason of Section 125 or 457 of the Internal Revenue Code. For limitation years beginning on and after January 1, 2001, for the purposes of applying the limitations described in this Subsection (a), compensation paid or made available during such limitation years shall include elective amounts that are not includible in the gross income of the member by reason

of Section 132(f)(4) of the Internal Revenue Code. For limitation years on or after July 1, 2007, compensation shall include payments that otherwise qualify as compensation and that are made by the later of: (a) 2 and ½ (two and one-half) months after severance from employment with the employer, and (b) the end of the limitation year that includes the date of severance.

(b) Required Beginning Date.

Notwithstanding any other provision of the retirement system, payment of a member's retirement benefits under the retirement system shall commence not later than the member's Required Beginning Date, which is defined as the later of:

-April 1 of the calendar year that next follows the calendar year in which the member attains or will attain the age of 70½ years; or

-April 1 of the calendar year that next follows the calendar year in which the member retires.

(c) Required minimum distributions.

(1) Required beginning date. The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date as defined in subsection (b) of this section 22-140.

(2) Death of member before distributions begin.

a. If the member dies before distributions begin, the member's entire interest will be distributed, or begin to be distributed, no later than as follows:

1. If the member's surviving spouse is the member's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the member died, or by December 31 of the calendar year in which the member would have attained age 70½, if later.

2. If the member's surviving spouse is not the member's sole designated beneficiary, then distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the member died.
3. If there is no designated beneficiary as of September 30 of the year following the year of the member's death, the member's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

b. The member's entire interest shall be distributed as follows:

1. *member survived by designated beneficiary.* If the member dies before the date distribution of his or her interest begins and there is a designated beneficiary, the member's entire interest will be distributed, beginning no later than the time described in Subparagraph (2)a. above, over the life of the designated beneficiary or over a period certain not exceeding:
 - (i) Unless the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the member's death; or
 - (ii) If the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year that contains the annuity starting date.

2. *No designated beneficiary.* If the member dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the member's death, distribution of the member's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the member's death.

c. *Death of surviving spouse before distributions to surviving spouse begin.* In any case in which (i) the member dies before the date distribution of his or her interest begins, (ii) the member's surviving spouse is the member's sole designated beneficiary, and (iii) the surviving spouse dies before distributions to the surviving spouse begin, Subparagraphs (2)a. and b. above shall apply as though the surviving spouse were the member.

(3) *Requirements for annuity distributions that commence during member's lifetime.*

a. *Joint life annuities where the beneficiary is not the member's spouse.* If the member's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the member and a nonspousal beneficiary, annuity payments to be made on or after the member's required beginning date to the designated beneficiary after the member's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the member using the table set forth in Q&A-2 of Section 1.401(a)(9)-6 of the treasury regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the member and a nonspousal beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated beneficiary after the expiration of the period certain.

b. *Period certain annuities.* Unless the member's spouse is the sole designated beneficiary and the form of distribution is a period certain and no life annuity, the

period certain for an annuity distribution commencing during the member's lifetime may not exceed the applicable distribution period for the member under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations for the calendar year that contains the annuity starting date. If the annuity starting date precedes the year in which the member reaches age 70, the applicable distribution period for the member is the distribution period for age 70 under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations plus the excess of 70 over the age of the member as of the member's birthday in the year that contains the annuity starting date. If the member's spouse is the member's sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain may not exceed the longer of the member's applicable distribution period, as determined under this Subparagraph (3)b., or the joint life and last survivor expectancy of the member and the member's spouse as determined under the Joint and Last Survivor Table set forth in Section 1.401(a)(9)-9 of the treasury regulations, using the member's and spouse's attained ages as of the member's and spouse's birthdays in the calendar year that contains the annuity starting date.

- (4) *Form of distribution.* Unless the member's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with Subparagraphs (4)a., (4)b. and (4)c. below. If the member's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the Code and the treasury regulations. Any part of the member's interest which is in the form of an individual account described in Section 414(k) of the Code will be distributed in a manner satisfying the requirements of Section 401(a)(9) of the Code and the treasury regulations that apply to individual accounts.

a. General annuity requirements. If the member's interest is paid in the form of annuity distributions under the retirement system, payments under the annuity will satisfy the following requirements:

1. The annuity distributions will be paid in periodic payments made at intervals not longer than one year;

2. The distribution period will be over a life (or lives) or over a period certain, not longer than the distribution period described in Paragraph (2) or (3) above, whichever is applicable, of this subsection (c);

3. Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted;

4. Payments will either be non-increasing or increase only as follows:

(i) By an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index that is based on prices of all items and issued by the Bureau of Labor Statistics;

(ii) To the extent of the reduction in the amount of the member's payments to provide for a survivor benefit upon death, but only if the beneficiary whose life was being used to determine the distribution period dies or is no longer the member's beneficiary pursuant to a qualified domestic relations order within the meaning of Section 414(p) of the Code;

(iii) To provide cash refunds of employee contributions upon the member's death; or

(iv) To pay increased benefits that result from an amendment to the retirement system.

b. Amount required to be distributed by required beginning date. The amount that must be distributed on or before the member's required beginning date (or, if the member dies before distributions begin, the date distributions are required to begin under Clause (2)a.1. or (2)a.2., whichever is applicable) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the member's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the member's required beginning date.

c. Additional accruals after first distribution calendar year. Any additional benefits accruing to the member in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

(5) For purposes of this subsection (c), distributions are considered to begin on the member's required beginning date. If annuity payments irrevocably commence to the member (or to the member's surviving spouse) before the member's required beginning date (or, if to the member's surviving spouse, before the date distributions are required to begin in accordance with Subparagraph (2)a. above), the date distributions are considered to begin is the date distributions actually commence.

(6) Definitions.

a. Designated beneficiary. The individual who is designated as the beneficiary under the retirement

system and is the designated beneficiary under Section 401(a)(9) of the Code and Section 1.401(a)(9)-4 of the treasury regulations.

b. *Distribution calendar year.* A calendar year for which a minimum distribution is required. For distributions beginning before the member's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the member's required beginning date. For distributions beginning after the member's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to paragraph (2) of this subsection (c).

c. *Life expectancy.* Life expectancy as computed by use of the Single Life Table in Section 1.401(a)(9)-9 of the treasury regulations.

(d) (1) Notwithstanding any provision of the retirement system to the contrary that would otherwise limit a distributee's election under this Section, a distributee may elect, at the time and in the manner prescribed by the Administrator, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

(2) Definitions

The following definitions apply to this Section:

a. Eligible rollover distribution: An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include:

1. any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of 10 years or more;

2. any distribution to the extent such distribution is required under Section 401(a)(9) of the Code;
3. the portion of any distribution which is made upon hardship of the member; and
4. the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities), provided that a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax Employee contributions which are not includible in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in Section 408(a) or (b) of the Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(3) Eligible retirement plan: An eligible retirement plan is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an annuity plan described in Section 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, a qualified trust described in Section 401 (a) of the Code, an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from the retirement system, or, with respect to distributions on or after January 1, 2008, a Roth IRA (subject to the limitations of Code Section 408A(c)(3)) that accepts the distributee's eligible rollover distribution.

- (4) Distributee: A distributee includes an Employee or former Employee. In addition, the Employee's or former Employee's surviving spouse and the Employee's or former Employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse. Furthermore, effective January 1, 2007, a surviving designated beneficiary as defined in Section 401(a)(9)(E) of the Code who is not the surviving spouse and who elects a direct rollover to an individual retirement account described in Section 408(a) of the Code or an individual retirement annuity described in Section 408(b) of the Code shall be considered a distributee.
- (5) Direct rollover: A direct rollover is a payment by the retirement system to the eligible retirement plan specified by the distributee.
- (e) Notwithstanding any other provision of the retirement system, the maximum amount of any mandatory distribution, as defined in Section 401(a)(31) of the Code, payable under the retirement system shall be \$1000.
- (f) Compensation Limitations Under 401(a)(17).

In addition to other applicable limitations set forth in the retirement system, and notwithstanding any other provision of the retirement system to the contrary, the annual compensation of each member taken into account under the retirement system shall not exceed the EGTRRA annual compensation limit for limitation years beginning after December 31, 2001. The EGTRRA annual compensation limit is \$200,000, as adjusted by the Commissioner for increases in the cost of living in accordance with Section 401(a)(17)(B) of the Code. The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which Compensation is determined (determination period) beginning in such calendar year. If a determination period consists of fewer than 12 months, the EGTRRA annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

Any reference in the retirement system to the limitation under Section 401 (a)(17) of the Code shall mean the EGTRRA annual compensation limit set forth in this provision.

(g) At no time prior to the satisfaction of all liabilities under the retirement system with respect to members and their spouses or beneficiaries, shall any part of the corpus or income of the fund be used for or diverted to any purpose other than for their exclusive benefit.

SECTION 4. That Chapter 22, Article IV, Division 2 of the St. Petersburg City Code relating to the Prior Retirement System is hereby amended by adding a Section 22-141 titled "100% Vesting Upon Termination of Retirement System" as follows:

Sec. 22-141. 100% Vesting Upon Termination of Retirement System

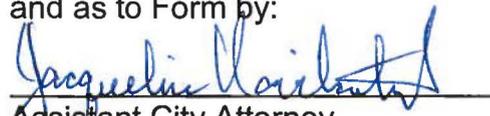
Notwithstanding any provision of the retirement system to the contrary, all members' accrued benefits shall become 100% upon the date of Termination of the retirement system.

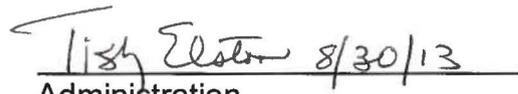
SECTION 5. Language which is ~~stricken through~~ indicates deletions, and language which is underlined indicates additions.

SECTION 6. If any section, subsection, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 7. Effective Date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to Content by
Sugarman and Susskind, P.A. (outside counsel)
and as to Form by:


Assistant City Attorney
Jacqueline Kovilaritch

 8/30/13
Administration

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE IV, DIVISION 3, ST. PETERSBURG CITY CODE, RELATING TO THE SUPPLEMENTAL RETIREMENT SYSTEM (EMPLOYEES RETIREMENT SYSTEM) BY AMENDING SAID RETIREMENT SYSTEM TO PROVIDE FOR CHANGES REQUIRED BY THE INTERNAL REVENUE CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That Section 22-162, Definitions, of Chapter 22, Article IV, Division 3 of the St. Petersburg City Code relating to the Supplemental Retirement System is hereby amended as follows:

Sec. 22-162. Definitions.

...

Annuity Starting Date means the Annuity Starting Date as defined in Section 417 of the Internal Revenue Code.

...

SECTION 2 That Section 22-165, Benefits, of Chapter 22, Article IV, Division 3 of the St. Petersburg City Code relating to the Supplemental Retirement System is hereby amended as follows:

Sec. 22-165. Benefits

- (d) Should a member cease to be an employee by death after having completed 20 years of creditable service but before becoming eligible for service retirement, the member's beneficiary shall be allowed to leave the member's accumulated contributions, if any, in the retirement fund and receive, at what would have been the member's retirement age, a retirement income as provided for by subsection (a)(2) of this section; provided, however, the beneficiary may elect such optional retirement income as the member should have been entitled to have selected had such person lived to his

retirement age and had retired on such date. Additional creditable service of up to 90 days may be allowed as provided in section 22-170(b). In the case of a member who dies on or after January 1, 2007 while performing "Qualified Military Service" under Title 38, United States Code, Chapter 43, Uniformed Services Employment and Reemployment Rights Act ("USERRA") within the meaning of Section 414(u) of the Internal Revenue Code, any "additional benefits" (as defined by Section 401(a)(37) of the Internal Revenue Code) provided under the retirement system that are contingent upon a member's termination of employment due to death shall be determined as though the member had resumed employment immediately prior to his death. With respect to any such "additional benefits," for vesting purposes only, credit shall be given for the period of the member's absence from covered employment during "Qualified Military Service".

SECTION 3. That Chapter 22, Article IV, Division 3 of the St. Petersburg City Code relating to the Supplemental Retirement System is hereby amended by adding a Section 22-172 titled "Internal Revenue Code Compliance" as follows:

Sec. 22-172 Internal Revenue Code Compliance.

(a) Maximum amount of retirement income.

- (1) The limitations of this Subsection (a) shall apply in limitation years beginning on or after July 1, 2007, except as otherwise provided herein, and are intended to comply with the requirements of the Pension Protection Act of 2006 and shall be construed in accordance with said Act and guidance issued thereunder. The provisions of this Subsection (a) shall supersede any provision of the retirement system to the extent such provision is inconsistent with this Subsection.**

The Annual Pension as defined in Paragraph (2) below otherwise payable to a member at any time shall not exceed the Dollar Limitation for the member multiplied by a fraction whose value cannot exceed one, the numerator of which is the member's number of years (or part thereof, but not less than one year) of service with the City and the denominator of which is 10. For this purpose, no more than one year of service may be credited for any plan year. If the benefit the member would otherwise accrue in a limitation year would

produce an Annual Pension in excess of the Dollar Limitation, the benefit shall be limited (or the rate of accrual reduced) to a benefit that does not exceed the Dollar Limitation.

(2) "Annual Pension" means the sum of all annual benefits, payable in the form of a straight life annuity. Benefits payable in any other form shall be adjusted to the larger of:

a. For limitation years beginning on or after July 1, 2007

1. the straight life annuity (if any) payable to the member under the retirement system commencing at the same Annuity starting date as the member's form of benefit, or

2. the actuarially equivalent straight life annuity commencing at the same Annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

b. For limitation years beginning before July 1, 2007

1. the actuarially equivalent straight life annuity commencing at the same Annuity starting date, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system for the particular form of payment, or

2. the actuarially equivalent straight life annuity commencing at the same Annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

No actuarial adjustment to the benefit shall be made for benefits that are not directly related to retirement benefits (such as a qualified disability benefit, preretirement incidental death benefits, and postretirement medical benefits); or the inclusion in the form of benefit of an automatic benefit increase feature, provided the form of benefit is not subject to §417(e)(3) of the Internal Revenue Code and would

otherwise satisfy the limitations of this Subsection (a), and the amount payable under the form of benefit in any limitation year shall not exceed the limits of this Subsection (a) applicable at the annuity starting date, as increased in subsequent years pursuant to § 415(d) of the Code. For this purpose, an automatic benefit increase feature is included in a form of benefit if the form of benefit provides for automatic, periodic increases to the benefits paid in that form.

(3) "Dollar Limitation" means, effective for the first limitation year beginning after January 1, 2001, \$160,000, automatically adjusted under Code Section 415(d), effective January 1 of each year, as published in the Internal Revenue Bulletin, and payable in the form of a straight life annuity. The new limitation shall apply to limitation years ending with or within the calendar year of the date of the adjustment, but a member's benefits shall not reflect the adjusted limit prior to January 1 of that calendar year. The Dollar Limitation shall be further adjusted based on the age of the member when the benefit begins as follows:

a. For Annuity starting dates in limitation years beginning on or after July 1, 2007

1. If the Annuity starting date for the member's benefit is after age 65

(i) If the retirement system does not have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member's Annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the member's Annuity starting date that is the actuarial equivalent of the Dollar Limitation with actuarial equivalence computed using a 5.00% interest rate assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that Annuity starting date (and expressing the member's age

based on completed calendar months as of the Annuity starting date).

- (ii) If the retirement system does have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member's Annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at the member's Annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at age 65, both determined without applying the limitations of this Subsection (a), and (bb) the limitation determined under Subclause (3)a.1.(i) of this Subsection(a). For this purpose, the adjusted immediately commencing straight life annuity under the retirement system at the member's Annuity starting date is the annual amount of such annuity payable to the member, computed disregarding the member's accruals after age 65 but including actuarial adjustments even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing straight life annuity under the retirement system at age 65 is the annual amount of such annuity that would be payable under the retirement system to a hypothetical member who is age 65 and has the same Accrued Benefit as the member.

2. Except with respect to a member who is a "Qualified member" as defined in Section 415(b)(2)(H) of the Code, for benefits (except

survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code), if the Annuity starting date for the member's benefit is before age 62

- (i) If the retirement system does not have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's Annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the member's Annuity starting date that is the actuarial equivalent of the Dollar Limitation with actuarial equivalence computed using a 5.00% interest rate assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that Annuity starting date (and expressing the member's age based on completed calendar months as of the Annuity starting date).

- (ii) If the retirement system does have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's Annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at the member's Annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at age 62, both determined without applying the limitations of this Subsection (a), and (bb) the limitation

determined under Subclause (3)a.2.(i) of this Subsection (a).

b. For Annuity starting dates in limitation years beginning before July 1, 2007

<u>Age as of Annuity starting date:</u>	<u>Adjustment of Dollar Limitation:</u>
Over 65	<p><u>(a) the actuarial equivalent of the limitation for age 65, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system, or</u></p> <p><u>the actuarial equivalent of the limitation for age 65, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>Any increase in the Dollar Limitation determined in accordance with this paragraph shall not reflect a mortality decrement between age 65 and the age at which benefits commence if benefits are not forfeited upon the death of the member. If any benefits are forfeited upon death, the full mortality decrement is taken into account.</u></p>
62 to 65	No adjustment.
Less than 62	<p><u>(a) the actuarial equivalent of the limitation for age 62, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system, or</u></p> <p><u>the actuarial equivalent of the limitation for age 62, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>This adjustment shall not apply to any "Qualified member" as defined in Section 415(b)(2)(H), nor to survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code.</u></p>

(4) With respect to subclause (3)a.1.(i), subclause (3)a.2.(i) and Subparagraph (3)(B) above, no adjustment shall be made to the Dollar Limitation to reflect the probability of a member's death between the Annuity starting date and age 62, or between age 65 and the Annuity starting date, as applicable, if benefits are not forfeited upon the death of the member prior to the Annuity starting date. To the extent benefits are forfeited upon death before the Annuity starting date, such an adjustment shall be made. For this purpose, no forfeiture shall be treated as occurring upon the member's death if the

retirement system does not charge members for providing a qualified preretirement survivor annuity, as defined in Code Section 417(c), upon the member's death.

- (5) The term "limitation year" is the 12 month period which is used for application of the limitations under Code Section 415 and shall be the calendar year.
- (6) The limitations set forth in this Subsection (a) shall not apply if the Annual Pension does not exceed \$10,000 provided the member has never participated in a defined contribution plan maintained by the City.
- (7) Cost-of-living adjustments in the Dollar Limitation for benefits shall be limited to scheduled annual increases determined by the Secretary of the Treasury under Section Subsection 415(d) of the Code.
- (8) In the case of a member who has fewer than 10 years of participation in the retirement system, the Dollar Limitation set forth in Paragraph (3) of this Subsection (a) shall be multiplied by a fraction - (i) the numerator of which is the number of years (or part thereof) of participation in the retirement system, and (ii) the denominator of which is 10.
- (9) Any portion of a member's benefit that is attributable to mandatory member contributions (unless picked-up by the City) or rollover contributions, shall be taken into account in the manner prescribed in the regulations under Section 415 of the Code.
- (10) Should any member participate in more than one defined benefit plan maintained by the City, in any case in which the member's benefits under all such defined benefit plans (determined as of the same age) would exceed the Dollar Limitation applicable at that age, the accrual of the member's benefit under the retirement system shall be reduced so that the member's combined benefits will equal the Dollar Limitation.
- (11) For a member who has or will have distributions commencing at more than one annuity starting date, the Annual Benefit shall be determined as of each such annuity starting date (and shall satisfy the limitations of this Section

as of each such date), actuarially adjusting for past and future distributions of benefits commencing at the other annuity starting dates. For this purpose, the determination of whether a new starting date has occurred shall be made without regard to § 1.401(a)-20, Q&A 10(d), and with regard to § 1.415(b)1(b)(1)(iii)(B) and (C) of the Income Tax Regulations.

- (12) The determination of the Annual Pension under Paragraph (2) of this Subsection (a) shall take into account (in the manner prescribed by the regulations under Section 415 of the Code) social security supplements described in § 411(a)(9) of the Internal Revenue Code and benefits transferred from another defined benefit plan, other than transfers of distributable benefits pursuant § 1.411(d)-4, Q&A-3(c) of the Income Tax Regulations.
- (13) The above limitations are intended to comply with the provisions of Section 415 of the Code, as amended, so that the maximum benefits provided by plans of the City shall be exactly equal to the maximum amounts allowed under Section 415 of the Code and regulations thereunder. If there is any discrepancy between the provisions of this Subsection (a) and the provisions of Section 415 of the Code and regulations thereunder, such discrepancy shall be resolved in such a way as to give full effect to the provisions of Section 415 of the Code. The value of any benefits forfeited as a result of the application of this Subsection (a) shall be used to decrease future employer contributions.
- (14) For the purpose of applying the limitations set forth in Sections 401(a)(17) and 415 of the Internal Revenue Code, Compensation shall include any elective deferral (as defined in Code Section 402(g)(3) of the Internal Revenue Code), and any amount which is contributed or deferred by the employer at the election of the member and which is not includible in the gross income of the member by reason of Section 125 or 457 of the Internal Revenue Code. For limitation years beginning on and after January 1, 2001, for the purposes of applying the limitations described in this Subsection (a), compensation paid or made available during such limitation years shall include elective amounts that are not includible in the gross income of the member by reason of Section 132(f)(4) of the Internal Revenue Code. For

limitation years on or after July 1, 2007, compensation shall include payments that otherwise qualify as compensation and that are made by the later of: (a) 2 and ½ (two and one-half) months after severance from employment with the employer, and (b) the end of the limitation year that includes the date of severance.

(b) Required Beginning Date.

Notwithstanding any other provision of the retirement system, payment of a member's retirement benefits under the retirement system shall commence not later than the member's Required Beginning Date, which is defined as the later of:

-April 1 of the calendar year that next follows the calendar year in which the member attains or will attain the age of 70½ years; or

-April 1 of the calendar year that next follows the calendar year in which the member retires.

(c) Required minimum distributions.

(1) Required beginning date. The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date as defined in subsection (b) of this section 22-249.

(2) Death of member before distributions begin.

a. If the member dies before distributions begin, the member's entire interest will be distributed, or begin to be distributed, no later than as follows:

1. If the member's surviving spouse is the member's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the member died, or by December 31 of the calendar year in which the member would have attained age 70½, if later.

2. If the member's surviving spouse is not the member's sole designated beneficiary, then

distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the member died.

3. If there is no designated beneficiary as of September 30 of the year following the year of the member's death, the member's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

b. The member's entire interest shall be distributed as follows:

1. *member survived by designated beneficiary.* If the member dies before the date distribution of his or her interest begins and there is a designated beneficiary, the member's entire interest will be distributed, beginning no later than the time described in Subparagraph (2)a. above, over the life of the designated beneficiary or over a period certain not exceeding:

(i) Unless the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the member's death; or

(ii) If the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year that contains the annuity starting date.

2. *No designated beneficiary.* If the member dies before the date distributions begin and there is

no designated beneficiary as of September 30 of the year following the year of the member's death, distribution of the member's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the member's death.

c. *Death of surviving spouse before distributions to surviving spouse begin.* In any case in which (i) the member dies before the date distribution of his or her interest begins, (ii) the member's surviving spouse is the member's sole designated beneficiary, and (iii) the surviving spouse dies before distributions to the surviving spouse begin, Subparagraphs (2)a. and b. above shall apply as though the surviving spouse were the member.

(3) *Requirements for annuity distributions that commence during member's lifetime.*

a. *Joint life annuities where the beneficiary is not the member's spouse.* If the member's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the member and a nonspousal beneficiary, annuity payments to be made on or after the member's required beginning date to the designated beneficiary after the member's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the member using the table set forth in Q&A-2 of Section 1.401(a)(9)-6 of the treasury regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the member and a nonspousal beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated beneficiary after the expiration of the period certain.

b. *Period certain annuities.* Unless the member's spouse is the sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain for an annuity distribution commencing during the member's lifetime may not exceed the

applicable distribution period for the member under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations for the calendar year that contains the annuity starting date. If the annuity starting date precedes the year in which the member reaches age 70, the applicable distribution period for the member is the distribution period for age 70 under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations plus the excess of 70 over the age of the member as of the member's birthday in the year that contains the annuity starting date. If the member's spouse is the member's sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain may not exceed the longer of the member's applicable distribution period, as determined under this Subparagraph (3)b., or the joint life and last survivor expectancy of the member and the member's spouse as determined under the Joint and Last Survivor Table set forth in Section 1.401(a)(9)-9 of the treasury regulations, using the member's and spouse's attained ages as of the member's and spouse's birthdays in the calendar year that contains the annuity starting date.

(4) Form of distribution. Unless the member's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with Subparagraphs (4)a., (4)b. and (4)c. below. If the member's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the Code and the treasury regulations. Any part of the member's interest which is in the form of an individual account described in Section 414(k) of the Code will be distributed in a manner satisfying the requirements of Section 401(a)(9) of the Code and the treasury regulations that apply to individual accounts.

a. General annuity requirements. If the member's interest is paid in the form of annuity distributions

under the retirement system, payments under the annuity will satisfy the following requirements:

1. The annuity distributions will be paid in periodic payments made at intervals not longer than one year;
2. The distribution period will be over a life (or lives) or over a period certain, not longer than the distribution period described in Paragraph (2) or (3) above, whichever is applicable, of this subsection (c);
3. Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted;
4. Payments will either be non-increasing or increase only as follows:
 - (i) By an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index that is based on prices of all items and issued by the Bureau of Labor Statistics;
 - (ii) To the extent of the reduction in the amount of the member's payments to provide for a survivor benefit upon death, but only if the beneficiary whose life was being used to determine the distribution period dies or is no longer the member's beneficiary pursuant to a qualified domestic relations order within the meaning of Section 414(p) of the Code;
 - (iii) To provide cash refunds of employee contributions upon the member's death;
or

(iv) To pay increased benefits that result from an amendment to the retirement system.

b. Amount required to be distributed by required beginning date. The amount that must be distributed on or before the member's required beginning date (or, if the member dies before distributions begin, the date distributions are required to begin under Clause (2)a.1. or (2)a.2., whichever is applicable) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the member's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the member's required beginning date.

c. Additional accruals after first distribution calendar year. Any additional benefits accruing to the member in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

(5) For purposes of this subsection (c), distributions are considered to begin on the member's required beginning date. If annuity payments irrevocably commence to the member (or to the member's surviving spouse) before the member's required beginning date (or, if to the member's surviving spouse, before the date distributions are required to begin in accordance with Subparagraph (2)a. above), the date distributions are considered to begin is the date distributions actually commence.

(6) Definitions.

a. Designated beneficiary. The individual who is designated as the beneficiary under the retirement

system and is the designated beneficiary under Section 401(a)(9) of the Code and Section 1.401(a)(9)-4 of the treasury regulations.

b. *Distribution calendar year.* A calendar year for which a minimum distribution is required. For distributions beginning before the member's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the member's required beginning date. For distributions beginning after the member's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to paragraph (2) of this subsection (c).

c. *Life expectancy.* Life expectancy as computed by use of the Single Life Table in Section 1.401(a)(9)-9 of the treasury regulations.

(d) (1) Notwithstanding any provision of the retirement system to the contrary that would otherwise limit a distributee's election under this Section, a distributee may elect, at the time and in the manner prescribed by the Administrator, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

(2) Definitions

The following definitions apply to this Section:

a. Eligible rollover distribution: An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include:

1. any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of 10 years or more;

2. any distribution to the extent such distribution is required under Section 401(a)(9) of the Code;
3. the portion of any distribution which is made upon hardship of the member; and
4. the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities), provided that a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax Employee contributions which are not includible in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in Section 408(a) or (b) of the Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(3) Eligible retirement plan: An eligible retirement plan is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an annuity plan described in Section 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, a qualified trust described in Section 401 (a) of the Code, an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from the retirement system, or, with respect to distributions on or after January 1, 2008, a Roth IRA (subject to the limitations of Code Section 408A(c)(3)) that accepts the distributee's eligible rollover distribution.

- (4) Distributee: A distributee includes an Employee or former Employee. In addition, the Employee's or former Employee's surviving spouse and the Employee's or former Employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse. Furthermore, effective January 1, 2007, a surviving designated beneficiary as defined in Section 401(a)(9)(E) of the Code who is not the surviving spouse and who elects a direct rollover to an individual retirement account described in Section 408(a) of the Code or an individual retirement annuity described in Section 408(b) of the Code shall be considered a distributee.
- (5) Direct rollover: A direct rollover is a payment by the retirement system to the eligible retirement plan specified by the distributee.
- (e) Notwithstanding any other provision of the retirement system, the maximum amount of any mandatory distribution, as defined in Section 401(a)(31) of the Code, payable under the retirement system shall be \$1000.
- (f) Compensation Limitations Under 401(a)(17):

In addition to other applicable limitations set forth in the retirement system, and notwithstanding any other provision of the retirement system to the contrary, the annual compensation of each member taken into account under the retirement system shall not exceed the EGTRRA annual compensation limit for limitation years beginning after December 31, 2001. The EGTRRA annual compensation limit is \$200,000, as adjusted by the Commissioner for increases in the cost of living in accordance with Section 401(a)(17)(B) of the Code. The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which Compensation is determined (determination period) beginning in such calendar year. If a determination period consists of fewer than 12 months, the EGTRRA annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

Any reference in the retirement system to the limitation under Section 401 (a)(17) of the Code shall mean the EGTRRA annual compensation limit set forth in this provision.

- (g) At no time prior to the satisfaction of all liabilities under the retirement system with respect to members and their spouses or beneficiaries, shall any part of the corpus or income of the fund be used for or diverted to any purpose other than for their exclusive benefit.

SECTION 4. That Chapter 22, Article IV, Division 3 of the St. Petersburg City Code relating to the Supplemental Retirement System is hereby amended by adding a Section 22-173 titled "100% Vesting Upon Termination of Retirement System" as follows:

Sec. 22-173. 100% Vesting Upon Termination of Retirement System

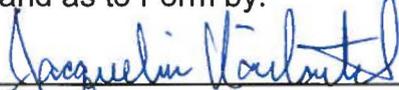
Notwithstanding any provision of the retirement system to the contrary, all members' accrued benefits shall become 100% upon the date of Termination of the retirement system.

SECTION 5. Language which is ~~stricken through~~ indicates deletions, and language which is underlined indicates additions.

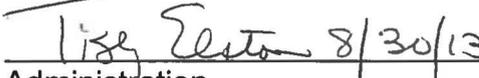
SECTION 6. If any section, subsection, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 7. Effective Date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to Content by
Sugarman and Susskind, P.A. (outside counsel)
and as to Form by:



Assistant City Attorney
Jacqueline Kovilaritch



Administration

August 29, 2013

Ms. Vicki Grant
Manager, Benefits; Human Resources
City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: Actuarial Impact Statement for the Employees' Retirement System

Dear Vicki:

This letter provides the actuarial impact of a proposed change required by the Internal Revenue code to the City of St. Petersburg Employees' Retirement System (the "System"). The proposed ordinances would amend sections 22-132 and 22-165 and add sections 22-140 and 22-172 of the System. More specifically, the following sections have been amended or added:

Prior Retirement System:

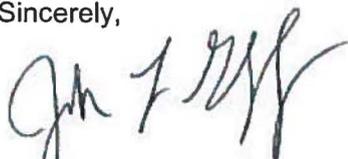
- Section 22-132(a)(1)a. is amended to specify that a Member's benefit shall become fully vested upon the attainment of his or her Normal Retirement Age
- Section 22-132(k) is modified to provide death benefits for qualified active military under USERRA
- Section 22-140 titled "Internal Revenue Code Compliance" is added to provide that the maximum benefit and compensation limits are applied to determine benefits under the System (as prescribed in the Internal Revenue Code).

Supplemental Retirement System:

- Section 22-165(a)(1) is amended to specify that a Member's benefit shall become fully vested upon the attainment of his or her Normal Retirement Age
- Section 22-165(d) is modified to provide death benefits for qualified active military under USERRA
- Section 22-172 titled "Internal Revenue Code Compliance" is added to provide that the maximum benefit and compensation limits are applied to determine benefits under the System (as prescribed in the Internal Revenue Code).

These changes will not have an impact on the recommended contributions to the System. If you have any questions regarding this impact statement, please do not hesitate to contact me.

Sincerely,



Joseph L. Griffin, ASA, EA, MAAA, FCA
Director, Consulting Actuary

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200 Galleria Parkway NW, Suite 1900 • Atlanta, GA 30339-5945
770.955.2488 • 770.933.8336 (fax)

Attached documents for item Ordinance amending sections of Division Four, Chapter 22 of the St. Petersburg City Code relating to the Supplemental Firefighter's Retirement System ('Plan') for the purpose of complying with provisions of the Internal Revenue Code.

**St. Petersburg City Council Agenda Item
Meeting of September 19, 2013**

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

Subject: An Ordinance amending sections of Division Four, Chapter 22 of the St. Petersburg City Code relating to the Supplemental Firefighter's Retirement System ('Plan') for the purpose of complying with provisions of the Internal Revenue code.

Action Being Requested: Council action is being sought to approve amendments to Sections 22-196, 22-201 and approve adding sections 22-207 and 22-208 to comply with provisions of the Internal Revenue Code.

Summary: The City operates a pension program for firefighters. The Plan was created by Ordinance and it is necessary to modify the City Code for changes. The Plan operates in accordance with both Florida Statutes and the Internal Revenue Code ('Code'). Changes in the Code require that the Plan be amended in order to remain Code compliant. Every 5 years, the Internal Revenue Service ('IRS') provides Public Sector plans a review period for compliance with the Code. A favorable tax determination letter expresses the opinion of the IRS that the Plan document is in compliance and that the Plan qualifies for favorable tax treatment under Code Section 401(a). The Plan was recently reviewed by outside tax attorneys and the attached changes were recommended to comply with the provisions of the Code.

The proposed Ordinance adds certain definitions to the Plan, clarifies the purpose of the Plan and adds language regarding minimum required distributions and eligible rollover distributions. The Plan has been operating in accordance with the proposed changes. Further detail on these changes is provided in the attached document. The recommended changes are technical in nature and do not have a monetary impact on the Plan or its funding.

Since no material benefit changes are incorporated in this proposed Ordinance, no union action is required.

Cost: The most recent actuarial study approved by the Fire Pension Board was conducted as of October 1, 2012. The actuary has provided an impact statement indicating there is no expected significant financial impact to make this change. Additionally, there is no increase to the Unfunded Actuarial Accrued Liability (UAAL) for this change.

Recommendations:

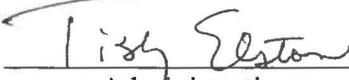
Recommended City Council Action:

- (1) Conduct second reading and Public Hearing

Attachments:

- (1) Proposed Ordinance
- (2) Discussion of Proposed Changes
- (3) Actuarial Impact Statement

Approvals:



Administration

8/30/13

Date



Budget

8/30/13

Date

FIREFIGHTER'S RETIREMENT SYSTEM
DISCUSSION OF PROPOSED CHANGES
PROVIDED BY SUGARMAN & SUSSKIND, P.A.

The amendments contained within the ordinance are summarized as follows:

100% Vesting Upon Normal Retirement Age

The Code requires that a participant's benefit become 100% vested upon the attainment of Normal Retirement Age under the plan. That requirement must be reflected in writing in the plan document.

Amendment for Heroes Earnings Assistance and Relief Tax Act ("HEART" Act)

The HEART Act provided for certain benefits for survivors of participants who die while In USERRA-qualified military service.

Under HEART, survivor benefits are determined as though the person returned to work and died immediately thereafter. Also, for vesting purposes with respect to survivor benefits, service credit is given for the time during which the person was acting in USERRA-qualified service.

General Internal Revenue Compliance Provisions

The major IRS compliance provisions have been combined into one section of the Plan. That amendment appears as Section 4 and provides for the following requirements of the Code:

Subsection (a) relates to Section 415 defined benefit limitations. In April, 2007, the IRS issued new, final regulations relating to Section 415 of the Code. Section 415 limits the amount of benefits that a participant can receive each year under the plan. The limitation is adjusted annually for the cost of living. Currently, Section 415 limits annual benefits payable under defined benefit plans to \$205,000.00.

Subsection (b) provides for the Required Beginning Date for the commencement of benefit payments, in accordance with 401(a)(9).

Subsection (c) provides for compliance with the distribution requirements under 401(a)(9). Section 401(a)(9) of the Code provides for certain rules relating to the time frame and manner in which benefits must be paid under the plan. Recent changes in the law amended some of those requirements.

Subsection (d) updates the plan for all current Code provisions relating to Rollover Distributions.

Subsection (e) limits the amount of Mandatory Distributions under the Plan, in order to avoid the requirements of 401(a)(31)(B).

Subsection (f) updates the 401(a)(17) limitations regarding the amount of compensation that a Plan may take into consideration for the purpose of benefit calculations.

Subsection (g) satisfies the Code requirement that the fund be used exclusively for the provision of benefits.

100% Vesting Upon Termination of the Plan

As with vesting upon the attainment of Normal Retirement Age, the Code provides that all accrued benefits shall become 100% vested upon termination of the Plan. That amendment appears as Section 5.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 22, DIVISION 4, ST. PETERSBURG CITY CODE, RELATING TO THE SUPPLEMENTAL FIREFIGHTER'S RETIREMENT SYSTEM BY AMENDING SAID RETIREMENT SYSTEM TO PROVIDE FOR CHANGES REQUIRED BY THE INTERNAL REVENUE CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That Section 22-196, Definitions, of Chapter 22, Article IV, Division 4 of the St. Petersburg City Code relating to the Supplemental Firefighter's Retirement System is hereby amended as follows:

Sec. 22-196. Definitions.

...

Annuity Starting Date means the Annuity Starting Date as defined in Section 417 of the Internal Revenue Code.

...

SECTION 2. That Section 22-201, Benefits, of Chapter 22, Article IV, Division 4 of the St. Petersburg City Code relating to the Supplemental Firefighters' Retirement System is hereby amended as follows:

Sec. 22-201. Benefits.

(a) *Eligibility for retirement.*

(1) *Normal retirement eligibility.* Effective September 20, 2004, any member in service may retire upon written application to the Board setting forth at which time, not less than 30 days nor more than 90 days subsequent to the execution and filing thereof, that such person desires to be retired, if at the time so specified for retirement from active service such person shall have attained his or her Normal Retirement Age, which is hereby defined as age 50 with 10 years of creditable service ~~age 50 and shall have completed ten or more years~~

creditable service. Any other provision of the retirement system notwithstanding, a member's benefit shall become fully vested (100% non-forfeitable) upon the attainment of his or her Normal Retirement Age. Any member separating from the active service after completing 20 years creditable service but prior to the attainment of age 50, shall be entitled to receive a benefit computed pursuant to subsection (b) of this section upon attainment of age 50. Any member attaining age 53 shall be entitled to a benefit computed pursuant to subsection (b) of this section. Any member with 30 years of creditable service shall be entitled to a benefit computed pursuant to subsection (b) of this section.

...

SECTION 3. That Section 22-201, Benefits, of Chapter 22, Article IV, Division 4 of the St. Petersburg City Code relating to the Supplemental Firefighters' Retirement System is hereby amended by adding the following language to subsection (h):

Sec. 22-201. Benefits.

...

(h) *Nonservice-connected death benefits.* Should a member cease to be an employee by death from causes unconnected with the performance of such person's duties, the following applies: If the member's designated beneficiary is his or her spouse, such spouse, provided such person survives the member and was the member's spouse at the time of the member's death, shall be eligible to receive 50 percent of the member's accrued pension benefit as the normal form of retirement benefit, or an actuarially equivalent optional form of retirement benefit as set forth in subsection (b)(3)b of this section, as elected by such spouse at the time of the member's death. If the member's designated beneficiary is other than his or her spouse, and such designated beneficiary survives the member, such designated beneficiary shall be eligible for an actuarially equivalent optional form of retirement benefit as set forth in subsection (b)(3)b of this section, as elected by such designated beneficiary at the time of the member's death. Surviving child benefit is payable as provided for by subsection (b)(3)c of this section.

Death while performing USERRA - qualified active military service. In the case of a member who dies on or after January 1, 2007 while performing "Qualified Military Service" under Title 38, United States Code, Chapter 43, Uniformed Services Employment and Reemployment Rights Act ("USERRA") within the meaning of Section 414(u) of the Internal Revenue Code, any "additional benefits" (as defined by Section 401(a)(37) of the Internal Revenue Code) provided under the retirement system that are

contingent upon a member's termination of employment due to death shall be determined as though the member had resumed employment immediately prior to his death. With respect to any such "additional benefits," for vesting purposes only, credit shall be given for the period of the member's absence from covered employment during "Qualified Military Service".

...

SECTION 4. That Chapter 22, Article IV, Division 4 of the St. Petersburg City Code relating to the Supplemental Firefighters' Retirement System is hereby amended by adding a Section 22-207 titled "Internal Revenue Code Compliance" as follows:

Sec. 22-207. Internal Revenue Code Compliance.

(a) Maximum Amount of Retirement Income.

- (1) The limitations of this Subsection (a) shall apply in limitation years beginning on or after July 1, 2007, except as otherwise provided herein, and are intended to comply with the requirements of the Pension Protection Act of 2006 and shall be construed in accordance with said Act and guidance issued thereunder. The provisions of this Subsection (a) shall supersede any provision of the retirement system to the extent such provision is inconsistent with this Subsection.**

The Annual Pension as defined in Paragraph (2) below otherwise payable to a member at any time shall not exceed the Dollar Limitation for the member multiplied by a fraction whose value cannot exceed one, the numerator of which is the member's number of years (or part thereof, but not less than one year) of service with the City and the denominator of which is 10. For this purpose, no more than one year of service may be credited for any plan year. If the benefit the member would otherwise accrue in a limitation year would produce an Annual Pension in excess of the Dollar Limitation, the benefit shall be limited (or the rate of accrual reduced) to a benefit that does not exceed the Dollar Limitation.

- (2) "Annual Pension" means the sum of all annual benefits, payable in the form of a straight life annuity. Benefits payable in any other form shall be adjusted to the larger of:**

a. For limitation years beginning on or after July 1, 2007

1. the straight life annuity (if any) payable to the member under the retirement system commencing at the same annuity starting date as the member's form of benefit, or
2. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

b. For limitation years beginning before July 1, 2007

1. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system for the particular form of payment, or
2. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

No actuarial adjustment to the benefit shall be made for benefits that are not directly related to retirement benefits (such as a qualified disability benefit, preretirement incidental death benefits, and postretirement medical benefits); or the inclusion in the form of benefit of an automatic benefit increase feature, provided the form of benefit is not subject to §417(e)(3) of the Internal Revenue Code and would otherwise satisfy the limitations of this Subsection (a), and the amount payable under the form of benefit in any limitation year shall not exceed the limits of this Subsection (a) applicable at the annuity starting date, as increased in subsequent years pursuant to § 415(d) of the Code. For this purpose, an automatic benefit increase feature is included in a form of benefit if the form of benefit provides for automatic, periodic increases to the benefits paid in that form.

(3) “Dollar Limitation” means, effective for the first limitation year beginning after January 1, 2001, \$160,000, automatically adjusted under Code Section 415(d), effective January 1 of each year, as published in the Internal Revenue Bulletin, and payable in the form of a straight life annuity. The new limitation shall apply to limitation years ending with or within the calendar year of the date of the adjustment, but a member’s benefits shall not reflect the adjusted limit prior to January 1 of that calendar year. The Dollar Limitation shall be further adjusted based on the age of the member when the benefit begins as follows:

a. For annuity starting dates in limitation years beginning on or after July 1, 2007

1. If the annuity starting date for the member’s benefit is after age 65

(i) If the retirement system does not have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member’s annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the member’s annuity starting date that is the actuarial equivalent of the Dollar Limitation with actuarial equivalence computed using a 5.00% interest rate assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that annuity starting date (and expressing the member’s age based on completed calendar months as of the annuity starting date).

(ii) If the retirement system does have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member’s annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the

ratio of the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at the member's annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at age 65, both determined without applying the limitations of this Subsection (a), and (bb) the limitation determined under Subclause (3)a.1.(i) of this Subsection(a). For this purpose, the adjusted immediately commencing straight life annuity under the retirement system at the member's annuity starting date is the annual amount of such annuity payable to the member, computed disregarding the member's accruals after age 65 but including actuarial adjustments even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing straight life annuity under the retirement system at age 65 is the annual amount of such annuity that would be payable under the retirement system to a hypothetical member who is age 65 and has the same Accrued Benefit as the member.

2. Except with respect to a member who is a "Qualified member" as defined in Section 415(b)(2)(H) of the Code, for benefits (except survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code), if the annuity starting date for the member's benefit is before age 62

(i) If the retirement system does not have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the annual amount of a benefit payable in the form

of a straight life annuity commencing at the member's annuity starting date that is the actuarial equivalent of the Dollar Limitation with actuarial equivalence computed using a 5.00% interest rate assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that annuity starting date (and expressing the member's age based on completed calendar months as of the annuity starting date).

- (ii) If the retirement system does have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at the member's annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at age 62, both determined without applying the limitations of this Subsection (a), and (bb) the limitation determined under Subclause (3)a.2.(i) of this Subsection (a).

- b. For annuity starting dates in limitation years beginning before July 1, 2007

<u>Age as of Annuity Starting Date:</u>	<u>Adjustment of Dollar Limitation:</u>
<u>Over 65</u>	<p>The smaller of: (a) <u>the actuarial equivalent of the limitation for age 65, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system, or</u></p> <p>(b) <u>the actuarial equivalent of the limitation for age 65, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>Any increase in the Dollar Limitation determined in accordance with this paragraph shall not reflect a mortality decrement between age 65 and the age at which benefits commence if benefits are not forfeited upon the death of the member. If any benefits are forfeited upon death, the full mortality decrement is taken into account.</u></p>
<u>62 to 65</u>	<u>No adjustment.</u>
<u>Less than 62</u>	<p>The smaller of: (a) <u>the actuarial equivalent of the limitation for age 62, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system, or</u></p> <p>(b) <u>the actuarial equivalent of the limitation for age 62, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>This adjustment shall not apply to any "Qualified member" as defined in Section 415(b)(2)(H), nor to survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code.</u></p>

- (4) With respect to subclause (3)a.1.(i), subclause (3)a.2.(i) and Subparagraph (3)(B) above, no adjustment shall be made to the Dollar Limitation to reflect the probability of a member's death between the annuity starting date and age 62, or between age 65 and the annuity starting date, as applicable, if benefits are not forfeited upon the death of the member prior to the annuity starting date. To the extent benefits are forfeited upon death before the annuity starting date, such an adjustment shall be made. For this purpose, no forfeiture shall be treated as occurring upon the member's death if the retirement system does not charge members for providing a qualified preretirement survivor annuity, as defined in Code Section 417(c), upon the member's death.

- (5) The term "limitation year" is the 12 month period which is used for application of the limitations under Code Section 415 and shall be the calendar year.
- (6) The limitations set forth in this Subsection (a) shall not apply if the Annual Pension does not exceed \$10,000 provided the member has never participated in a Defined Contribution Plan maintained by the City.
- (7) Cost-of-living adjustments in the Dollar Limitation for benefits shall be limited to scheduled annual increases determined by the Secretary of the Treasury under Section Subsection 415(d) of the Code.
- (8) In the case of a member who has fewer than 10 years of participation in the retirement system, the Dollar Limitation set forth in Paragraph (3) of this Subsection (a) shall be multiplied by a fraction - (i) the numerator of which is the number of years (or part thereof) of participation in the retirement system, and (ii) the denominator of which is 10.
- (9) Any portion of a member's benefit that is attributable to mandatory member contributions (unless picked-up by the City) or rollover contributions, shall be taken into account in the manner prescribed in the regulations under Section 415 of the Code.
- (10) Should any member participate in more than one defined benefit plan maintained by the City, in any case in which the member's benefits under all such defined benefit plans (determined as of the same age) would exceed the Dollar Limitation applicable at that age, the accrual of the member's benefit under the retirement system shall be reduced so that the member's combined benefits will equal the Dollar Limitation.
- (11) For a member who has or will have distributions commencing at more than one annuity starting date, the Annual Benefit shall be determined as of each such annuity starting date (and shall satisfy the limitations of this Section as of each such date), actuarially adjusting for past and future distributions of benefits commencing at the other annuity starting dates. For this purpose, the determination of whether a new starting date has occurred shall be made without regard to § 1.401(a)-20, Q&A 10(d), and with regard to § 1.415(b)1(b)(1)(iii)(B) and (C) of the Income Tax Regulations.
- (12) The determination of the Annual Pension under Paragraph (2) of this Subsection (a) shall take into account (in the manner

prescribed by the regulations under Section 415 of the Code) social security supplements described in § 411(a)(9) of the Internal Revenue Code and benefits transferred from another defined benefit plan, other than transfers of distributable benefits pursuant § 1.411(d)-4, Q&A-3(c) of the Income Tax Regulations.

(13) The above limitations are intended to comply with the provisions of Section 415 of the Code, as amended, so that the maximum benefits provided by plans of the City shall be exactly equal to the maximum amounts allowed under Section 415 of the Code and regulations thereunder. If there is any discrepancy between the provisions of this Subsection (a) and the provisions of Section 415 of the Code and regulations thereunder, such discrepancy shall be resolved in such a way as to give full effect to the provisions of Section 415 of the Code. The value of any benefits forfeited as a result of the application of this Subsection (a) shall be used to decrease future employer contributions.

(14) For the purpose of applying the limitations set forth in Sections 401(a)(17) and 415 of the Internal Revenue Code, Compensation shall include any elective deferral (as defined in Code Section 402(g)(3) of the Internal Revenue Code), and any amount which is contributed or deferred by the employer at the election of the member and which is not includible in the gross income of the member by reason of Section 125 or 457 of the Internal Revenue Code. For limitation years beginning on and after January 1, 2001, for the purposes of applying the limitations described in this Subsection (a), compensation paid or made available during such limitation years shall include elective amounts that are not includible in the gross income of the member by reason of Section 132(f)(4) of the Internal Revenue Code. For limitation years on or after July 1, 2007, compensation shall include payments that otherwise qualify as compensation and that are made by the later of: (a) 2 and ½ (two and one-half) months after severance from employment with the employer, and (b) the end of the limitation year that includes the date of severance.

(b) Required Beginning Date:

Notwithstanding any other provision of the retirement system, payment of a member's retirement benefits under the retirement system shall commence not later than the member's Required Beginning Date, which is defined as the later of:

-April 1 of the calendar year that next follows the calendar year in which the member attains or will attain the age of 70½ years; or

-April 1 of the calendar year that next follows the calendar year in which the member retires.

(c) Required minimum distributions.

(1) Required beginning date. The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date as defined in subsection (b) of this section 22-207.

(2) Death of member before distributions begin.

a. If the member dies before distributions begin, the member's entire interest will be distributed, or begin to be distributed, no later than as follows:

1. If the member's surviving spouse is the member's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the member died, or by December 31 of the calendar year in which the member would have attained age 70½, if later.

2. If the member's surviving spouse is not the member's sole designated beneficiary, then distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the member died.

3. If there is no designated beneficiary as of September 30 of the year following the year of the member's death, the member's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

b. The member's entire interest shall be distributed as follows:

1. member survived by designated beneficiary. If the member dies before the date distribution of his or her interest begins and there is a

designated beneficiary, the member's entire interest will be distributed, beginning no later than the time described in Subparagraph (2)a. above, over the life of the designated beneficiary or over a period certain not exceeding:

(i) Unless the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the member's death; or

(ii) If the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year that contains the annuity starting date.

2. *No designated beneficiary.* If the member dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the member's death, distribution of the member's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the member's death.

c. *Death of surviving spouse before distributions to surviving spouse begin.* In any case in which (i) the member dies before the date distribution of his or her interest begins, (ii) the member's surviving spouse is the member's sole designated beneficiary, and (iii) the surviving spouse dies before distributions to the surviving spouse begin, Subparagraphs (2)a. and b. above shall apply as though the surviving spouse were the member.

(3) *Requirements for annuity distributions that commence during member's lifetime.*

- a. Joint life annuities where the beneficiary is not the member's spouse. If the member's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the member and a nonspousal beneficiary, annuity payments to be made on or after the member's required beginning date to the designated beneficiary after the member's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the member using the table set forth in Q&A-2 of Section 1.401(a)(9)-6 of the treasury regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the member and a nonspousal beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated beneficiary after the expiration of the period certain.
- b. Period certain annuities. Unless the member's spouse is the sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain for an annuity distribution commencing during the member's lifetime may not exceed the applicable distribution period for the member under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations for the calendar year that contains the annuity starting date. If the annuity starting date precedes the year in which the member reaches age 70, the applicable distribution period for the member is the distribution period for age 70 under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations plus the excess of 70 over the age of the member as of the member's birthday in the year that contains the annuity starting date. If the member's spouse is the member's sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain may not exceed the longer of the member's applicable distribution period, as determined under this Subparagraph (3)b., or the joint life and last survivor expectancy of the member and the member's spouse as determined under the Joint and Last Survivor Table set forth in Section 1.401(a)(9)-9 of the treasury regulations, using the member's and spouse's attained ages as of the

member's and spouse's birthdays in the calendar year that contains the annuity starting date.

(4) Form of distribution. Unless the member's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with Subparagraphs (4)a., (4)b. and (4)c. below. If the member's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the Code and the treasury regulations. Any part of the member's interest which is in the form of an individual account described in Section 414(k) of the Code will be distributed in a manner satisfying the requirements of Section 401(a)(9) of the Code and the treasury regulations that apply to individual accounts.

a. General annuity requirements. If the member's interest is paid in the form of annuity distributions under the retirement system, payments under the annuity will satisfy the following requirements:

1. The annuity distributions will be paid in periodic payments made at intervals not longer than one year;
2. The distribution period will be over a life (or lives) or over a period certain, not longer than the distribution period described in Paragraph (2) or (3) above, whichever is applicable, of this subsection (c);
3. Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted;
4. Payments will either be non-increasing or increase only as follows:
 - (i) By an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index that is

based on prices of all items and issued by the Bureau of Labor Statistics;

(ii) To the extent of the reduction in the amount of the member's payments to provide for a survivor benefit upon death, but only if the beneficiary whose life was being used to determine the distribution period dies or is no longer the member's beneficiary pursuant to a qualified domestic relations order within the meaning of Section 414(p) of the Code;

(iii) To provide cash refunds of employee contributions upon the member's death; or

(iv) To pay increased benefits that result from an amendment to the retirement system.

b. Amount required to be distributed by required beginning date. The amount that must be distributed on or before the member's required beginning date (or, if the member dies before distributions begin, the date distributions are required to begin under Clause (2)a.1. or (2)a.2., whichever is applicable) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the member's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the member's required beginning date.

c. Additional accruals after first distribution calendar year. Any additional benefits accruing to the member in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year

immediately following the calendar year in which such amount accrues.

(5) For purposes of this subsection (c), distributions are considered to begin on the member's required beginning date. If annuity payments irrevocably commence to the member (or to the member's surviving spouse) before the member's required beginning date (or, if to the member's surviving spouse, before the date distributions are required to begin in accordance with Subparagraph (2)a. above), the date distributions are considered to begin is the date distributions actually commence.

(6) Definitions.

a. *Designated beneficiary.* The individual who is designated as the beneficiary under the retirement system and is the designated beneficiary under Section 401(a)(9) of the Code and Section 1.401(a)(9)-4 of the treasury regulations.

b. *Distribution calendar year.* A calendar year for which a minimum distribution is required. For distributions beginning before the member's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the member's required beginning date. For distributions beginning after the member's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to paragraph (2) of this subsection (c).

c. *Life expectancy.* Life expectancy as computed by use of the Single Life Table in Section 1.401(a)(9)-9 of the treasury regulations.

(d) (1) Notwithstanding any provision of the Retirement system to the contrary that would otherwise limit a distributee's election under this Section, a distributee may elect, at the time and in the manner prescribed by the Administrator, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

(2) Definitions.

The following definitions apply to this Section:

a. *Eligible rollover distribution:* An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include:

1. any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of 10 years or more;

2. any distribution to the extent such distribution is required under Section 401(a)(9) of the Code;

3. the portion of any distribution which is made upon hardship of the member; and

4. the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities), provided that a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax Employee contributions which are not includible in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in Section 408(a) or (b) of the Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(b) *Eligible retirement plan:* An eligible retirement plan is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an annuity plan described in Section 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, a qualified trust described in Section 401 (a) of the Code, an eligible plan under Section 457(b) of the

Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from the retirement system, or, with respect to distributions on or after January 1, 2008, a Roth IRA (subject to the limitations of Code Section 408A(c)(3)) that accepts the distributee's eligible rollover distribution.

(c) *Distributee:* A distributee includes an Employee or former Employee. In addition, the Employee's or former Employee's surviving spouse and the Employee's or former Employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse. Furthermore, effective January 1, 2007, a surviving designated beneficiary as defined in Section 401(a)(9)(E) of the Code who is not the surviving spouse and who elects a direct rollover to an individual retirement account described in Section 408(a) of the Code or an individual retirement annuity described in Section 408(b) of the Code shall be considered a distributee.

(d) *Direct rollover:* A direct rollover is a payment by the Retirement system to the eligible retirement plan specified by the distributee.

(e) Notwithstanding any other provision of the retirement system, the maximum amount of any mandatory distribution, as defined in Section 401(a)(31) of the Code, payable under the retirement system shall be \$1000.

(f) Compensation Limitations Under 401(a)(17):

In addition to other applicable limitations set forth in the retirement system, and notwithstanding any other provision of the retirement system to the contrary, the annual compensation of each member taken into account under the retirement system shall not exceed the EGTRRA annual compensation limit for limitation years beginning after December 31, 2001. The EGTRRA annual compensation limit is \$200,000, as adjusted by the Commissioner for increases in the cost of living in accordance with

Section 401(a)(17)(B) of the Code. The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which Compensation is determined (determination period) beginning in such calendar year. If a determination period consists of fewer than 12 months, the EGTRRA annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

Any reference in the retirement system to the limitation under Section 401 (a)(17) of the Code shall mean the EGTRRA annual compensation limit set forth in this provision.

(g) At no time prior to the satisfaction of all liabilities under the retirement system with respect to members and their spouses or beneficiaries, shall any part of the corpus or income of the retirement system be used for or diverted to any purpose other than for their exclusive benefit.

SECTION 5. That Chapter 22, Article IV, Division 4 of the St. Petersburg City Code relating to the Supplemental Firefighters' Retirement System is hereby amended by adding a Section 22-208 titled "Termination" as follows:

Sec. 22-208. Termination.

Notwithstanding any provision of the retirement system to the contrary, all members' accrued benefits shall become 100% upon the date of Termination of the retirement system.

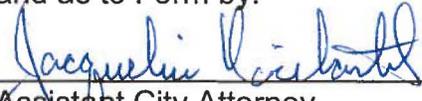
SECTION 6. Language which is ~~struck through~~ indicates deletions, and language which is underlined indicates additions.

SECTION 7. If any section, subsection, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

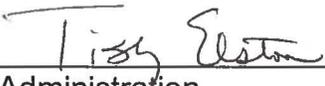
SECTION 8. Effective Date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto

in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to Content by
Sugarman and Susskind, P.A. (outside counsel)
and as to Form by:



Assistant City Attorney
Jacqueline Kovilaritch

 8/30/13

Administration

August 29, 2013

Ms. Vicki Grant
Manager, Benefits; Human Resources
City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: Actuarial Impact Statement for the Firefighters' Retirement System

Dear Vicki:

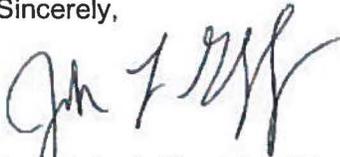
This letter provides the actuarial impact of a proposed change to the City of St. Petersburg Firefighters' Retirement System (the "System"). The proposed ordinance would amend sections 22-201 and add section 22-207 of the System. More specifically, the following sections have been amended or added:

- Section 22-201(a)(1) is amended to provide that a Member's benefit shall become fully vested upon the attainment of his or her Normal Retirement Age
- Section 22-201(h) is amended to provide death benefits for qualified active military under USERRA
- Section 22-207 titled "Internal Revenue Code Compliance" is added to provide that the maximum benefit and compensation limits are applied to determine benefits under the System (as prescribed in the Internal Revenue Code).

These changes will not have an impact on the recommended contributions to the System.

If you have any questions regarding this impact statement, please do not hesitate to contact me.

Sincerely,



Joseph L. Griffin, ASA, EA, MAAA, FCA
Director, Consulting Actuary

Attached documents for item Police Officer's Retirement System:

**St. Petersburg City Council Agenda Item
Meeting of September 19, 2013**

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

Subject: Ordinances amending sections of Division Five and Division Six, Chapter 22 of the St. Petersburg City Code relating to the 1970 Supplemental Police Officer's Retirement System and the 1984 Supplemental Police Officer's Retirement System ('Plans'), respectively, for the purpose of complying with provisions of the Internal Revenue Code.

Action Being Requested: Council action is being sought to approve amendments to Sections 22-236 , 22-241, 22-275 and 22-280 and approve adding sections 22-249 and 22-287 to comply with provisions of the Internal Revenue Code.

Summary: The Plans were created by Ordinance and it is necessary to modify the City Code for changes. The Plans operate in accordance with both Florida Statutes and the Internal Revenue Code ('Code'). Changes in the Code require that the Plan be amended in order to remain Code compliant. Every 5 years, the Internal Revenue Service ('IRS') provides Public Sector plans a review period for compliance with the Code. A favorable tax determination letter expresses the opinion of the IRS that the Plan document is in compliance and that the Plan qualifies for favorable tax treatment under Code Section 401(a). The Plan was recently reviewed by outside tax attorneys and the attached changes were recommended to comply with the Code.

The proposed Ordinances add certain definitions to the Plans, clarify the purpose of the Plans and add language regarding minimum required distributions and eligible rollover distributions. The Plans have been operating in accordance with the proposed changes. Further detail is provided in the attached document. The recommended changes are technical in nature and do not have a monetary impact on the Plan or its funding.

Since no material benefit changes are incorporated in this proposed Ordinance, no union action is required.

Cost: The most recent actuarial study approved by the Police Pension Plan Board of Trustees was conducted as of October 1, 2012. The actuary has provided an impact statement indicating there is no expected significant financial impact to make this change. Additionally, there is no increase to the Unfunded Actuarial Accrued Liability (UAAL) for this change.

Recommendations:

Recommended City Council Action:

- (1) Conduct second reading and Public Hearing

Attachments:

- (1) Proposed Ordinance
- (2) Discussion of Proposed Changes
- (3) Actuarial Impact Statement

Approvals:

Tissy Elston
Administration

8/30/13
Date

A Ramsey
Budget

8/30/13
Date

POLICE PENSION PLANS

DISCUSSION OF PROPOSED CHANGES

PROVIDED BY SUGARMAN & SUSSKIND, P.A.

The amendments contained within the ordinance are summarized as follows:

Deletion of Existing Definition of Eligible Retirement Plan

Currently, Section 22-236 contains an outdated definition of “Eligible Retirement Plan” that was formerly intended to comply with the Code provisions relating to Rollover Distributions.

As explained below, the IRS Compliance section of the plan document contains an updated definition of “Eligible Retirement Plan”.

100% Vesting Upon Normal Retirement Age

The Code requires that a participant’s benefit become 100% vested upon the attainment of Normal Retirement Age under the plan. That requirement must be reflected in writing in the plan document.

Amendment for Heroes Earnings Assistance and Relief Tax Act (“HEART” Act)

The HEART Act provided for certain benefits for survivors of participants who die while In USERRA-qualified military service.

Under HEART, survivor benefits are determined as though the person returned to work and died immediately thereafter. Also, for vesting purposes with respect to survivor benefits, service credit is given for the time during which the person was acting in USERRA-qualified service.

General Internal Revenue Compliance Provisions

The major IRS compliance provisions have been combined into one section of each Plan. The amendments appear as Section 3 and provide for the following requirements of the Code:

Subsection (a) relates to Section 415 defined benefit limitations. In April, 2007, the IRS issued new, final regulations relating to Section 415 of the Code. Section 415 limits the amount of benefits that a participant can receive each year under the plan. The limitation is adjusted annually for the cost of living. Currently, Section 415 limits annual benefits payable under defined benefit plans to \$205,000.00.

Subsection (b) provides for the Required Beginning Date for the commencement of benefit

payments, in accordance with 401(a)(9).

Subsection (c) provides for compliance with the distribution requirements under 401(a)(9). Section 401(a)(9) of the code provides for certain rules relating to the time frame and manner in which benefits must be paid under the plan. Recent changes in the law amended some of those requirements.

Subsection (d) updates the plan for all current Code provisions relating to Rollover Distributions.

Subsection (e) limits the amount of Mandatory Distributions under the Plan, in order to avoid the requirements of 401(a)(31)(B).

Subsection (f) updates the 401(a)(17) limitations regarding the amount of compensation that a Plan may take into consideration for the purpose of benefit calculations.

Subsection (g) satisfies the Code requirement that the fund be used exclusively for the provision of benefits.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 22, DIVISION 5, ST. PETERSBURG CITY CODE, RELATING TO THE 1970 SUPPLEMENTAL POLICE OFFICER'S RETIREMENT SYSTEM BY AMENDING SAID RETIREMENT SYSTEM TO PROVIDE FOR CHANGES REQUIRED BY THE INTERNAL REVENUE CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That Section 22-236, Definitions, of Chapter 22, Article IV, Division 5 of the St. Petersburg City Code relating to the 1970 Supplemental Police Officers' Retirement System is hereby amended as follows:

Sec. 22-236, Definitions

...

Annuity Starting Date means the Annuity Starting Date as defined in Section 417 of the Internal Revenue Code.

...

Compensation means compensation as defined in Treasury Regulation 1.415-2(d), including all items specified in subsection (2) of that regulation, and excluding all items not required under Regulation 1.415-2(d) and all items specifically excluded under subsection (3) of that regulation. ~~Notwithstanding the preceding, any portion of a member's yearly compensation that exceeds the limits set forth in code section 401(a)(17) (\$200,000.00 for years beginning after December 31, 2001, as adjusted under subsection (B) for the cost-of-living) shall not be taken into account when calculating a member's earnings base or any other determination that utilizes compensation.~~

...

~~Eligible retirement plan~~ means, for plan years beginning after December 31, 2001, an individual retirement account or annuity under code section 408, a qualified trust under code section 401, an annuity plan

~~or contract under code section 403 and a plan satisfying the requirements of code section 457.~~

...

~~Limitation year means the retirement system year.~~

...

SECTION 2. That Section 22-241, Benefits, of Chapter 22, Article IV, Division 5 of the St. Petersburg City Code relating to the 1970 Supplemental Police Officers' Retirement System is hereby amended as follows:

Sec. 22-241. Benefits.

(a) *Eligibility for retirement.* Any member in service may retire upon written application to the Board setting forth at which time, not less than 30 days nor more than 90 days subsequent to the execution and filing thereof, the member desires to be retired, if at the time so specified for such person's retirement from active service such person shall have attained his or her Normal Retirement Age, which is hereby defined as (age 50) with completed 20 years of creditable service. Any other provision of the retirement system notwithstanding, a member's benefit shall become fully vested (100% non-forfeitable) upon the attainment of his or her Normal Retirement Age.

(b) *Computation of retirement benefits.* Upon attaining age 55 or retirement from active service if later, the member shall receive a service retirement income which shall consist of: A retirement income for life computed at 2.5 percent for each year of service for the first 20 years of creditable service and two percent for each additional year thereafter, up to a maximum of 60 percent times such person's earnings base, less one-half the current primary social security benefit. Such reduction shall not reduce the benefits to less than 25 percent of what they would have been without the reduction. ~~Notwithstanding any provision of the retirement system to the contrary, benefits under this section 22-241 shall not exceed the limits set under code section 415(b).~~

...

(h) *Nonservice-connected death benefits.* Should an active member cease to be an employee by death from causes unconnected with the

performance of such person's duties, the surviving spouse shall receive the same pension benefits the member would have been entitled to receive as provided by subsection (d) of this section, not to exceed 25 percent of the earnings base, plus 7.5 percent of the earnings base for each unmarried child under the age of 18 years; however, the total of such combined benefits shall not exceed 50 percent of the earnings base and such benefits shall be reduced by 50 percent of any family social security benefits. Such reduction shall not reduce the benefits to less than 25 percent of what they would have been without the reduction.

Death while performing USERRA-qualified active military service - In the case of a member who dies on or after January 1, 2007 while performing "Qualified Military Service" under Title 38, United States Code, Chapter 43, Uniformed Services Employment and Reemployment Rights Act ("USERRA") within the meaning of Section 414(u) of the Internal Revenue Code, any "additional benefits" (as defined by Section 401(a)(37) of the Internal Revenue Code) provided under the Plan that are contingent upon a member's termination of employment due to death shall be determined as though the member had resumed employment immediately prior to his death. With respect to any such "additional benefits," for vesting purposes only, credit shall be given for the period of the member's absence from covered employment during "Qualified Military Service".

...

- (o) *Vested benefits.* Should a member cease to be an employee, except for death or retirement and after completing seven or more years of creditable service, such member shall acquire, pursuant to the following vesting schedule, benefits payable on a monthly life annuity basis commencing at age 55, provided such member has a vested interest at time of separation from employment:

Completed Years of Creditable Service	Annual Vested Increment in Accrued Benefit	Cumulative Vested Interest in Accrued Benefit (%)
Less than 7	0	0
7	20	20
8	8	28
9	8	36
10	8	44
11	8	52
12	8	60
13	8	68
14	8	76
15	8	84
16	8	92
17	8	100

Vesting shall pertain only to future retirement benefits payable as provided under this section and do not relate to employee contributions and other allowances.

As of the retirement system year beginning October 1, 2000, a member whose vested benefit has a present value, as determined in accordance with code section 417(e), not exceeding \$5,000.00, and who has made an application for benefits, shall have that benefit distributed in a lump sum as soon as practicable of the retirement system. For members who cease to be an employee between the effective date of the ordinance from which this provision is derived and the date of its adoption, the present value of that member's benefit shall be the greater of:

- (1) The present value as calculated under this amendment; or
- (2) The present value as calculated without this amendment.

...

SECTION 3. That Chapter 22, Article IV, Division 5 of the St. Petersburg City Code relating to the 1970 Supplemental Police Officers' Retirement System is hereby amended by adding a Section 22-249 titled "Internal Revenue Code Compliance" as follows:

Sec. 22-249. Internal Revenue Code Compliance.

(a) Maximum amount of retirement income.

- (1) The limitations of this Subsection (a) shall apply in limitation years beginning on or after July 1, 2007, except as otherwise provided herein, and are intended to comply with the requirements of the Pension Protection Act of 2006 and shall be construed in accordance with said Act and guidance issued thereunder. The provisions of this Subsection (a) shall supersede any provision of the Plan to the extent such provision is inconsistent with this Subsection.

The Annual Pension as defined in Paragraph (2) below otherwise payable to a member at any time shall not exceed the Dollar Limitation for the member multiplied by a fraction whose value cannot exceed one, the numerator of which is

the member's number of years (or part thereof, but not less than one year) of service with the City and the denominator of which is 10. For this purpose, no more than one year of service may be credited for any Plan Year. If the benefit the member would otherwise accrue in a limitation year would produce an Annual Pension in excess of the Dollar Limitation, the benefit shall be limited (or the rate of accrual reduced) to a benefit that does not exceed the Dollar Limitation.

(2) "Annual Pension" means the sum of all annual benefits, payable in the form of a straight life annuity. Benefits payable in any other form shall be adjusted to the larger of:

a. For limitation years beginning on or after July 1, 2007

1. the straight life annuity (if any) payable to the member under the Plan commencing at the same annuity starting date as the member's form of benefit, or

2. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

b. For limitation years beginning before July 1, 2007

1. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the Plan for the particular form of payment, or

2. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

No actuarial adjustment to the benefit shall be made for benefits that are not directly related to retirement benefits

(such as a qualified disability benefit, preretirement incidental death benefits, and postretirement medical benefits); or the inclusion in the form of benefit of an automatic benefit increase feature, provided the form of benefit is not subject to §417(e)(3) of the Internal Revenue Code and would otherwise satisfy the limitations of this Subsection (a), and the amount payable under the form of benefit in any limitation year shall not exceed the limits of this Subsection (a) applicable at the annuity starting date, as increased in subsequent years pursuant to § 415(d) of the Code. For this purpose, an automatic benefit increase feature is included in a form of benefit if the form of benefit provides for automatic, periodic increases to the benefits paid in that form.

(3) "Dollar Limitation" means, effective for the first limitation year beginning after January 1, 2001, \$160,000, automatically adjusted under Code Section 415(d), effective January 1 of each year, as published in the Internal Revenue Bulletin, and payable in the form of a straight life annuity. The new limitation shall apply to limitation years ending with or within the calendar year of the date of the adjustment, but a member's benefits shall not reflect the adjusted limit prior to January 1 of that calendar year. The Dollar Limitation shall be further adjusted based on the age of the member when the benefit begins as follows:

a. For annuity starting dates in limitation years beginning on or after July 1, 2007

1. If the annuity starting date for the member's benefit is after age 65

(i) If the Plan does not have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the member's annuity starting date that is the actuarial equivalent of the Dollar

Limitation with actuarial equivalence computed using a 5.00% interest rate assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that annuity starting date (and expressing the member's age based on completed calendar months as of the annuity starting date).

- (ii) If the Plan does have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the Plan at the member's annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the Plan at age 65, both determined without applying the limitations of this Subsection (a), and (bb) the limitation determined under Subclause (3)a.1.(i) of this Subsection(a). For this purpose, the adjusted immediately commencing straight life annuity under the Plan at the member's annuity starting date is the annual amount of such annuity payable to the member, computed disregarding the member's accruals after age 65 but including actuarial adjustments even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing straight life annuity under the Plan at age 65 is the annual amount of such annuity that would be payable under the Plan to a hypothetical member who is age 65 and

has the same Accrued Benefit as the member.

2. Except with respect to a member who is a "Qualified member" as defined in Section 415(b)(2)(H) of the Code, for benefits (except survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code), if the annuity starting date for the member's benefit is before age 62

(i) If the Plan does not have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the member's annuity starting date that is the actuarial equivalent of the Dollar Limitation with actuarial equivalence computed using a 5.00% interest rate assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that annuity starting date (and expressing the member's age based on completed calendar months as of the annuity starting date).

(ii) If the Plan does have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the Plan at the member's annuity starting date to the annual amount of the adjusted

immediately commencing straight life annuity under the Plan at age 62, both determined without applying the limitations of this Subsection (a), and (bb) the limitation determined under Subclause (3)a.2.(i) of this Subsection (a).

b. For annuity starting dates in limitation years beginning before July 1, 2007

<u>Age as of annuity starting date:</u>	<u>Adjustment of Dollar Limitation:</u>
<u>Over 65</u>	<p>The smaller of: (a) <u>the actuarial equivalent of the limitation for age 65, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the Plan, or</u></p> <p>(b) <u>the actuarial equivalent of the limitation for age 65, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>Any increase in the Dollar Limitation determined in accordance with this paragraph shall not reflect a mortality decrement between age 65 and the age at which benefits commence if benefits are not forfeited upon the death of the member. If any benefits are forfeited upon death, the full mortality decrement is taken into account.</u></p>
<u>62 to 65</u>	<u>No adjustment.</u>
<u>Less than 62</u>	<p>The smaller of: (a) <u>the actuarial equivalent of the limitation for age 62, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the Plan, or</u></p> <p>(b) <u>the actuarial equivalent of the limitation for age 62, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>This adjustment shall not apply to any "Qualified member" as defined in Section 415(b)(2)(H), nor to survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code.</u></p>

- (4) With respect to subclause (3)a.1.(i), subclause (3)a.2.(i) and Subparagraph (3)(B) above, no adjustment shall be made to the Dollar Limitation to reflect the probability of a member's death between the annuity starting date and age 62, or between age 65 and the annuity starting date, as applicable, if benefits are not forfeited upon the death of the member prior to the annuity starting date. To the extent benefits are forfeited upon death before the annuity starting date, such an adjustment shall be made. For this purpose, no forfeiture shall be treated as occurring upon the member's death if the Plan does not charge members for providing a qualified preretirement survivor annuity, as defined in Code Section 417(c), upon the member's death.
- (5) The term "limitation year" is the 12 month period which is used for application of the limitations under Code Section 415 and shall be the calendar year.
- (6) The limitations set forth in this Subsection (a) shall not apply if the Annual Pension does not exceed \$10,000 provided the member has never participated in a defined contribution plan maintained by the City.
- (7) Cost-of-living adjustments in the Dollar Limitation for benefits shall be limited to scheduled annual increases determined by the Secretary of the Treasury under Section Subsection 415(d) of the Code.
- (8) In the case of a member who has fewer than 10 years of participation in the Plan, the Dollar Limitation set forth in Paragraph (3) of this Subsection (a) shall be multiplied by a fraction - (i) the numerator of which is the number of years (or part thereof) of participation in the Plan, and (ii) the denominator of which is 10.
- (9) Any portion of a member's benefit that is attributable to mandatory member contributions (unless picked-up by the City) or rollover contributions, shall be taken into account in the manner prescribed in the regulations under Section 415 of the Code.
- (10) Should any member participate in more than one defined benefit plan maintained by the City, in any case in which the member's benefits under all such defined benefit plans

(determined as of the same age) would exceed the Dollar Limitation applicable at that age, the accrual of the member's benefit under this Plan shall be reduced so that the member's combined benefits will equal the Dollar Limitation.

- (11) For a member who has or will have distributions commencing at more than one annuity starting date, the Annual Benefit shall be determined as of each such annuity starting date (and shall satisfy the limitations of this Section as of each such date), actuarially adjusting for past and future distributions of benefits commencing at the other annuity starting dates. For this purpose, the determination of whether a new starting date has occurred shall be made without regard to § 1.401(a)-20, Q&A 10(d), and with regard to § 1.415(b)1(b)(1)(iii)(B) and (C) of the Income Tax Regulations.
- (12) The determination of the Annual Pension under Paragraph (2) of this Subsection (a) shall take into account (in the manner prescribed by the regulations under Section 415 of the Code) social security supplements described in § 411(a)(9) of the Internal Revenue Code and benefits transferred from another defined benefit plan, other than transfers of distributable benefits pursuant § 1.411(d)-4, Q&A-3(c) of the Income Tax Regulations.
- (13) The above limitations are intended to comply with the provisions of Section 415 of the Code, as amended, so that the maximum benefits provided by plans of the City shall be exactly equal to the maximum amounts allowed under Section 415 of the Code and regulations thereunder. If there is any discrepancy between the provisions of this Subsection (a) and the provisions of Section 415 of the Code and regulations thereunder, such discrepancy shall be resolved in such a way as to give full effect to the provisions of Section 415 of the Code. The value of any benefits forfeited as a result of the application of this Subsection (a) shall be used to decrease future employer contributions.
- (14) For the purpose of applying the limitations set forth in Sections 401(a)(17) and 415 of the Internal Revenue Code, Compensation shall include any elective deferral (as defined in Code Section 402(g)(3) of the Internal Revenue Code), and any amount which is contributed or deferred by the

employer at the election of the member and which is not includible in the gross income of the member by reason of Section 125 or 457 of the Internal Revenue Code. For limitation years beginning on and after January 1, 2001, for the purposes of applying the limitations described in this Subsection (a), compensation paid or made available during such limitation years shall include elective amounts that are not includible in the gross income of the member by reason of Section 132(f)(4) of the Internal Revenue Code. For limitation years on or after July 1, 2007, compensation shall include payments that otherwise qualify as compensation and that are made by the later of: (a) 2 and ½ (two and one-half) months after severance from employment with the employer, and (b) the end of the limitation year that includes the date of severance.

(b) Required Beginning Date.

Notwithstanding any other provision of the Plan, payment of a member's retirement benefits under the Plan shall commence not later than the member's Required Beginning Date, which is defined as the later of:

-April 1 of the calendar year that next follows the calendar year in which the member attains or will attain the age of 70½ years; or

-April 1 of the calendar year that next follows the calendar year in which the member retires.

(c) Required minimum distributions.

(1) Required beginning date. The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date as defined in subsection (b) of this section 22-249.

(2) Death of member before distributions begin.

a. If the member dies before distributions begin, the member's entire interest will be distributed, or begin to be distributed, no later than as follows:

1. If the member's surviving spouse is the member's sole designated beneficiary, then distributions to the surviving spouse will begin

by December 31 of the calendar year immediately following the calendar year in which the member died, or by December 31 of the calendar year in which the member would have attained age 70½, if later.

2. If the member's surviving spouse is not the member's sole designated beneficiary, then distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the member died.

3. If there is no designated beneficiary as of September 30 of the year following the year of the member's death, the member's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

b. The member's entire interest shall be distributed as follows:

1. *member survived by designated beneficiary.* If the member dies before the date distribution of his or her interest begins and there is a designated beneficiary, the member's entire interest will be distributed, beginning no later than the time described in Subparagraph (2)a. above, over the life of the designated beneficiary or over a period certain not exceeding:

(i) Unless the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the member's death; or

(ii) If the annuity starting date is before the first distribution calendar year, the life

expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year that contains the annuity starting date.

2. *No designated beneficiary.* If the member dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the member's death, distribution of the member's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the member's death.

c. *Death of surviving spouse before distributions to surviving spouse begin.* In any case in which (i) the member dies before the date distribution of his or her interest begins, (ii) the member's surviving spouse is the member's sole designated beneficiary, and (iii) the surviving spouse dies before distributions to the surviving spouse begin, Subparagraphs (2)a. and b. above shall apply as though the surviving spouse were the member.

(3) *Requirements for annuity distributions that commence during member's lifetime.*

a. *Joint life annuities where the beneficiary is not the member's spouse.* If the member's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the member and a nonspousal beneficiary, annuity payments to be made on or after the member's required beginning date to the designated beneficiary after the member's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the member using the table set forth in Q&A-2 of Section 1.401(a)(9)-6 of the treasury regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the member and a nonspousal beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the

designated beneficiary after the expiration of the period certain.

b. *Period certain annuities.* Unless the member's spouse is the sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain for an annuity distribution commencing during the member's lifetime may not exceed the applicable distribution period for the member under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations for the calendar year that contains the annuity starting date. If the annuity starting date precedes the year in which the member reaches age 70, the applicable distribution period for the member is the distribution period for age 70 under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations plus the excess of 70 over the age of the member as of the member's birthday in the year that contains the annuity starting date. If the member's spouse is the member's sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain may not exceed the longer of the member's applicable distribution period, as determined under this Subparagraph (3)b., or the joint life and last survivor expectancy of the member and the member's spouse as determined under the Joint and Last Survivor Table set forth in Section 1.401(a)(9)-9 of the treasury regulations, using the member's and spouse's attained ages as of the member's and spouse's birthdays in the calendar year that contains the annuity starting date.

(4) *Form of distribution.* Unless the member's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with Subparagraphs (4)a., (4)b. and (4)c. below. If the member's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the Code and the treasury regulations. Any part of the member's interest which is in the form of an individual

account described in Section 414(k) of the Code will be distributed in a manner satisfying the requirements of Section 401(a)(9) of the Code and the treasury regulations that apply to individual accounts.

a. General annuity requirements. If the member's interest is paid in the form of annuity distributions under the retirement system, payments under the annuity will satisfy the following requirements:

1. The annuity distributions will be paid in periodic payments made at intervals not longer than one year;
2. The distribution period will be over a life (or lives) or over a period certain, not longer than the distribution period described in Paragraph (2) or (3) above, whichever is applicable, of this subsection (c);
3. Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted;
4. Payments will either be non-increasing or increase only as follows:
 - (i) By an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index that is based on prices of all items and issued by the Bureau of Labor Statistics;
 - (ii) To the extent of the reduction in the amount of the member's payments to provide for a survivor benefit upon death, but only if the beneficiary whose life was being used to determine the distribution period dies or is no longer the member's beneficiary pursuant to a qualified domestic relations order within the meaning of Section 414(p) of the Code;

(iii) To provide cash refunds of employee contributions upon the member's death; or

(iv) To pay increased benefits that result from an amendment to the Retirement System.

b. Amount required to be distributed by required beginning date. The amount that must be distributed on or before the member's required beginning date (or, if the member dies before distributions begin, the date distributions are required to begin under Clause (2)a.1. or (2)a.2., whichever is applicable) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the member's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the member's required beginning date.

c. Additional accruals after first distribution calendar year. Any additional benefits accruing to the member in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

(5) For purposes of this subsection (c), distributions are considered to begin on the member's required beginning date. If annuity payments irrevocably commence to the member (or to the member's surviving spouse) before the member's required beginning date (or, if to the member's surviving spouse, before the date distributions are required to begin in accordance with Subparagraph (2)a. above), the date distributions are considered to begin is the date distributions actually commence.

(6) Definitions.

- a. Designated beneficiary. The individual who is designated as the beneficiary under the retirement system and is the designated beneficiary under Section 401(a)(9) of the Code and Section 1.401(a)(9)-4 of the treasury regulations.
 - b. Distribution calendar year. A calendar year for which a minimum distribution is required. For distributions beginning before the member's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the member's required beginning date. For distributions beginning after the member's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to paragraph (2) of this subsection (c).
 - c. Life expectancy. Life expectancy as computed by use of the Single Life Table in Section 1.401(a)(9)-9 of the treasury regulations.
- (d) (1) Notwithstanding any provision of the Plan to the contrary that would otherwise limit a distributee's election under this Section, a distributee may elect, at the time and in the manner prescribed by the Administrator, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

(2) Definitions

The following definitions apply to this Section:

a. Eligible rollover distribution: An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include:

- 1. any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint

life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of 10 years or more;

2. any distribution to the extent such distribution is required under Section 401(a)(9) of the Code;

3. the portion of any distribution which is made upon hardship of the member; and

4. the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities), provided that a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax Employee contributions which are not includible in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in Section 408(a) or (b) of the Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(3) Eligible retirement plan: An eligible retirement plan is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an annuity plan described in Section 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, a qualified trust described in Section 401 (a) of the Code, an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from this Plan, or, with respect to distributions on or after January 1, 2008, a Roth IRA (subject to the limitations of Code Section 408A(c)(3)) that accepts the distributee's eligible rollover distribution.

(4) Distributee: A distributee includes an Employee or former Employee. In addition, the Employee's or former Employee's surviving spouse and the Employee's or former Employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse. Furthermore, effective January 1, 2007, a surviving designated beneficiary as defined in Section 401(a)(9)(E) of the Code who is not the surviving spouse and who elects a direct rollover to an individual retirement account described in Section 408(a) of the Code or an individual retirement annuity described in Section 408(b) of the Code shall be considered a distributee.

(5) Direct rollover: A direct rollover is a payment by the Plan to the eligible retirement plan specified by the distributee.

(e) Notwithstanding any other provision of this Plan, the maximum amount of any mandatory distribution, as defined in Section 401(a)(31) of the Code, payable under the Plan shall be \$1000.

(f) Compensation Limitations Under 401(a)(17):

In addition to other applicable limitations set forth in the Plan, and notwithstanding any other provision of the Plan to the contrary, the annual compensation of each member taken into account under the Plan shall not exceed the EGTRRA annual compensation limit for limitation years beginning after December 31, 2001. The EGTRRA annual compensation limit is \$200,000, as adjusted by the Commissioner for increases in the cost of living in accordance with Section 401(a)(17)(B) of the Code. The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which Compensation is determined (determination period) beginning in such calendar year. If a determination period consists of fewer than 12 months, the EGTRRA annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

Any reference in the Plan to the limitation under Section 401 (a)(17) of the Code shall mean the EGTRRA annual compensation limit set forth in this provision.

(g) At no time prior to the satisfaction of all liabilities under the retirement system with respect to members and their spouses or

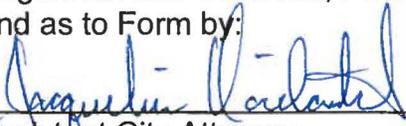
beneficiaries, shall any part of the corpus or income of the fund be used for or diverted to any purpose other than for their exclusive benefit.

SECTION 4. Language which is ~~stricken through~~ indicates deletions, and language which is underlined indicates additions.

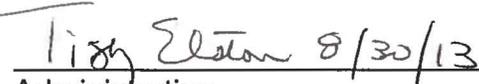
SECTION 5. If any section, subsection, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

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

Approved as to Content by
Sugarman and Susskind, P.A. (outside counsel)
and as to Form by:



Assistant City Attorney
Jacqueline Kovilaritch



Administration

August 29, 2013

Ms. Vicki Grant
Manager, Benefits; Human Resources
City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: Actuarial Impact Statement for the 1970 Supplemental Police Officers' Retirement System

Dear Vicki:

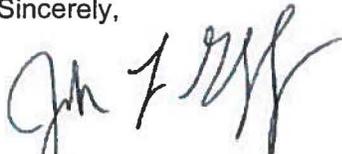
This letter provides the actuarial impact of a proposed change required by the Internal Revenue code to the City of St. Petersburg 1970 Supplemental Police Officers' Retirement System (the "System"). The proposed ordinance would amend sections 22-236 and 22-241 and add section 22-249 of the System. More specifically, the following sections have been amended or added:

- Section 22-236 is amended to revise the definition of Compensation to remove references to items now covered under the new Section 22-249
- Section 22-241(a) is amended to specify that a Member's benefit shall become fully vested upon the attainment of his or her Normal Retirement Age
- Section 22-241(b) is amended to remove references to the code section 415(b) limits that are now covered under the new Section 22-249
- Section 22-241(h) is modified to provide death benefits for qualified active military under USERRA
- Section 22-249 titled "Internal Revenue Code Compliance" is added to provide that the maximum benefit and compensation limits are applied to determine benefits under the System (as prescribed in the Internal Revenue Code).

These changes will not have an impact on the recommended contributions to the System.

If you have any questions regarding this impact statement, please do not hesitate to contact me.

Sincerely,



Joseph L. Griffin, ASA, EA, MAAA, FCA
Director, Consulting Actuary

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE IV, DIVISION 6, ST. PETERSBURG CITY CODE, RELATING TO THE 1984 SUPPLEMENTAL POLICE OFFICER'S RETIREMENT SYSTEM BY AMENDING SAID RETIREMENT SYSTEM TO PROVIDE FOR CHANGES REQUIRED BY THE INTERNAL REVENUE CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That Section 22-275, Definitions, of Chapter 22, Article IV, Division 6 of the St. Petersburg City Code relating to the 1984 Supplemental Police Officers' Retirement System is hereby amended as follows:

Sec. 22-275, Definitions

Annuity Starting Date means the Annuity Starting Date as defined in Section 417 of the Internal Revenue Code.

...

Compensation means compensation as defined in Treasury Regulation 1.415-2(d), including all items specified in subsection (2) of that regulation, and excluding all items not required under Treasury Regulation 1.415-2(d) and all items specifically excluded under subsection (3) of that regulation. ~~Notwithstanding the preceding, any portion of a member's yearly compensation that exceeds the limits set forth in code section 401(a)(17) (\$200,000.00 for years beginning after December 31, 2001, as adjusted under subsection (B) for the cost of living) shall not be taken into account when calculating a member's earnings base or any other determination that utilizes compensation.~~

...

~~Eligible retirement plan means, for plan years beginning after December 31, 2001, an individual retirement account or annuity under code section 408, a qualified trust under code section 401, an annuity plan or contract under code section 403 and a plan satisfying the requirements of code section 457.~~

...

~~Limitation year means the retirement system year.~~

...

SECTION 2. That Section 22-280, Benefits, of Chapter 22, Article IV, Division 6 of the St. Petersburg City Code relating to the 1984 Supplemental Police Officers' Retirement System is hereby amended as follows:

Sec. 22-280. Benefits.

(a) *Eligibility for retirement:*

- (1) *Service retirement eligibility.* Any member in service may retire upon written application to the Board setting forth at what time, not less than 30 days nor more than 90 days subsequent to the execution and filing thereof, such person desires to be retired; provided that at the time so specified for retirement such person shall have attained his or her Normal Retirement Age, which is hereby defined as completed 25 years of creditable service or shall have attained age 55. Upon retirement, such person shall be entitled to receive a benefit pursuant to subsection (b)(1) of this section. Any member separating from the active service after completing 20 years creditable service but prior to the attainment of age 55 shall be entitled to receive a benefit computed pursuant to subsection (b)(1) of this section upon attainment of age 55. Any other provision of the retirement system notwithstanding, a member's benefit shall become fully vested (100% non-forfeitable) upon the attainment of his or her Normal Retirement Age.

...

(b) *Computation of retirement benefits.*

...

- (3) *Normal and optional forms of retirement benefits.* Upon retirement, a member shall receive a retirement income based on the normal form of retirement benefit or one of the actuarially equivalent options elected in lieu of the normal form. If the member's designated beneficiary survives the member, such designated beneficiary is eligible for an actuarially equivalent optional form of retirement benefit, as elected by the member at the time of his or her retirement. Option 1, subsection (b)(3)b.1 of this section, provides for single or multiple designated beneficiaries. Only one designated beneficiary can be named for Options 2 through 5.
 - a. *Normal form of retirement benefit.* Benefits are payable for the life of the member only (life annuity). Upon death, no further benefits are payable to any designated beneficiary except as provided in subsection (d) of this section.
 - b. *Optional forms of retirement benefit.* For purposes of calculating the optional forms of retirement benefit, the normal form of retirement benefit is a life annuity. In lieu of the normal form of retirement benefit, a member (or designated beneficiary, upon the member's death, as provided in this division) may elect one of the options listed in subsections (b)(3)a.1 through 4 of this section. The following options are computed according to actuarial tables recommended by the actuary and adopted by the Board:
 1. *Option 1.* If such member dies before such member has received optional monthly retirement income payments for 120 months, the optional monthly payments shall be continued for the balance of the 120 months to such member's designated beneficiary, if such designated beneficiary survives the member. If a member has multiple surviving designated beneficiaries, the optional monthly payments shall be divided equally among the designated beneficiaries that survive such member. If no designated beneficiary survives the member,

the optional monthly payment shall be made to the legal representative of such member.

2. *Option 2.* Upon death, 100 percent of such member's optional retirement income shall be continued throughout the life of and paid to such member's designated beneficiary, if such designated beneficiary survives the member.
3. *Option 3.* Upon death, two-thirds of such member's optional retirement income shall be continued throughout the life of and paid to such member's designated beneficiary, if such designated beneficiary survives the member.
4. *Option 4.* Upon death, one-half of such member's optional retirement income shall be continued throughout the life of and paid to such member's designated beneficiary, if such designated beneficiary survives the member.

~~Notwithstanding any provision in the retirement system to the contrary, benefits under this section 22-280 shall not exceed the limits set under code section 415(b).~~

...

- (j) *Death benefits when death of member occurs after separation but prior to normal retirement age.* Effective September 27, 2004, should a member who has attained 20 years of creditable service and who has separated from the active service die prior to the attainment of age 55, such member's designated beneficiary, provided such designated beneficiary survives the member, shall be eligible for an actuarially equivalent optional form of retirement benefit as set forth in subsection (b)(3)b of this section, as elected by such designated beneficiary at the time of the member's death. Surviving child benefits are payable as provided for by subsection (o) of this section. The payment of benefits provided for in this subsection shall commence immediately upon the death of the member.

Death while performing USERRA-qualified active military service - In the case of a member who dies on or after January 1, 2007 while performing "Qualified Military Service" under Title 38, United States Code, Chapter 43, Uniformed Services Employment and

Reemployment Rights Act ("USERRA") within the meaning of Section 414(u) of the Internal Revenue Code, any "additional benefits" (as defined by Section 401(a)(37) of the Internal Revenue Code) provided under the retirement system that are contingent upon a member's termination of employment due to death shall be determined as though the member had resumed employment immediately prior to his death. With respect to any such "additional benefits," for vesting purposes only, credit shall be given for the period of the member's absence from covered employment during "Qualified Military Service".

- (k) *Nonservice-connected death benefits.* Effective September 27, 2004, should an active member cease to be an employee by death from causes unconnected with the performance of duties, the designated beneficiary, provided such designated beneficiary survives the member, shall be eligible for an actuarially equivalent optional form of retirement benefit as set forth in subsection (b)(3)b. of this section, as elected by such designated beneficiary at the time of the member's death. For purposes of non-service connected death benefits, the normal form of retirement benefit shall be equal to 25 percent of the member's earnings base or the sum of the member's accrued pension benefit at the time of death, whichever is greater. Surviving child benefits are payable as provided for by subsection (o) of this section.

Death while performing USERRA-qualified active military service -
In the case of a member who dies on or after January 1, 2007 while performing "Qualified Military Service" under Title 38, United States Code, Chapter 43, Uniformed Services Employment and Reemployment Rights Act ("USERRA") within the meaning of Section 414(u) of the Internal Revenue Code, any "additional benefits" (as defined by Section 401(a)(37) of the Internal Revenue Code) provided under the retirement system that are contingent upon a member's termination of employment due to death shall be determined as though the member had resumed employment immediately prior to his death. With respect to any such "additional benefits," for vesting purposes only, credit shall be given for the period of the member's absence from covered employment during "Qualified Military Service".

...

- (r) *Vested benefits.* Should a member cease to be an employee for reasons other than death or retirement, on or after October 1, 2000,

and after completing seven or more years of creditable service, such member shall acquire, pursuant to the following vesting schedule, benefits payable on a monthly life annuity basis commencing at age 55, provided such member has a vested interest at time of separation from employment.

Completed Years of Creditable Service	Annual Vested Increment in Accrued Benefit (%)	Cumulative Vested Interest in Accrued Benefit (%)
Less than 7	0	0
7	20	20
8	8	28
9	8	36
10	64	100

A member may elect in lieu of the life annuity (the normal form of retirement benefit), an actuarially equivalent optional form of retirement benefit as provided under subsection (b)(3) of this section.

Vesting shall pertain only to future retirement benefits payable as provided under this section and do not relate to employee contributions and other allowances.

As of the first day of the 2000 plan year, a member whose vested benefit has a present value, as determined in accordance with code section 417(e), not exceeding \$5,000.00, and who has made an application for benefits, shall have that benefit distributed in a lump sum as soon as practicable for the retirement system. For members who cease to be an employee between the effective date of

ordinance from which this provision is derived and the date of its adoption, the present value of that member's benefit shall be the greater of:

- (1) The present value as calculated under this amendment; or
- (2) The present value as calculated without this amendment.

- a. *Death of vested member prior to receiving vested benefits.* Should a vested member die prior to the commencement of vested benefits, the designated beneficiary, provided such designated beneficiary survives the member, shall be eligible for an actuarially equivalent optional form of retirement benefit as set forth in subsection (b)(3)b of this section, as elected by such designated beneficiary at the time the member would have attained age 55.

...

SECTION 3. That Chapter 22, Article IV, Division 6 of the St. Petersburg City Code relating to the 1984 Supplemental Police Officers' Retirement System is hereby amended by adding a Section 22-287 titled "Internal Revenue Code Compliance" as follows:

Sec. 22-287. Internal Revenue Code Compliance.

(a) Maximum amount of retirement income.

- (1) The limitations of this Subsection (a) shall apply in limitation years beginning on or after July 1, 2007, except as otherwise provided herein, and are intended to comply with the requirements of the Pension Protection Act of 2006 and shall be construed in accordance with said Act and guidance issued thereunder. The provisions of this Subsection (a) shall supersede any provision of the retirement system to the extent such provision is inconsistent with this Subsection.**

The Annual Pension as defined in Paragraph (2) below otherwise payable to a member at any time shall not exceed the Dollar Limitation for the member multiplied by a fraction whose value cannot exceed one, the numerator of which is the member's number of years (or part thereof, but not less than one year) of service with the City and the denominator

of which is 10. For this purpose, no more than one year of service may be credited for any plan year. If the benefit the member would otherwise accrue in a limitation year would produce an Annual Pension in excess of the Dollar Limitation, the benefit shall be limited (or the rate of accrual reduced) to a benefit that does not exceed the Dollar Limitation.

(2) "Annual Pension" means the sum of all annual benefits, payable in the form of a straight life annuity. Benefits payable in any other form shall be adjusted to the larger of:

a. For limitation years beginning on or after July 1, 2007

1. the straight life annuity (if any) payable to the member under the retirement system commencing at the same annuity starting date as the member's form of benefit, or
2. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

b. For limitation years beginning before July 1, 2007

1. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system for the particular form of payment, or
2. the actuarially equivalent straight life annuity commencing at the same annuity starting date, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).

No actuarial adjustment to the benefit shall be made for benefits that are not directly related to retirement benefits (such as a qualified disability benefit, preretirement incidental death benefits, and postretirement medical

benefits); or the inclusion in the form of benefit of an automatic benefit increase feature, provided the form of benefit is not subject to §417(e)(3) of the Internal Revenue Code and would otherwise satisfy the limitations of this Subsection (a), and the amount payable under the form of benefit in any limitation year shall not exceed the limits of this Subsection (a) applicable at the annuity starting date, as increased in subsequent years pursuant to § 415(d) of the Code. For this purpose, an automatic benefit increase feature is included in a form of benefit if the form of benefit provides for automatic, periodic increases to the benefits paid in that form.

(3) “Dollar Limitation” means, effective for the first limitation year beginning after January 1, 2001, \$160,000, automatically adjusted under Code Section 415(d), effective January 1 of each year, as published in the Internal Revenue Bulletin, and payable in the form of a straight life annuity. The new limitation shall apply to limitation years ending with or within the calendar year of the date of the adjustment, but a member’s benefits shall not reflect the adjusted limit prior to January 1 of that calendar year. The Dollar Limitation shall be further adjusted based on the age of the member when the benefit begins as follows:

a. For annuity starting dates in limitation years beginning on or after July 1, 2007

1. If the annuity starting date for the member’s benefit is after age 65

(i) If the retirement system does not have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member’s annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the member’s annuity starting date that is the actuarial equivalent of the Dollar Limitation with actuarial equivalence computed using a 5.00% interest rate

assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that annuity starting date (and expressing the member's age based on completed calendar months as of the annuity starting date).

- (ii) If the retirement system does have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at the member's annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at age 65, both determined without applying the limitations of this Subsection (a), and (bb) the limitation determined under Subclause (3)a.1.(i) of this Subsection(a). For this purpose, the adjusted immediately commencing straight life annuity under the retirement system at the member's annuity starting date is the annual amount of such annuity payable to the member, computed disregarding the member's accruals after age 65 but including actuarial adjustments even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing straight life annuity under the retirement system at age 65 is the annual amount of such annuity that would be payable under the retirement system to a hypothetical member who is age 65 and has the same Accrued Benefit as the member.

2. Except with respect to a member who is a "Qualified member" as defined in Section 415(b)(2)(H) of the Code, for benefits (except survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code), if the annuity starting date for the member's benefit is before age 62

(i) If the retirement system does not have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the member's annuity starting date that is the actuarial equivalent of the Dollar Limitation with actuarial equivalence computed using a 5.00% interest rate assumption and the mortality basis prescribed in Code Section 415(b)(2)(E)(v) for that annuity starting date (and expressing the member's age based on completed calendar months as of the annuity starting date).

(ii) If the retirement system does have an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement

The Dollar Limitation at the member's annuity starting date is the lesser of (aa) the Dollar Limitation multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the retirement system at the member's annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the retirement

system at age 62, both determined without applying the limitations of this Subsection (a), and (bb) the limitation determined under Subclause (3)a.2.(i) of this Subsection (a).

b. For annuity starting dates in limitation years beginning before July 1, 2007

<u>Age as of annuity starting date:</u>	<u>Adjustment of Dollar Limitation:</u>
<u>Over 65</u>	<p>The smaller of: (a) <u>the actuarial equivalent of the limitation for age 65, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system, or</u></p> <p>(b) <u>the actuarial equivalent of the limitation for age 65, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>Any increase in the Dollar Limitation determined in accordance with this paragraph shall not reflect a mortality decrement between age 65 and the age at which benefits commence if benefits are not forfeited upon the death of the member. If any benefits are forfeited upon death, the full mortality decrement is taken into account.</u></p>
<u>62 to 65</u>	<u>No adjustment.</u>
<u>Less than 62</u>	<p>The smaller of: (a) <u>the actuarial equivalent of the limitation for age 62, computed using the interest rate and mortality basis specified by the Board for determining actuarial equivalence under the retirement system, or</u></p> <p>(b) <u>the actuarial equivalent of the limitation for age 62, computed using a 5.00% interest rate and the mortality basis prescribed in Code Section 415(b)(2)(E)(v).</u></p> <p><u>This adjustment shall not apply to any "Qualified member" as defined in Section 415(b)(2)(H), nor to survivor and disability benefits as defined in Section 415(b)(2)(I) of the Code.</u></p>

- (4) With respect to subclause (3)a.1.(i), subclause (3)a.2.(i) and Subparagraph (3)(B) above, no adjustment shall be made to the Dollar Limitation to reflect the probability of a member's death between the annuity starting date and age 62, or between age 65 and the annuity starting date, as applicable, if benefits are not forfeited upon the death of the member prior to the annuity starting date. To the extent benefits are forfeited upon death before the annuity starting date, such an adjustment shall be made. For this purpose, no forfeiture shall be treated as occurring upon the member's death if the retirement system does not charge members for providing a qualified preretirement survivor annuity, as defined in Code Section 417(c), upon the member's death.
- (5) The term "limitation year" is the 12 month period which is used for application of the limitations under Code Section 415 and shall be the calendar year.
- (6) The limitations set forth in this Subsection (a) shall not apply if the Annual Pension does not exceed \$10,000 provided the member has never participated in a defined contribution plan maintained by the City.
- (7) Cost-of-living adjustments in the Dollar Limitation for benefits shall be limited to scheduled annual increases determined by the Secretary of the Treasury under Section Subsection 415(d) of the Code.
- (8) In the case of a member who has fewer than 10 years of participation in the retirement system, the Dollar Limitation set forth in Paragraph (3) of this Subsection (a) shall be multiplied by a fraction - (i) the numerator of which is the number of years (or part thereof) of participation in the retirement system, and (ii) the denominator of which is 10.
- (9) Any portion of a member's benefit that is attributable to mandatory member contributions (unless picked-up by the City) or rollover contributions, shall be taken into account in the manner prescribed in the regulations under Section 415 of the Code.
- (10) Should any member participate in more than one defined benefit plan maintained by the City, in any case in which the

member's benefits under all such defined benefit plans (determined as of the same age) would exceed the Dollar Limitation applicable at that age, the accrual of the member's benefit under the retirement system shall be reduced so that the member's combined benefits will equal the Dollar Limitation.

- (11) For a member who has or will have distributions commencing at more than one annuity starting date, the Annual Benefit shall be determined as of each such annuity starting date (and shall satisfy the limitations of this Section as of each such date), actuarially adjusting for past and future distributions of benefits commencing at the other annuity starting dates. For this purpose, the determination of whether a new starting date has occurred shall be made without regard to § 1.401(a)-20, Q&A 10(d), and with regard to § 1.415(b)1(b)(1)(iii)(B) and (C) of the Income Tax Regulations.
- (12) The determination of the Annual Pension under Paragraph (2) of this Subsection (a) shall take into account (in the manner prescribed by the regulations under Section 415 of the Code) social security supplements described in § 411(a)(9) of the Internal Revenue Code and benefits transferred from another defined benefit plan, other than transfers of distributable benefits pursuant § 1.411(d)-4, Q&A-3(c) of the Income Tax Regulations.
- (13) The above limitations are intended to comply with the provisions of Section 415 of the Code, as amended, so that the maximum benefits provided by plans of the City shall be exactly equal to the maximum amounts allowed under Section 415 of the Code and regulations thereunder. If there is any discrepancy between the provisions of this Subsection (a) and the provisions of Section 415 of the Code and regulations thereunder, such discrepancy shall be resolved in such a way as to give full effect to the provisions of Section 415 of the Code. The value of any benefits forfeited as a result of the application of this Subsection (a) shall be used to decrease future employer contributions.
- (14) For the purpose of applying the limitations set forth in Sections 401(a)(17) and 415 of the Internal Revenue Code, Compensation shall include any elective deferral (as defined

in Code Section 402(g)(3) of the Internal Revenue Code), and any amount which is contributed or deferred by the employer at the election of the member and which is not includible in the gross income of the member by reason of Section 125 or 457 of the Internal Revenue Code. For limitation years beginning on and after January 1, 2001, for the purposes of applying the limitations described in this Subsection (a), compensation paid or made available during such limitation years shall include elective amounts that are not includible in the gross income of the member by reason of Section 132(f)(4) of the Internal Revenue Code. For limitation years on or after July 1, 2007, compensation shall include payments that otherwise qualify as compensation and that are made by the later of: (a) 2 and ½ (two and one-half) months after severance from employment with the employer, and (b) the end of the limitation year that includes the date of severance.

(b) Required Beginning Date.

Notwithstanding any other provision of the retirement system, payment of a member's retirement benefits under the retirement system shall commence not later than the member's Required Beginning Date, which is defined as the later of:

-April 1 of the calendar year that next follows the calendar year in which the member attains or will attain the age of 70½ years; or

-April 1 of the calendar year that next follows the calendar year in which the member retires.

(c) Required minimum distributions.

(1) Required beginning date. The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date as defined in subsection (b) of this section 22-287.

(2) Death of member before distributions begin.

a. If the member dies before distributions begin, the member's entire interest will be distributed, or begin to be distributed, no later than as follows:

1. If the member's surviving spouse is the member's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the member died, or by December 31 of the calendar year in which the member would have attained age 70½, if later.
2. If the member's surviving spouse is not the member's sole designated beneficiary, then distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the member died.
3. If there is no designated beneficiary as of September 30 of the year following the year of the member's death, the member's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

b. The member's entire interest shall be distributed as follows:

1. *member survived by designated beneficiary. If the member dies before the date distribution of his or her interest begins and there is a designated beneficiary, the member's entire interest will be distributed, beginning no later than the time described in Subparagraph (2)a. above, over the life of the designated beneficiary or over a period certain not exceeding:*
 - (i) Unless the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the member's death; or

(ii) If the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year that contains the annuity starting date.

2. No designated beneficiary. If the member dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the member's death, distribution of the member's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the member's death.

c. Death of surviving spouse before distributions to surviving spouse begin. In any case in which (i) the member dies before the date distribution of his or her interest begins, (ii) the member's surviving spouse is the member's sole designated beneficiary, and (iii) the surviving spouse dies before distributions to the surviving spouse begin, Subparagraphs (2)a. and b. above shall apply as though the surviving spouse were the member.

(3) Requirements for annuity distributions that commence during member's lifetime.

a. Joint life annuities where the beneficiary is not the member's spouse. If the member's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the member and a nonspousal beneficiary, annuity payments to be made on or after the member's required beginning date to the designated beneficiary after the member's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the member using the table set forth in Q&A-2 of Section 1.401(a)(9)-6 of the treasury regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the member

and a nonspousal beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated beneficiary after the expiration of the period certain.

b. *Period certain annuities.* Unless the member's spouse is the sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain for an annuity distribution commencing during the member's lifetime may not exceed the applicable distribution period for the member under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations for the calendar year that contains the annuity starting date. If the annuity starting date precedes the year in which the member reaches age 70, the applicable distribution period for the member is the distribution period for age 70 under the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the treasury regulations plus the excess of 70 over the age of the member as of the member's birthday in the year that contains the annuity starting date. If the member's spouse is the member's sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain may not exceed the longer of the member's applicable distribution period, as determined under this Subparagraph (3)b., or the joint life and last survivor expectancy of the member and the member's spouse as determined under the Joint and Last Survivor Table set forth in Section 1.401(a)(9)-9 of the treasury regulations, using the member's and spouse's attained ages as of the member's and spouse's birthdays in the calendar year that contains the annuity starting date.

(4) *Form of distribution.* Unless the member's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with Subparagraphs (4)a., (4)b. and (4)c. below. If the member's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be

made in accordance with the requirements of Section 401(a)(9) of the Code and the treasury regulations. Any part of the member's interest which is in the form of an individual account described in Section 414(k) of the Code will be distributed in a manner satisfying the requirements of Section 401(a)(9) of the Code and the treasury regulations that apply to individual accounts.

a. General annuity requirements. If the member's interest is paid in the form of annuity distributions under the retirement system, payments under the annuity will satisfy the following requirements:

1. The annuity distributions will be paid in periodic payments made at intervals not longer than one year;

2. The distribution period will be over a life (or lives) or over a period certain, not longer than the distribution period described in Paragraph (2) or (3) above, whichever is applicable, of this subsection (c);

3. Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted;

4. Payments will either be non-increasing or increase only as follows:

(i) By an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index that is based on prices of all items and issued by the Bureau of Labor Statistics;

(ii) To the extent of the reduction in the amount of the member's payments to provide for a survivor benefit upon death, but only if the beneficiary whose life was being used to determine the distribution period dies or is no longer the member's beneficiary pursuant to a

qualified domestic relations order within the meaning of Section 414(p) of the Code;

(iii) To provide cash refunds of employee contributions upon the member's death;
or

(iv) To pay increased benefits that result from an amendment to the retirement system.

b. Amount required to be distributed by required beginning date. The amount that must be distributed on or before the member's required beginning date (or, if the member dies before distributions begin, the date distributions are required to begin under Clause (2)a.1. or (2)a.2., whichever is applicable) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the member's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the member's required beginning date.

c. Additional accruals after first distribution calendar year. Any additional benefits accruing to the member in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

(5) For purposes of this subsection (c), distributions are considered to begin on the member's required beginning date. If annuity payments irrevocably commence to the member (or to the member's surviving spouse) before the member's required beginning date (or, if to the member's surviving spouse, before the date distributions are required

to begin in accordance with Subparagraph (2)a. above), the date distributions are considered to begin is the date distributions actually commence.

(6) Definitions.

a. Designated beneficiary. The individual who is designated as the beneficiary under the retirement system and is the designated beneficiary under Section 401(a)(9) of the Code and Section 1.401(a)(9)-4 of the treasury regulations.

b. Distribution calendar year. A calendar year for which a minimum distribution is required. For distributions beginning before the member's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the member's required beginning date. For distributions beginning after the member's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to paragraph (2) of this subsection (c).

c. Life expectancy. Life expectancy as computed by use of the Single Life Table in Section 1.401(a)(9)-9 of the treasury regulations.

(d) (1) Notwithstanding any provision of the retirement system to the contrary that would otherwise limit a distributee's election under this Section, a distributee may elect, at the time and in the manner prescribed by the Administrator, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

(2) Definitions.

The following definitions apply to this Section:

a. Eligible rollover distribution: An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include:

1. any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of 10 years or more;
2. any distribution to the extent such distribution is required under Section 401(a)(9) of the Code;
3. the portion of any distribution which is made upon hardship of the member; and
4. the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities), provided that a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax Employee contributions which are not includible in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in Section 408(a) or (b) of the Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(3) Eligible retirement plan: An eligible retirement plan is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an annuity plan described in Section 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, a qualified trust described in Section 401 (a) of the Code, an eligible plan under Section

457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from the retirement system, or, with respect to distributions on or after January 1, 2008, a Roth IRA (subject to the limitations of Code Section 408A(c)(3)) that accepts the distributee's eligible rollover distribution.

(4) Distributee: A distributee includes an Employee or former Employee. In addition, the Employee's or former Employee's surviving spouse and the Employee's or former Employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse. Furthermore, effective January 1, 2007, a surviving designated beneficiary as defined in Section 401(a)(9)(E) of the Code who is not the surviving spouse and who elects a direct rollover to an individual retirement account described in Section 408(a) of the Code or an individual retirement annuity described in Section 408(b) of the Code shall be considered a distributee.

(5) Direct rollover: A direct rollover is a payment by the retirement system to the eligible retirement plan specified by the distributee.

(e) Notwithstanding any other provision of the retirement system, the maximum amount of any mandatory distribution, as defined in Section 401(a)(31) of the Code, payable under the retirement system shall be \$1000.

(f) Compensation Limitations Under 401(a)(17).

In addition to other applicable limitations set forth in the retirement system, and notwithstanding any other provision of the retirement system to the contrary, the annual compensation of each member taken into account under the retirement system shall not exceed the EGTRRA annual compensation limit for limitation years beginning after December 31, 2001. The EGTRRA annual compensation limit is \$200,000, as adjusted by the Commissioner for increases in the cost of living in accordance with Section 401(a)(17)(B) of the Code. The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months.

over which Compensation is determined (determination period) beginning in such calendar year. If a determination period consists of fewer than 12 months, the EGTRRA annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

Any reference in the retirement system to the limitation under Section 401 (a)(17) of the Code shall mean the EGTRRA annual compensation limit set forth in this provision.

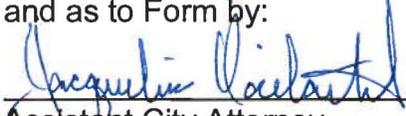
(g) At no time prior to the satisfaction of all liabilities under the retirement system with respect to members and their spouses or beneficiaries, shall any part of the corpus or income of the fund be used for or diverted to any purpose other than for their exclusive benefit.

SECTION 4. Language which is ~~stricken through~~ indicates deletions, and language which is underlined indicates additions.

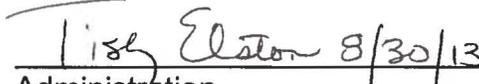
SECTION 5. If any section, subsection, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

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

Approved as to Content by
Sugarman and Susskind, P.A. (outside counsel)
and as to Form by:



Assistant City Attorney
Jacqueline Kovilaritch



Administration

August 29, 2013

Ms. Vicki Grant
Manager, Benefits; Human Resources
City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: Actuarial Impact Statement for the 1984 Supplemental Police Officers' Retirement System

Dear Vicki:

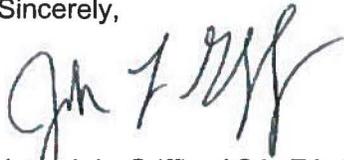
This letter provides the actuarial impact of a proposed change required by the Internal Revenue code to the City of St. Petersburg Police 1984 Supplemental Police Officers' Retirement System (the "System"). The proposed ordinance would amend sections 22-275 and 22-280 and add section 22-287 of the System. More specifically, the following sections have been amended or added:

- Section 22-275 is amended to revise the definition of Compensation to remove references to items now covered under the new Section 22-287
- Section 22-280(a)(1) is amended to specify that a Member's benefit shall become fully vested upon the attainment of his or her Normal Retirement Age
- Section 22-280(b) is amended to remove references to the code section 415(b) limits that are now covered under the new Section 22-287
- Section 22-280(j) and 22-280(k) are modified to provide death benefits for qualified active military under USERRA
- Section 22-287 titled "Internal Revenue Code Compliance" is added to provide that the maximum benefit and compensation limits are applied to determine benefits under the System (as prescribed in the Internal Revenue Code).

These changes will not have an impact on the recommended contributions to the System.

If you have any questions regarding this impact statement, please do not hesitate to contact me.

Sincerely,



Joseph L. Griffin, ASA, EA, MAAA, FCA
Director, Consulting Actuary

Attached documents for item Fire Update. (Oral)

Attached documents for item Fire Protection Services Agreements:

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 19, 2013

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

SUBJECT: A resolution authorizing the Mayor or his designee to execute a one-year Extension of Fire Protection Services Agreement with the Pinellas County Fire Protection Authority for the provision of fire protection and suppression services to the Gandy Fire District; and providing an effective date.

EXPLANATION: The Extension of Fire Protection Services Agreement ("Extension") is an extension of the Fire Protection Services Agreement, as amended ("Agreement") between the City of St. Petersburg and the Pinellas County Fire Protection Authority ("PCFRA") for the provision of fire protection and suppression services to the Gandy Fire District. An amendment to the Agreement to clarify the City's responsibility with respect to plans review and final fire inspections, was previously authorized by City Council Resolution No. 2000-54.

The Agreement, dated October 2, 2000, was for a ten-year term beginning October 1, 1999 and ending September 30, 2009. The Agreement has been extended four times since September 30, 2009, with the last extension due to expire on September 30, 2013. Both the City and PCFRA wish to extend the term of the Agreement until September 30, 2014.

The City and PCFRA agree that upon approval of the Extension, all terms of the Agreement will remain in full force and effect as if the original term of the Agreement ended September 30, 2014.

RECOMMENDATION: Administration recommends the adoption of the attached resolution authorizing the Mayor or his designee to execute a one-year Extension of Fire Protection Services Agreement with the Pinellas County Fire Protection Authority for the provision of fire protection and suppression services to the Gandy Fire District; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in the FY 2014 proposed budget.

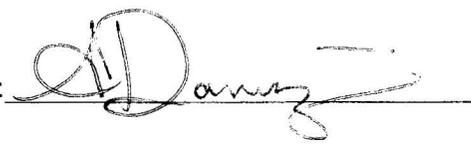
ATTACHMENT: Resolution

APPROVALS:

Administration: _____



Budget: _____



Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A ONE-YEAR EXTENSION OF FIRE PROTECTION SERVICES AGREEMENT, AS AMENDED, WITH THE PINELLAS COUNTY FIRE PROTECTION AUTHORITY FOR THE PROVISION OF FIRE PROTECTION AND SUPPRESSION SERVICES TO THE GANDY DEPENDENT FIRE DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg and the Pinellas County Fire Protection Authority ("PCFPA") wish to extend the Fire Protection Services Agreement, as amended, ("Agreement") between the City and the PCFPA for the provision of fire protection and suppression services to the Gandy Dependent Fire District; and

WHEREAS, the Agreement, dated October 2, 2000, was for a ten-year term beginning October 1, 1999 and ending September 30, 2009; and

WHEREAS, the City Council previously authorized an amendment to the Agreement to clarify the City's responsibility with respect to plans review and final fire inspections, by Resolution 2000-54; and

WHEREAS, since September 30, 2009, City Council has authorized four one-year extensions of the Agreement, with the last extension due to expire on September 30, 2013; and

WHEREAS, the City and the PCFPA agree that upon execution of the one-year Extension of Fire Protection Services Agreement, all terms of the Agreement will remain in full force and effect as if the original term of the Agreement ended September 30, 2014.

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 one-year Extension of Fire Protection Services Agreement with the Pinellas County Fire Protection Authority for the provision of fire protection and suppression services to the Gandy Dependent Fire District.

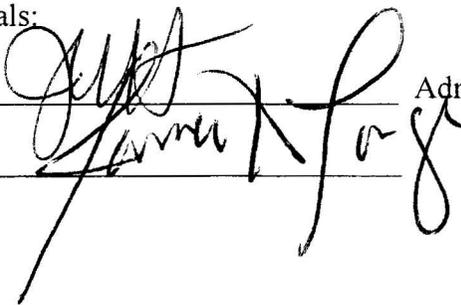
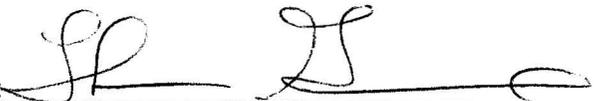
This resolution shall become effective immediately upon its adoption.

Approvals:

Legal:

Budget:

Administration:

Handwritten signatures for the Legal and Budget departments. The signature for the Budget department is written over the signature for the Legal department.Handwritten signature for the Administration department.

MEMORANDUM
CITY OF ST. PETERSBURG

TO: The Honorable Chair and City Council Members
FROM: Jeanne Hoffmann, Assistant City Attorney 
DATE: September 19, 2013
RE: Emergency Medical Services ALS First Responder Agreement-Fourth Extension

In 2009, the City and Pinellas County Medical Services Authority entered into negotiations as to the "Emergency Medical Services ALS First Responder Agreement." The agreement covered service for the St. Petersburg EMS District which consists of the St. Petersburg Fire District and the Gandy Fire District. This year, the City was awarded a bid to also provide fire suppression and emergency medical services to the East Highpoint Fire District. This fourth extension has been amended to reflect that the City will be providing emergency medical services to the East Highpoint Fire District; the City and County already entered into a five agreement for fire suppression services for the East Highpoint Fire District on July 23, 2013, for a yearly amount of compensation totaling \$296,652.00.

This agreement has been extended three times. The fourth extension of the agreement is for one additional year and compensation is in the amount of \$12,540,835.00 for the St. Petersburg EMS District and \$603,348.00 for the East Highpoint Fire District for Fiscal Year 13/14.

RESOLUTION NO. _____

A RESOLUTION APPROVING THE FOURTH EXTENSION OF THE EMERGENCY MEDICAL SERVICES ALS FIRST RESPONDER SERVICES AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND THE PINELLAS COUNTY EMERGENCY MEDICAL SERVICES AUTHORITY FOR FISCAL YEAR 2013/2014; AUTHORIZING EXECUTION OF THE FOURTH EXTENSION OF ALS FIRST RESPONDER SERVICES AGREEMENT FOR FISCAL YEAR 2013/2014; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 80-585, Laws of Florida, created a countywide Emergency Medical Services Authority ("Authority") and the electorate approved the creation of the emergency medical services taxing district which allowed for all real property within the taxing district to be subject to an ad valorem tax sufficient to pay the cost of providing emergency medical services ("EMS"), not to exceed a maximum of 1.5 mills; and

WHEREAS, the City of St. Petersburg ("City") is an advance life support ("ALS") provider of EMS; and

WHEREAS, Chapter 80-585, Laws of Florida, provided that full reimbursement shall be made by the Authority to the City as an EMS provider for the reasonable and customary costs of said services; and

WHEREAS, based on the termination of the prior agreement and upon completion of the litigation in 2009, the City and Authority entered into the Emergency Medical Services ALS First Responder Agreement for fiscal year 2009/2010, dated January 5, 2010; as amended by the Extension of ALS First Responder Services Agreement for fiscal year 2010/2011, dated October 28, 2010; as amended by the Second Extension of the ALS First Responder Services Agreement for fiscal year 2011/2012, dated December 7th, 2011; as amended by the Third Extension of the ALS First Responder Services Agreement for fiscal year 2012/2013 on October 30, 2012; and

WHEREAS, the Third Extension of ALS First Responder Agreement for fiscal year 2012/2013 will expire on September 30, 2013; and

WHEREAS, the City and Authority wish to further amend the Agreement to extend the term and make other necessary modifications, including the addition of providing emergency medical services to the East Highpoint Fire District in the yearly amount of \$603,348.00; and

WHEREAS, the City and Pinellas County had already entered into an agreement for fire suppression services for the East Highpoint Fire District on July 23, 2013, in the yearly amount of \$296,652.00; and

WHEREAS, the City and the Authority have negotiated an extension of the Emergency Medical Services ALS First Responder Agreement, for fiscal year 2013/2014, that will expire on September 30, 2014; and

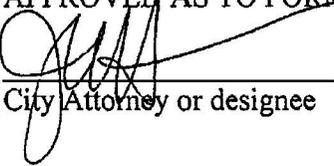
WHEREAS, the Administration recommends that the Fourth Extension of ALS First Responder Services Agreement, for fiscal year 2013/2014, be executed by the City.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Fourth Extension of ALS First Responder Services Agreement, for fiscal year 2013/2014, between the City of St. Petersburg and Pinellas County Emergency Medical Services Authority is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Fourth Extension of ALS First Responder Services Agreement, for fiscal year 2013/2014, between the City of St. Petersburg and Pinellas County Emergency Medical Services Authority.

This Resolution shall be effective immediately upon its adoption.

APPROVED AS TO FORM AND SUBSTANCE



City Attorney or designee



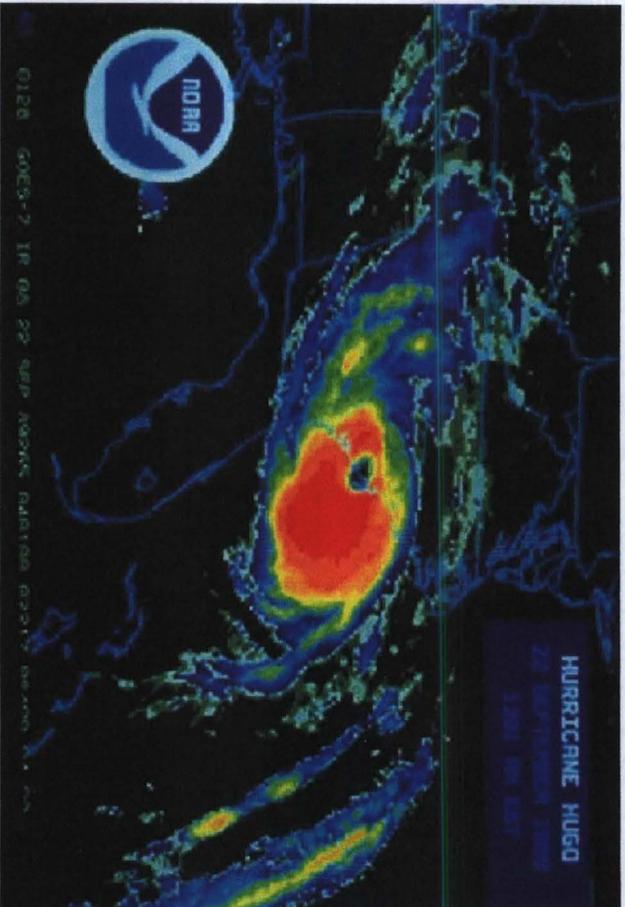
SPFR Quarterly Report

April - June 2013



ER

Emergency Management



BOMB

April

- ▶ Conducted city-wide hurricane preparedness training for city staff: Hurricane April.
- ▶ Attended Local Mitigation Strategy (LMS) meeting at TBRPC.
- ▶ Worked with grant consultant hired by the architect team working on the new Police HQ to include a new city EOC on the LMS priority list.
- ▶ Delivered monthly Disaster Preparedness For Small Businesses class on behalf of the City's new Business Greenhouse initiative, formerly the Business Assistance Center.
- ▶ Continue annual review of the City's Disaster Operation Plan for 2013 changes and updates.
- ▶ Presented Hurricane Preparedness talks to five citizen groups.
- ▶ Worked with Purchasing Department/Audit Services to develop scope of work for Cost Recovery RFP.
- ▶ Started development of city-wide After Action Report for Hurricane April.
- ▶ Attended Citizen Corps Meeting with Pinellas County stakeholders at County Health Department.
- ▶ Attended Pinellas, Hillsborough, Pasco County (PHP) COAD meeting in Tampa.

May

- ▶ Continued development of city-wide After Action Report for Hurricane April.
- ▶ Provided Technical review and revision of scope of work for Cost Recovery RFP.
- ▶ Met with Tampa EM Coordinator to continue review of mutual Emergency Operation Plans for the 2013 hurricane season.
- ▶ Delivered monthly Disaster Preparedness For Small Businesses class on behalf of the City's new Business Greenhouse initiative, formerly the Business Assistance Center.
- ▶ Attended Pinellas County Special Needs meeting.
- ▶ Met with Harvard Jolley architects to review possible inclusion of EOC in the Police Project.
- ▶ Attended week long Governor's Hurricane Conference in Ft. Lauderdale.
- ▶ Attended new WEB EOC training at Pinellas County EM.
- ▶ Taped EM Presentation "Surviving the Storm" with Pinellas County Communication Dept.
- ▶ Attended FDT District 7 debris management meeting in Hillsborough.
- ▶ Presented Hurricane Preparedness talks to six citizen groups.
- ▶ Attended Wind Mitigation Training at Tampa Regional Planning Council (TBRPC)

June

- ▶ Completed Hurricane April After Action Report; presented draft to Tish and Chief Large.
- ▶ Serve as Committee Member for Cost Recovery RFP, review of proposals (4), rankings and selection of vendor.
- ▶ Presented annual Hurricane Preparedness Training to Storm Water department, two sessions each day to cover all their staff.
- ▶ Delivered monthly Disaster Preparedness For Small Businesses class on behalf of the City's new Business Greenhouse initiative.
- ▶ Attended the FDOT Federal Highway Emergency Response debris clearance meeting in Brooksville.
- ▶ Held annual debris management meeting with Parks and Sanitation Departments.
- ▶ Met with Pinellas County liaison to review plans and coordinate 2013 hurricane season.
- ▶ Reviewed Debris Management Contract for scope of work for Purchasing Department.
- ▶ Delivered hurricane preparedness training to staff at Westminster Nursing Home, two sessions, am & pm.
- ▶ Presented Hurricane Preparedness talks to ten citizen groups.

Prevention



Take Your Kids to Work Day
April 2013

Inspections

	April	May	June	Qtr Total
Inspections:				
Periodic Inspections	261	324	261	846
Reinspections	145	373	265	783
Total Inspections	406	697	526	1629
Billed:				
Invoices (periodics & reinspections)	\$ 18,235.00	\$ 25,130.00	\$ 25,638.00	\$ 69,003.00
IGWOs (City property)	\$ 185.00	\$ 540.00	\$ 190.00	\$ 915.00
False Fire Alarms	\$ 520.00	\$ 780.00	\$ 390.00	\$ 1,690.00
Total Income	\$ 18,940.00	\$ 26,450.00	\$ 26,218.00	\$ 71,608.00

Arson

	April	May	June	3 MONTH TOTALS
ARSON CASES	2	5	3	10
CASES CLEARED	0	2	1	3
CLEARANCE PERCENTAGE	0%	40%	33%	30%
FIRE DEATH	0	1	0	1
DOLLAR LOSS	\$5,600	\$22,300	\$16,505.00	\$44,405

Public Education

Month	Data	Total
April	Show Truck Hours	11.5
	Show Trucks Contacts	465
	Station Tours Hours	1
	Station Tours Contacts	10
	Pub Ed Hours	18
	Pub Eds Contacts	265
	Special Events Hours	0
	Special Events Contacts	0
	Trunks Contacts	0
	Total Contacts	740
	Total Appointments	28
	Total Alarms	50
	Contacts	768
	Hours	30.5
	April Events	17

Month	Data	Total
May	Show Truck Hours	5
	Show Trucks Contacts	375
	Station Tours Hours	2
	Station Tours Contacts	30
	Pub Ed Hours	13
	Pub Eds Contacts	5435
	Special Events Hours	0
	Special Events Contacts	0
	Trunks Contacts	0
	Total Contacts	5840
	Total Appointments	15
	Total Alarms	22
	Contacts	5855
	Hours	20
	May Events	15

Month	Data	Total
June	Show Truck Hours	6.5
	Show Trucks Contacts	460
	Station Tours Hours	2
	Station Tours Contacts	20
	Pub Ed Hours	14
	Pub Eds Contacts	439
	Special Events Hours	5
	Special Events Contacts	100
	Trunks Contacts	0
	Total Contacts	1019
	Total Appointments	29
	Total Alarms	34
	Contacts	1048
	Hours	27.5
	June Events	18

2nd Quarter Totals	
Total Alarms	106
Total Contacts	7671
Total Hours	78
Total Events	50

Operations



2nd Quarter Fire Run Stats

DISPATCH CODES	APR	May	June	3 MONTH TOTALS
2(SEE BELOW BREAKDOWN)	136	167	151	454
4(SEE BELOW BREAKDOWN)	82	93	97	272
5-FIRE ALARM	186	178	214	578
SUF-UNCONFIRMED STRUCTURE FIRE	14	12	22	48
H-SIMMS CODE	0	0	1	1
HI-HAZMAT INVEST	1	7	2	10
AR-PUBLIC ASSIST LANDLINE DISP	22	13	22	57
OTHER MISC.	70	46	28	144
TOTAL	511	516	537	1564
WORKING FIRES	10	10	11	31
CODE 2 BREAK DOWNS	Apr	May	June	3 MONTH TOTALS
2FO-FIRE OUTSIDE	57	68	46	171
2ER-ELEVATOR RESCUE	18	21	16	55
2FS- FUEL SPILL	4	6	4	14
2VF-VEHICLE FIRE	12	14	18	44
2EF-EXTINGUISHED ELECTRICAL FIRE	1	4	0	5
2DF-DUMPSTER FIRE	4	3	4	11
2SE-SINGLE ENGINE	0	0	0	0
AOAE-ASSIST OTHER AGENCY	6	9	8	23
2TP-TRANSFOREMER POLE FIRE	11	16	21	48
2OI-ODOR INVESTIGATE	8	11	8	27
2PA-PUBLIC ASSIST ENGINE	0	0	0	0
2WD-WIRES DOWN	12	7	20	39
2TR-TREE FIRE	3	8	6	17
CODE 4 BREAKDOWNS	Apr	May	June	3 MONTH TOTALS
4SF-STRUCTURE FIRE	63	76	77	216
4GL- GAS LEAK	14	10	10	34
4SR-STRUCTURE RESPONSE	3	3	5	11
4HM-HAZMAT	2	4	5	11
4AL-MULTI ALARM	0	0	0	0

Out of Service Time

		T1	S1	E5	E3	E1	E4	E6	E7	E8	E9	T9	E10	E11	T11	E12	E13	T13	Totals
April	Available hours	720	720	720	720	720	720	720	720	720	720	720	720	720	720	720	720	720	12240
	Out of Service	0.5	70	0	1	28	1.5	0.5	0.5	0	0	2	0	0.5	4.5	0.5	0	1	110.5
	Percentage	0.06	9.7	0	0.13	3.8	0.21	0.06	0.06	0	0	0.28	0	0.06	0.62	0.06	0	0.13	0.90%
May	Available hours	744	744	744	744	744	744	744	744	744	744	744	744	744	744	744	744	744	12648
	Out of Service	25	114	0	0	48.5	0.5	0	0.5	0	2	34.5	0.5	1	1.5	0	0	0	228
	Percentage	3.4	15.3	0	0	6.5	0.06	0	0.06	0	0.27	4.6	0.06	0.13	0.13	0	0	0	1.80%
June	Available hours	720	720	720	720	720	720	720	720	720	720	720	720	720	720	720	720	720	12240
	Out of Service	24	138.5	0	0.5	52	10	4	0.5	0	0.5	0	0.5	0	0	1	0	53.5	285
	Percentage	3.3	19.2	0	0.06	7.2	1.9	0.55	0.06	0	0.06	0	0.06	0	0	0.13	0	7.4	2.30%

Response Times

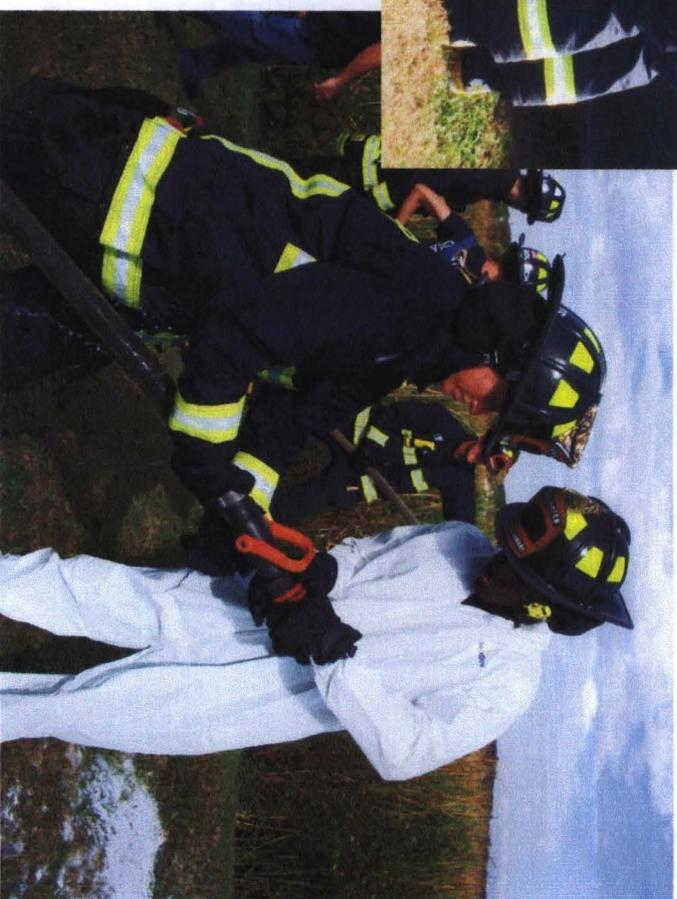
	April	May	June	2nd QTR
Engine 1	3:57	4:25	4:26	4:16
Engine 3	4:12	4:15	4:14	4:13
Engine 4	4:12	4:32	4:26	4:23
Engine 5	3:44	3:52	3:41	3:45
Engine 6	4:15	4:00	3:58	4:04
Engine 7	4:43	4:48	4:51	4:47
Engine 8	5:01	4:49	4:48	4:52
Engine 9	4:13	4:14	4:32	4:19
Engine 10	4:08	4:08	4:20	4:12
Engine 11	5:01	4:54	4:51	4:55
Engine 12	5:09	4:45	5:18	5:04
Engine 13	5:14	5:21	5:38	5:24
Truck 1	4:41	4:12	4:18	4:23
Truck 11	5:11	5:11	4:43	5:01
Truck 9	4:27	4:09	3:46	4:07
Truck 13	5:13	5:13	4:23	4:56

Monthly Hydrant Inspections

APRIL	330
MAY	281
JUNE	177
TOTAL INSPECTED	788



Safety and Training



Department Training

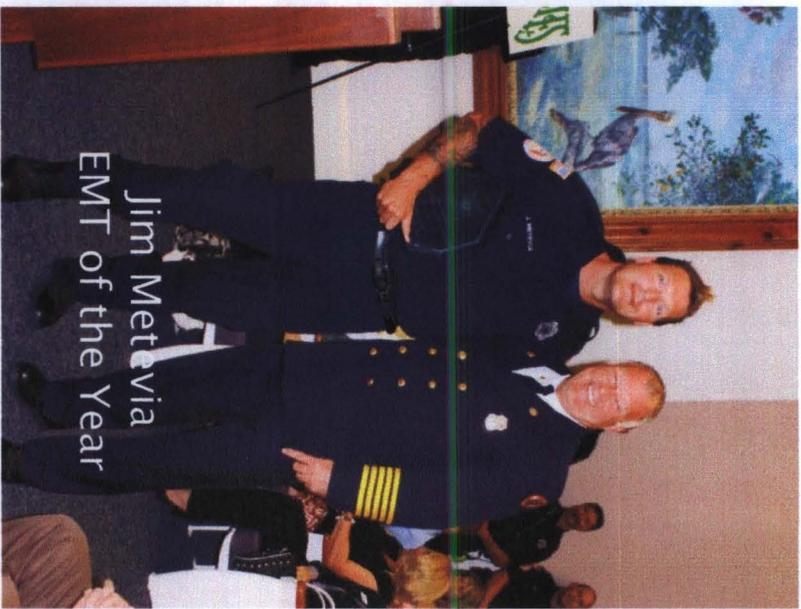
	Apr	May	June	3 MONTH TOTALS
FIRE-RELATED TRAINING	7963.98	5778.87	5546.06	19288.91
EMS TRAINING	849	849	849	2547
TOTAL TRAINING HOURS	8812.98	6627.87	6395.06	21835.91



Rescue

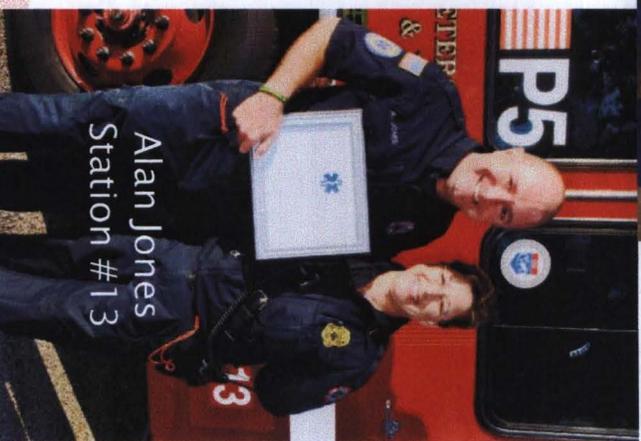


David Buchholz
Station #9



Jim Metevia
EMT of the Year

HCA Awards



Alan Jones
Station #13

Response Times

	EMS Responses	Average Response Time
April	3625	4:23
May	3679	4:18
June	3582	4:16
Second Quarter Totals	10886	4:19

	April	May	June	2 QTR
Rescue 1	3:54	3:51	3:47	3:50
Rescue 3	4:17	4:07	4:05	4:09
Rescue 4	4:14	4:06	4:21	4:13
Rescue 5	3:54	4:02	3:34	3:50
Rescue 6	4:24	3:58	4:00	4:07
Rescue 7	4:43	4:47	4:40	4:43
Rescue 8	4:38	4:37	4:29	4:34
Rescue 9	4:14	4:11	4:21	4:15
Rescue 10	4:28	4:09	4:10	4:15
Rescue 11	4:43	4:46	4:34	4:41

Public Classes

	CPR Training	Healthcare Provider Training	First Aid Training
April	7	4	2
May	6	7	5
June	6	2	2
Second Quarter Totals	19	13	9

Any Questions?



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

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 Requesting a report from Pinellas County regarding the level of service our citizens and first responders may anticipate relating to animal control. (Councilmember Kennedy)

COUNCIL AGENDA

NEW BUSINESS ITEM

TO: The Mayor and Members of City Council

DATE: September 9, 2013

**COUNCIL
DATE:** September 19, 2013

RE: Animal Control

ACTION DESIRED:

Respectfully requesting a report from Pinellas County regarding the level of service our citizens and first responders may anticipate relating to animal control.

Jim Kennedy
City Council

Attached documents for item Budget, Finance & Taxation Committee. (9/12/13)

**ST. PETERSBURG CITY COUNCIL
BUDGET, FINANCE & TAXATION COMMITTEE**

Committee Report for September 12, 2013

Members & Alternate: **Budget, Finance & Taxation Committee: 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 - (August 29, 2013 minutes deferred to September 26, 2013 meeting for approval)

1. New / Deferred Business

a. Amendment to External Audit for EMS Audit

Brad Scott, Audit Services Director, presented the proposal received from Mayer, Hoffman, McCann, P.C. regarding an arrangement between the City of St. Petersburg and Mayer, Hoffman, McCann, P.C. for the performance of an audit of the City Emergency Medical Services for fiscal year 2013 as required by State Statute. Mayer, Hoffman, McCann, P.C. has performed the EMS audit for the previous two year with the current proposal costing \$7,300.

Motion was made and approved to recommend approval of the resolution.

b. Report from the September 10, 2013 Investment Oversight Committee Meeting

Anne Fritz, Director, Finance Director, provided to the Committee a report from the September 10, 2013 Investment Oversight Committee (IOC) during which the IOC discussed modifications to the City's Investment Policy to allow alternative investment strategies for the City's Workers' Compensation Fund, Insurance Fund, General Liability Insurance Fund and Water Cost Stabilization Fund. The alternative investment strategies would allow equity investments for a portion of the available investible amounts.

Ms. Fritz stated that the IOC members were of the opinion that only the Water Cost Stabilization Fund should be considered for modification of the current investment policy to allow investing in equities, limited to an amount not to exceed twenty-five percent of the Fund's investible funds. The IOC members inquired relative to any potential adverse impact to the City's bond rating or the violation of any bond covenants should the City's investment policy be modified to allow equity investments within the Water Cost Stabilization Fund.

The IOC approved a motion directing Administration 1) to inquire of the City's Bond rating agencies relative to any possible adverse impact to the City's Bond Rating if the City modifies the Investment Policy to allow equity investments up to twenty-five percent of the investible funds in the Water Cost Stabilization Fund; 2) to prepare a draft of changes to the City's

G-1

Investment Policy to include equity investments in the Water Cost Stabilization Fund up to twenty-percent of the investible funds in the Water Cost Stabilization Fund; and 3) to assess whether to engage Graystone Consulting or a separate Money Manager for the equities investments.

Chair Kennedy requested a report to the BF&T after the next IOC meeting scheduled for December 10, 2013.

c. Modification to Procurement Policy, Funding for Grant Writer, Brownfield Workshop

Louis Moore, Procurement Director, was present to discuss with the committee members the desire of the committee to make any necessary changes to the City's Procurement Policy to allow the contingency for a grant writer to administer the grant if the application is successful in lieu of payment for grant writing services. Mr. Moore stated that City policy requires contracts greater than ten thousand dollars have a "selection process" and was also concerned relative what qualifications would be included in a grant writer / administration Request for Proposal. Unsolicited proposals received by the City require a public notice for a specified period of time prior to approval which may create an issue for the timely submittal of grant proposals.

Motion was made and approved by the Committee to recommend the Procurement and Legal departments to draft a procedure intended to encourage and utilize solicited and unsolicited outside grant applications and to bring such draft to the BF&T committee within seventy-five days.

2. **New Business Item Referrals - None**
3. **Continued Business / Deferred Business – None**
4. **Reports - None**
5. **Upcoming Meetings Agenda Tentative Issues**
 1. **September 26, 2013**
 - a. **FY2013 Increased Enterprise Fund Subsidies Report (Tom Greene)**
 2. **September 26, 2013**
 - a. **Management Evaluation Discussion (Chair Kennedy)**
 3. **October 31, 2013**
 - a.
6. **Adjournment – Meeting adjourned at 8:53.**

APPROVING AN AUDIT TO BE COMPLETED BY MAYER HOFFMAN MCCANN PC, KRMT FOR THE EMERGENCY MEDICAL SERVICES CONTRACTED BUDGET EXPENDITURES FOR FISCAL YEAR 2013 AT THE REQUEST OF THE PINELLAS COUNTY EMERGENCY MEDICAL SERVICES AUTHORITY; DIRECTING THAT THE EXPENDITURE FOR THE AUDIT COME FROM THE EMERGENCY MEDICAL SERVICES FUND; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Emergency Medical Services Authority has requested an audit of the City's Emergency Medical Services contracted budget expenditures for fiscal year 2013; and

WHEREAS, the City's external auditors, Mayer Hoffman McCann PC, KRMT Tampa Bay Division, have provided a proposal to conduct the audit in the amount of \$7,300.00; and

WHEREAS, the amount of the audit will be expended from the City's Emergency Medical Services fund.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of St. Petersburg, Florida, that the audit shall be performed by the City's external auditors Mayer Hoffman McCann PC, KRMT Tampa Bay Division, in the amount of \$7,300.00, at the request of the Pinellas County Emergency Medical Services Authority.

BE IT FURTHER RESOLVED, by the City Council that the expenditure for the audit shall come from the City's Emergency Medical Services fund.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content:

City Attorney (designee)

Budget

Attached documents for item Public Services & Infrastructure Committee. (9/12/13)

City of St. Petersburg
Public Services & Infrastructure Committee
Meeting of September 12, 2013 – 9:15 a.m.
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; Ken Betz, backup staff support

Others Present: Councilmembers Curran, Gerdes, Kennedy; Tish Elston, Mark Winn, Beth Herendeen, Dave Goodwin, Phillip Lazzara, Corey Malyszka, Michael Connors, and Amelia Preston.

A. Call to Order and Roll Call: 9:18 a.m.

B. Approval of Agenda: 4 - 0

C. Approval of Minutes

1. Minutes of August 8, 2013: 4 - 0

D. New Business

1. Channel 35 Broadcast Beth Herendeen

2. Chain Link Fencing - Central Ave Dave Goodwin

1. Channel 35 Broadcast

Chair Dudley introduced the item and requested Beth Herendeen provide some background on the referral. Ms. Herendeen noted that the topic had some previous discussion and referred to a memo sent to the City Council in June 2013. Ms. Herendeen highlighted the sale of Channel 35 broadcast station, the use of a side channel (38.4) for broadcast of regular City programming, and the costs involved in transmitting the broadcast signal over the air. The initial annual cost, including set-up fee and equipment upgrade, totals \$18,586 and followed by a subsequent annual cost of \$16,086, not including price increases by the carrier. The discussion was then opened for questions.

Committee and Staff Discussion

The Committee had general discussion on the item that centered on cost, broadcast area, demand/utilization, and possible other providers. A motion was made to fund the Marketing Dept. \$18,586 for one year and requested staff bring the item back after six months for review. The motion carried 3-1.

2. Chain Link Fencing – Central Ave

Chair Dudley introduced the item and Councilmember Danner gave a brief synopsis of his referral. Phillip Lazzara presented a summary of the item in three facets: 1) Chain link fencing along Central Avenue 2) Vehicular driveways west of 5th Street and 3) Downtown design standards. Mr. Lazzara presented photos of current examples of fencing, driveways, and different designs. The discussion was then opened for questions.

G. J.

Committee and Staff Discussion

The Committee had general discussion on the item that centered on the current lots that are fenced, as well as their conformity, condition, and the use of barbed wire. Staff noted that many of the existing fences are grandfathered, however, their condition and the use of barb wire would need further investigation from Codes Compliance. The Committee discussed the need for fencing for security purposes; to protect items for sale as well as to keep out trespassers after hours. Other considerations discussed: striking a balance between aesthetics and security, requirements of schools needing fences, and encouraging improvements without uniformity.

During the discussion, three motions were made: 1) Modify the code to eliminate six foot fences along commercial corridors, 2) Codify prioritizing driveway access along Central Ave., and 3) investigate how design standards could be applied outside of the downtown area. All three motions carried unanimously.

The Committee requested staff take into consideration what other cities do and have discussions with the businesses along commercial corridors and bring back to the Committee proposed amendments.

E. Continued Business: Pending and Continuing Referral List

The Committee discussed the items on the referral list and noted that two items had not yet been through initial discussion. Councilmember Newton clarified his intent on the Towing Ordinance and the City Vehicle Use items and they will be scheduled for discussion by the Committee.

F. Next Meeting: September 26, 2013

G. Adjournment. Meeting Adjourned: 10:40 a.m.

MEMORANDUM
City of St. Petersburg, Florida

TO: Chair and Members of City Council

FROM: Mark A. Winn, Chief Assistant City Attorney

RE: Over-the-air broadcast of the City television signal

DATE: September 13, 2013

The PSI Committee has recommended that Council request that the Mayor initiate the over-the-air broadcast of the City television signal and that Council allocate funds in the budget for that purpose. The estimated cost for the initial year is \$18,586 and thereafter \$16,086 annually, subject to vendor increases.

This amount does not include any additional costs for compliance with all FCC regulations. Cable broadcasts are not regulated by the FCC, however, over-the-air broadcasts are regulated by the FCC and compliance with federal regulations is therefore mandatory. Daily and annual compliance will require more staff time, and may now require the City to provide 'equal time' for candidates for political office if one candidate has obtained time on the City channel. While the City has diligently attempted to insure that situation does not occur, that does not prevent petitions to the FCC to require the City to provide 'equal time.' That has happened at least once to my knowledge and required the retention of outside counsel in Washington.

Secondly, the operation of the City Television Station falls within the responsibility of the Mayor. As such, your action would be to ask the Mayor to initiate this over-the-air broadcast and, if you decide to do so, you should provide funds for such activity at the appropriate location in the budget.

I have attached a resolution which makes this request of the Mayor.

Mark A. Winn



A RESOLUTION OF THE CITY COUNCIL REQUESTING THE MAYOR TO IMPLEMENT THE OVER-THE-AIR BROADCAST OF THE CITY TELEVISION STATION SIGNAL; REQUESTING THAT THE MAYOR RECOMMEND CHANGES TO THE BUDGET TO ACCOMMODATE THIS INCREASED COST; AND PROVIDING AN EFFECTIVE DATE

Whereas the operation of the City television is the responsibility of the Mayor; and

Whereas, the City sold the broadcast station (Channel 35) in 2011 but retained the use of a side channel, channel 38.4, which could be used to provide over-the-air broadcast of the City's regular programming; and

Whereas, the use of this side channel will cost approximately \$18,586 initially and thereafter, approximately \$16,086 annually; and

Whereas, approximately 6% of the City does not have cable or satellite service; and

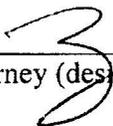
Whereas, 5 citizens have contacted the City expressing a desire for over-the-air broadcasts; and

Whereas, this channel would be broadcast throughout Pinellas County and in portions of Hillsborough and Manatee Counties; and

Whereas, the City Council wishes to expend these funds to provide this broadcast service.

NOW THEREFORE BE IT RESOLVED by the City Council that the Council requests that the Mayor implement the over-the-air broadcast of the City television signal and that the Mayor recommend changes to the budget to accommodate the increased costs.

Approved as to form and content:



City Attorney (designee)

Attached documents for item Committee of the Whole (see I-6, Ordinance 81-H). (9/12/13)

Committee of the Whole Report September 12, 2013 Meeting

Members Present: Chair Karl Nurse, Councilmembers Charlie Gerdes, James Kennedy, Bill Dudley, Leslie Curran, Steve Kornell, Wengay Newton and Jeff Danner

Also Present: Chief Assistant City Attorney Mark Winn, Assistant City Attorney Jeanne Hoffmann, Planning & Economic Development Director Dave Goodwin, Zoning Official Philip Lazzara and City Clerk Eva Andujar

The Chair called the meeting to order.

LDR Amendment (City File LDR-2013-01), Ordinance 81-H – Assistant City Attorney Jeanne Hoffmann distributed a revised proposed ordinance with changes to Section 10, Application for reconsideration.

Zoning Official Phil Lazzara and Assistant City Attorney Jeanne Hoffmann reviewed the proposed amendments generally classified as clarifications (9), consistency improvements to maintain consistency with changes in federal, state and local law (2) and substantive (regulatory) changes resulting from new issues that were not contemplated or which emerged from administering the City Code (6).

Following discussion, no action was taken by the Committee.

Adjournment

Attached documents for item Legislative Affairs & Intergovernmental Relations (9/19/13)

RESOLUTION 2013-380

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ST. PETERSBURG, FLORIDA,
OPPOSING AND URGING AMENDMENT TO
OR REPEAL OF THE BIGGERT-WATERS
FLOOD INSURANCE REFORM ACT OF 2012;
AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, residents of coastal communities all want accessible and affordable flood insurance; and

WHEREAS, Congress passed the National Flood Insurance Act of 1968 specifically to ensure flood insurance coverage is available on reasonable terms and conditions to citizens who have a need for such protections; and

WHEREAS, on July 6, 2012, the Surface Transportation Bill, which included the Biggert-Waters Flood Insurance Reform Act ("Act") was signed into law; and

WHEREAS, the Act re-authorizes the National Flood Insurance Program ("NFIP") through 2017, but also puts into place many significant reforms as a result of the high losses incurred by the program in 2005 from Hurricane Katrina and in 2012 from Super Storm Sandy for the program to be financially solvent; and

WHEREAS, the reforms in the Act include dramatic and immediate changes for structures built Pre-Firm (Section 205 of the Act), and structures that were built Post-Firm (Section 207 of the Act), as well as lowering the threshold for what is deemed to be a substantial improvement; and

WHEREAS, the Act will implement actuary insurance rates for homeowners, business owners, and prospective buyers upon the sale or purchase of real property or a lapse of insurance coverage after July 6, 2012; and

WHEREAS, the process of implementation proposed by FEMA will make flood insurance a budgetary impossibility for many of the City's residents and lead to a dramatic decline in property values and home sales; and

WHEREAS, it is estimated that that more than 20% of all households in the City will be impacted by the Act's implementation as proposed; and

WHEREAS, the City has experienced incredible growth in spite of the national recession and mortgage crisis; and

WHEREAS, the City seeks to keep this momentum growing; and

WHEREAS, the Act has created a chilling effect on the City's local economy which is being felt as real estate closings have slowed to a crawl and new home buyers in the affected areas are faced with the challenge of keeping their homes; and

WHEREAS, the increase will have a substantial negative effect on the available household income of up to 20% of households in St. Petersburg; and

WHEREAS, the City is extremely concerned that the Act will financially impact home and business owners; devalue properties; discourage construction; hinder real estate sale transactions; and may result in foreclosures to owners who have lawfully constructed their homes and businesses as allowed by the NFIP within flood plains and the State's building code; and

WHEREAS, the City would like to work on a compromise bill addressing affordability, equity, and implementation, so that the momentum and growth can continue.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of St. Petersburg urges the United States Congress, and specifically Senators Bill Nelson and Marco Rubio and U.S. Representatives Bill Young and Kathy Castor, to take immediate action to delay or repeal those portions of the Biggert-Waters Florida Insurance Reform Act of 2012 in order to allow for all stakeholders, including the City of St. Petersburg, to reach a compromise bill.

BE IT FURTHER RESOLVED that the City Clerk shall forward a copy of this resolution to United States Senators Mary Landrieu, David Vitter, Bill Nelson, Marco Rubio, and United States Representative Bill Young.

This Resolution shall be effective immediately upon its adoption.

Attached documents for item Confirming the preliminary assessment for Lot Clearing Numbers 1521 and 1522.

ST. PETERSBURG CITY COUNCIL

MEETING OF: September 19, 2013

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for
Lot Clearing Number LCA 1521

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

LCA:	<u>1521</u>
NUMBER OF STRUCTURES:	<u>137</u>
ASSESSABLE AMOUNT:	<u>\$28,036.33</u>

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

COST/FUNDING/ASSESSMENT INFORMATION:

The total assessable amount of **\$28,036.33** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

FOLLOW-UP: _____

AGENDA NO. _____

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

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
1521	A B F C 2006-HE1 TRUST	4650 8TH AVE S	184.38
	ADMIRE, HAZEL EST	850 44TH AVE N	184.38
	AGUAS, LUIS F	6173 37TH AVE N	204.43
	AIDS HEALTHCARE FOUNDATION INC	2601 34TH ST S	705.55
	ALBRIGHT, JERRY L	4821 4TH AVE S	184.38
	ALFORD, SUSAN S	5481 1ST AVE S	184.38
	ANDERSON, SUZANNE R	2916 60TH AVE S	184.38
	APOLLO PARTNERS LLC	3866 12TH AVE S	184.38
	ARCADI, ANTHONY V	4808 33RD AVE N	184.38
	ATLANTIC CAPITAL/MARCO BANK	1200 33RD ST S	184.38
	BARRETT, THOMAS	1111 HIGHLAND ST S	184.38
	BAYSIDE CAPITAL INVESTMENT GRO	1125 MELROSE AVE S	184.38
	BORDONES, ORLANDO	1515 14TH ST S	184.38
	BRADLEY, RUDOLPH	1027 18TH ST S	184.38
	CAMPBELL, FRANCES TURNER EST	1231 25TH ST S	224.47
	CASTANEIRA, ALFONSO	1034 10TH ST S	184.38
	CASTILLO, ANA MARY	4641 SHORE ACRES BLVD NE	184.38
	CASTLEFRANK FLORIDA HOLDINGS L	1701 CENTRAL AVE	424.92
	CENTENNIAL BANK	2444 1ST AVE N	184.38
	CENTENNIAL BANK	2448 1ST AVE N	184.38
	CENTENNIAL BANK	2462 1ST AVE N	224.47
	CHEATHAM, KAREN CORBETT	1914 31ST ST S	184.38
	CHRISTIANSEN, LINDA	3487 QUEENSBORO AVE S	184.38
	CITIMORTGAGE INC	2252 8TH AVE N	184.38
	CORBIN, LENA	2244 21ST ST S	184.38
	COTTMAN, PURITY	670 26TH AVE S	244.52

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OWNERS NAME AND ADDRESS LISTING
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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	COUNTRYWIDE	1526 PRESCOTT ST S	204.43
	CRISP, BRETT D	937 26TH ST N	475.00
	CUSTOM AFFORDABILITY INC	957 JAMES AVE S	184.38
	DALLAND PROPERTIES LP	1125 15TH AVE S	184.38
	DALLAND PROPERTIES LP	1314 12TH AVE S	264.56
	DALLAND PROPERTIES LP	4200 14TH AVE S	184.38
	DAUGHTRY, JOANN W LIVING TRUST	1800 12TH AVE S	184.38
	DIAZ, FERNANDO	5643 8TH AVE N	184.38
	DYKES, ANTOINE	2221 23RD AVE S	184.38
	EVANS, DORIS	3042 20TH AVE S	184.38
	FARACI, ANGELA	3727 17TH AVE S	184.38
	FINTAK, PAUL J	2449 ANVIL ST N	184.38
	FRED, GLORIA E	2579 38TH AVE N	184.38
	FREDA, JACQUELINE	2700 63RD ST N	204.43
	FREDERICK, PATRICIA	2800 PINELLAS POINT DR S	224.47
	FRONTIER ENGINEERING INC	645 28TH ST S	184.38
	FRONTIER ENGINEERING INC	2808 FREEMONT TERR S	184.38
	GENERAL HOME DEVELOPMENT CORP	2641 20TH ST S	505.10
	GEORGE VICTOR & ASSN INC	3001 6TH AVE S	184.38
	GORDON, HAYWARD	1636 13TH ST S	184.38
	GROSSMAN, JENNIFER NICOLE	3851 15TH AVE S	224.47
	GUILFORD, SAMUEL	619 29TH ST S	184.38
	HABITAT FOR HUMANITY OF PINELL	3026 20TH AVE S	184.38
	HALL, CHRISTOPHER D	2300 EAST HARBOR DR S	184.38
	HART, MARCUS	2550 6TH ST S	244.52
	HAUGHTON, TRECIA	1127 45TH ST S	224.47

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	HAYDEN, AARON	5569 7TH AVE N	184.38
	HAYES, ZONOVIA C	1300 MELROSE AVE S	224.47
	HENNINGER, JOAN C	544 49TH ST S	224.47
	HOMES FOR INDEPENDENCE INC	4119 13TH AVE S	184.38
	HONESTRUSTILY LLC	2220 7TH ST S	184.38
	HORN VI LLC	6910 2ND ST N	184.38
	HOUSEMART HOLDINGS LLC	3077 21ST AVE S	224.47
	HUNGERFORD, PAUL	2525 21ST ST S	184.38
	JOHNSON, CYNTHIA	2029 19TH ST S	224.47
	JOHNSON, HORACE L	754 27TH AVE S	184.38
	JOHNSON, JESSIE	3094 20TH AVE S	184.38
	KARSEVER, SUSAN	3946 8TH AVE S	184.38
	KELLIHER, HELEN M	1818 SHORE ACRES BLVD NE	184.38
	KELLY, PATRICIA H	2421 14TH AVE S	184.38
	KNOWLES, HOWARD	1302 9TH AVE N	184.38
	KREMINA, JAROSLAV	311 80TH AVE NE	234.49
	LARA LLC	527 16TH AVE S	184.38
	LAUS HOMES LLC	2432 13TH AVE S	224.47
	LOFFTUS, LISA J	4552 1ST AVE S	184.38
	LONTOC, DOMINIC	1255 10TH AVE S	214.45
	LOPEZ, NANCY	3000 21ST AVE S	224.47
	LOPEZ, TIENE	2827 29TH AVE N	184.38
	LOREVIL LAND TRUST AGM NO 1	1237 12TH AVE S	224.47
	LUND, ALLISON	6325 35TH AVE N	184.38
	LUNDGREN, RUSSELL H	3920 2ND AVE N	184.38
	LYTLE, LILLIAN E	3425 16TH ST N	184.38

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LCA - LOT CLEARING

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	MARI, WAIL	631 12TH AVE S	184.38
	MARION, CARL	3010 20TH AVE S	184.38
	MARTINEZ, GUSTAVO R	2060 1ST AVE N	184.38
	MAYS, ROBIN	680 22ND AVE S	224.47
	MC CORMACK, KEVIN S	601 12TH AVE S	224.47
	MC MINN, PATRICIA E EST	1137 55TH AVE N	204.43
	MERCURY 1 LLC	936 23RD AVE S	184.38
	MILLER, VERNELL M	621 12TH AVE S	184.38
	MIRANDA, LILIANA	3200 6TH AVE S	204.43
	MURPHY, RANDY D	3440 3RD AVE S	184.38
	NELSON, MALENA	1509 SUFFOLK ST N	184.38
	NEW MILLENNIAL LC	2517 5TH ST S	204.43
	NU TAX 100 GP	1111 16TH AVE S	184.38
	NU TAX 100 GP	1135 15TH AVE S	184.38
	NU TAX 100 GP	1349 PRESTON ST S	204.43
	PAREDES, ORESTES JULIO	511 14TH AVE S	184.38
	PARKER, BAYVRA	655 27TH AVE S	184.38
	PETSCHER, ERIN	2647 6TH ST S	264.56
	PLEMMONS, MICHAEL J BNF	5621 3RD AVE N	184.38
	R T FLORIDA PROPERTIES INC	6601 22ND ST N	184.38
	REIDEL, RUTH EST	5239 5TH AVE S	184.38
	RIVERS, JUDY B	1225 13TH AVE S	224.47
	ROBINSON, FLOSSIE EST	1000 UNION ST S	224.47
	SAUTERNES V LLC	1500 21ST AVE N	184.38
	SCHNITZHOFFER, DON JR	1010 15TH AVE S	184.38
	SEIKUS, ROMAN F	490 DAWSON AVE NE	184.38

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	SMITH, PHILIPPA A	3534 15TH AVE S	184.38
	SOREM, MELVIN D	2315 21ST ST S	184.38
	STABINS, CRISSY	2425 10TH ST S	184.38
	SUNCOAST PROPERTY PARTNERS LLC	2401 10TH AVE S	204.43
	SUNSHINE LENDERS LLC	1820 12TH AVE S	224.47
	TARPON IV LLC	1300 10TH AVE S	184.38
	TARPON IV LLC	1315 JAMES AVE S	184.38
	TARPON IV LLC	1911 31ST ST S	184.38
	TARPON IV LLC	2542 EMERSON AVE S	184.38
	TC DEVELOPING COMMUNITIES INC	1111 MELROSE AVE S	184.38
	THOMPSON, EDNA A	235 35TH ST S	204.43
	TRUST NO 2304 HIGHLAND ST S	2304 HIGHLAND ST S	184.38
	TRUST NO 3887	3887 12TH AVE S	184.38
	VALDES, KATHERINE	1831 10TH ST S	184.38
	VAN ALLEN, BRICE M	1311 WINCHESTER RD N	184.38
	VERONA V LLC	1812 12TH AVE S	204.43
	VOGT-NICHOLLS, NAOMI M	5945 4TH AVE S	264.56
	WADE, JAMES M	1828 24TH AVE N	184.38
	WADE, JAMES M	1838 24TH AVE N	184.38
	WALKER, DAVID B	1900 19TH ST S	224.47
	WARD, JAMES	511 26TH AVE S	184.38
	WELLS FARGO BANK	4046 50TH AVE S	184.38
	WHITEHEAD, MATTHEW	4751 2ND AVE S	204.43
	WHITFIELD, EDDIE A	4242 14TH AVE S	184.38
	WILLIAMS, BRUCE	2740 18TH ST S	184.38
	WILSON, CHRISTINE	1425 40TH ST S	184.38

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	YUNG, AMELIA RANESAS	525 27TH AVE S	184.38
	1901 19TH ST S FL LAND TRUST #	1901 19TH ST S	184.38
	28.51 PINELLAS I LLC	2415 19TH ST S	184.38
	3500 1ST AVENUE SOUTH LAND TRU	3500 1ST AVE S	204.43
	3811 15TH AVE LLC	3811 15TH AVE S	184.38
	776 19TH LAND TRUST	776 19TH AVE S	184.38
	818 40TH ST S TRUST	818 40TH ST S	184.38

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
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***	END OF REPORT	***	PROJECT TOTAL	28,036.33
			GRAND TOTAL	28,036.33

LOT CLEARING NUMBER 1521
COST / FUNDING / ASSESSMENT INFORMATION

<u>CATEGORY ASSESSED</u>	<u>AMOUNT TO BE ASSESSED</u>
LOT CLEARING COST	\$ 19,196.33
ADMINISTRATIVE FEE	\$ <u>8,840.00</u>
TOTAL:	\$ 28,036.33

ST. PETERSBURG CITY COUNCIL

MEETING OF: September 19, 2013

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for
Lot Clearing Number LCA 1522

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

LCA:	<u>1522</u>
NUMBER OF STRUCTURES:	<u>216</u>
ASSESSABLE AMOUNT:	<u>\$42,211.52</u>

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

COST/FUNDING/ASSESSMENT INFORMATION:

The total assessable amount of **\$42,211.52** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

FOLLOW-UP: _____

AGENDA NO. _____

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
1522	*****	5019 4TH AVE S	184.38
	ALESSANDRINI, BERNARD	2825 6TH ST S	184.38
	ALLIED MTG & INVESTMENT FUND I	3534 6TH AVE S	244.52
	ANDERSON, KARL R	860 64TH AVE S	224.47
	ANDERSON, NOREEN	4935 22ND ST N	184.38
	ANTINORE, RICHARD F	4835 10TH AVE S	184.38
	ARCHIE, HORACE	1905 24TH ST S	184.38
	ATSI, LUCA ANGELUCCI	923 IVANHOE WAY S	184.38
	ATSI, LUCA ANGELUCCI	2238 20TH ST S	184.38
	BALABANOVIC, MILIJA	4141 5TH AVE S	184.38
	BANK OF NEW YORK MELLON TRE	2990 37TH ST N	264.56
	BARRETT, THOMAS	1119 HIGHLAND ST S	184.38
	BAY AREA HOUSING DEV CORP	1730 30TH ST S	184.38
	BAY TO GULF HOLDINGS LLC	967 49TH AVE N	204.43
	BAYSIDE CAPITAL INVESTMENT GRO	991 MELROSE AVE S	184.38
	BENTON, MARK	4929 19TH ST N	184.38
	BOLDEN, JULIOUS LEE EST	719 19TH ST S	184.38
	BOWMAN, CHAMERA D	2580 13TH AVE S	184.38
	BRADFORD, CRYSTAL	2530 2ND AVE S	204.43
	BRADY, BARBARA J INC	626 61ST AVE S	184.38
	BRAGANO, DARLENE T	6811 10TH ST N	184.38
	BROWN, RUBY L EST	2635 3RD AVE S	204.43
	BURROW, MARCUS	2222 37TH ST S	244.52
	BURROW, MARCUS	2309 36TH ST S	184.38
	BUSGITH, AMANDA	516 28TH AVE S	184.38
	C & A/GFSP JOINT VENTURE	6719 KINGSWOOD DR N	184.38

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	CARMICHAEL, DORA E	117 27TH ST S	184.38
	CHAMPLAIN, LISA R TRUST	2234 GROVE ST S	244.52
	CITIBANK TRE	2835 FREEMONT TERR S	224.47
	CLAUSEN, KATHERINE J EST	3465 15TH AVE S	264.56
	CLYMO, CRIS	735 90TH AVE N	184.38
	CONNON, KEVIN J	4660 6TH AVE S	204.43
	CORNELIUS, MARY L	2305 13TH ST S	184.38
	CORPES, LUIS	2000 BURLINGTON AVE N	184.38
	CORSI, RICHARD	975 12TH AVE S	184.38
	COSTON, ALBERTA	3451 QUEENSBORO AVE S	224.47
	COUNTRYWIDE HOME LOANS	1618 43RD ST S	184.38
	COURSON, MARY Y	250 19TH AVE S	184.38
	CRISWELL, MARGARET	2035 44TH ST S	184.38
	CROXTON, BENJAMIN C	920 16TH AVE N	184.38
	CULVER, VIVIAN H	3212 8TH AVE N	184.38
	DAGGETT, STEPHEN	6792 35TH AVE N	184.38
	DALLAND PROPERTIES LP	2360 18TH AVE S	184.38
	DALLAND PROPERTIES LP	2547 10TH AVE S	224.47
	DALLAND PROPERTIES LP	3017 FREEMONT TERR S	214.45
	DALLAND PROPERTIES LP	4917 4TH AVE S	184.38
	DEUTSCHE BANK NATL TRUST CO T	2439 4TH AVE S	184.38
	DEXTER, SYMONE	2511 DR. ML KING JR ST S	244.52
	DICKEY, ARTHUR JR EST	1501 11TH AVE S	204.43
	DOBRIN, JERRY	660 62ND AVE S	224.47
	DREWS, LAURENCE A	1747 6TH ST S	224.47
	DUNBAR, GALE A	1117 27TH AVE S	184.38

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	EDMOND, JABAAR	2000 21ST ST S	184.38
	ERMAN, AILA REVOCABLE TRUST	2121 BEACH DR SE	184.38
	FAILS, ROSA M EST	1901 29TH ST S	184.38
	FEDERAL HOME LOAN MTG CORP	668 23RD AVE S	184.38
	FENG, JENNY	3535 14TH AVE S	224.47
	FERRIS, BRIAN A	785 27TH AVE S	224.47
	FINTAK, PAUL J	2401 72ND ST N	304.65
	FLORIDA CENTRAL CREDIT UNION	117 LINCOLN CIR N	184.38
	FORD, LAURITA J	3468 17TH AVE S	184.38
	FOX FUND	836 14TH AVE S	184.38
	FOX, ROBERT L	8085 33RD AVE N	184.38
	FRANCIS PATRICK REALTY LLC	3611 2ND AVE S	184.38
	FRANCO, ALBERT	531 53RD ST N	184.38
	G H D OF PINELLAS INC	1226 33RD ST S	184.38
	GARCIA, DAVID	5211 38TH AVE N	184.38
	GARNER, DARELL	3510 13TH AVE S	184.38
	GENERAL HOME DEVELOPMENT CORP	800 NEWTON AVE S	224.47
	GENERAL HOME DEVELOPMENT CORP	4834 10TH AVE S	184.38
	GOFF, NORMA H	6550 17TH ST N	204.43
	GRAVES, JOHN L	816 59TH AVE NE	184.38
	GRAY, LASHANDRA NICOLE	2826 4TH AVE S	224.47
	GREENBENCH HOLDINGS LLC	4420 6TH AVE S	184.38
	GULKIS, DENNIS	626 30TH AVE S	184.38
	GULLEY, TAMMY MIRA	1045 MELROSE AVE S	224.47
	GYDEN, HENRY G	4635 12TH AVE S	184.38
	HARRIS, ANGERITA	851 22ND AVE S	184.38

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	HARRIS, LAURA M EST	2133 37TH ST S	184.38
	HARRIS, MICKENZI A	670 29TH AVE S	204.43
	HATCHER, FRED	2930 FAIRFIELD AVE S	184.38
	HEATON, PATRICIA M	4735 DR. ML KING JR ST N	184.38
	HICKMAN, HELEN	1921 20TH ST S	184.38
	HIGGINS, KEVINS C EST	6580 POINSETTIA AVE S	184.38
	HOBAN, JUDY H	327 84TH AVE NE	184.38
	HOOPER, JASON	1935 WALTON ST S	224.47
	HORN VI LLC	200 38TH AVE SE	264.56
	HOWDEN, SAMMIE D	2191 75TH ST N	184.38
	HOWELL, DONA M	247 92ND AVE N	184.38
	HUYNH, TOMMY	1832 35TH ST S	184.38
	IRMIS, SAMUEL MILES	2726 25TH AVE N	184.38
	JACKSON, LINDSEY JR	3019 17TH AVE S	184.38
	JARVIS, RITA N	3459 17TH AVE S	184.38
	JOHNSEN, LEONARD W	655 12TH AVE S	184.38
	JOHNSON, AURELLA E	3036 FAIRFIELD AVE S	184.38
	JOHNSON, BRUCE R	5908 7TH AVE N	184.38
	JOHNSON, ELIGAH JR	950 22ND AVE S	304.65
	JOHNSON, KATHLEEN M	6111 7TH AVE N	184.38
	JOHNSON, LOUIS	2217 QUEEN ST S	204.43
	K & W PROPERTIES	801 22ND AVE S	264.56
	KARAMIHAILOGLOU, CHRISTOS	6711 13TH AVE N	184.38
	KIRKSEY, JOSEPH	2443 2ND AVE S	184.38
	KLEIN, BENJAMIN	216 15TH AVE SE	184.38
	LEE, MELINDA	610 PARIS AVE S	184.38

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	LEHMAN BROTHERS BANK	960 18TH ST S	184.38
	LERIN, LORENA	1430 10TH AVE S	184.38
	LEVY, SIGMUND	2350 14TH ST N	184.38
	LIBRADO, MAC VINCENT	3632 27TH AVE N	184.38
	LISTER, LORI L	665 26TH AVE S	224.47
	LITTRELL, BETTY S	2054 CENTRAL AVE	184.38
	LORE REALTY LLC	324 LEWIS BLVD SE	184.38
	LORENZO REAL ESTATE INC	3501 2ND AVE S	224.47
	LOREVIL LAND TRUST AGM NO 38	909 8TH AVE S	184.38
	LOVETT, TRIKA S	2331 16TH AVE S	184.38
	LUCIO, ANGEL	4063 5TH AVE S	204.43
	M N L PROPERTIES LLC	1770 31ST ST S	184.38
	MARTINEZ, NOELIX	1235 11TH AVE S	184.38
	MATTHEWS, ROBERT F	2515 20TH ST S	184.38
	MAZEK ENTERPRISES LLC	201 43RD TERR SE	224.47
	MC GOVERN, MICHAEL	3819 ALABAMA AVE NE	184.38
	MC KINNEY, BARBARA	417 KINGSTON ST S	184.38
	MC LENDON, BILLY KEITH	2310 17TH AVE S	184.38
	MC TIER, ALBERT JR EST	1912 27TH ST S	184.38
	MELLOUKI, ABDELGHANI	1436 PRESTON ST S	184.38
	MEUNIER, DAVID	1743 30TH ST S	184.38
	MILLER, SANDRA L	2045 27TH AVE N	184.38
	MITCHELL, KATHY	1120 COUNTRY CLUB WAY S	224.47
	MOWERY, DOREEN	5426 6TH AVE N	184.38
	NAGATANI, SAMUEL S	4637 YARMOUTH AVE S	184.38
	NERO, JOE W SR	1223 21ST ST S	184.38

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	NEW CITY HOMES LLC	2533 4TH AVE S	184.38
	NEW MARKET REALTY LLC	2144 17TH AVE S	184.38
	NEWKIRK, DIANE EST	2518 20TH ST S	184.38
	NICHOLSON, DAHLIA I	1626 21ST AVE S	184.38
	NU TAX 100 GP	1900 21ST ST S	184.38
	NUNNALLY, JACKIE	856 PARIS AVE S	184.38
	O'DELL, JEROME J	1457 40TH AVE NE	184.38
	PATTERSON, SHIRLEY	3840 WHITING DR SE	184.38
	PERRAULT, LEO J	2438 28TH ST N	224.47
	PERRIN, WARD E	3325 55TH ST N	184.38
	PERRY, MICHAEL T	731 7TH AVE N	264.56
	PHILYOR, BENJAMIN III	2950 FREEMONT TERR S	184.38
	POLING, BRIAN C	5135 39TH AVE N	184.38
	POTE, CONNIE J	4101 6TH AVE N	184.38
	PULSONETTI, PATRICIA	3975 4TH ST S	184.38
	RAFFO, JAMES LEWIS	216 29TH ST S	184.38
	RANNEY, MARIE S EST	1819 11TH ST S	224.47
	RATH, MICHAEL B	790 HILLSIDE DR S	184.38
	REPPY, ROBERT	4105 12TH AVE S	184.38
	RES-FL SIX LLC	2346 GROVE ST S	184.38
	ROJAS, JOSE M JR	712 14TH AVE S	184.38
	ROSE HALL INVESTMENT GROUP LP	1313 26TH AVE S	184.38
	ROUSSEAU, DAVID W	2890 17TH AVE N	184.38
	RYAN, ROBERT	5400 38TH AVE N	224.47
	SAFE ASSET MANAGEMENT LLC	1935 27TH AVE N	184.38
	SAFE ASSET MANAGEMENT LLC	6387 4TH AVE S	184.38

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

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	SANCHEZ, MARINA	3254 6TH AVE S	184.38
	SAVICH, MILAN	821 MURPHY AVE N	184.38
	SCHLEICH, RON	1355 34TH AVE N	224.47
	SHINN, PATRICK ANDREW	1509 NORFOLK ST N	184.38
	SMITH, J HERSCHEL	6163 2ND AVE S	184.38
	SMITH, RAYMOND	761 16TH AVE S	184.38
	ST PETE RENTAL PROPERTIES LLC	4349 17TH AVE S	184.38
	ST PETERSBURG PROPERTIES INC	2448 3RD AVE S	184.38
	STALLION HOMES LLC	2530 IRVING AVE S	184.38
	STEARNS BANK	1500 9TH AVE S	184.38
	STROM, STEPHEN C EST	1724 49TH ST N	184.38
	SUNNY BAY PROPERTIES LC	2300 13TH ST S	184.38
	TARPON IV LLC	1315 12TH ST S	184.38
	TARPON IV LLC	2820 4TH AVE S	184.38
	TAX CERTIFICATE REDEMPTIONS IN	2650 4TH AVE S	184.38
	TAX CERTIFICATE REDEMPTIONS IN	2720 13TH AVE S	184.38
	TAX CERTIFICATE REDEMPTIONS IN	3519 20TH AVE S	184.38
	TAYLOR, BETTY J EST	821 22ND AVE N	204.43
	TAYLOR, PEARL EST	1760 21ST ST S	184.38
	THOMAS, ALEXSANDRIA	977 27TH AVE S	214.45
	THOMAS, SHARON	4431 FAIRFIELD AVE S	224.47
	THOMPSON ENTERPRISES INC	740 21ST ST S	224.47
	TIMBERLAKE, HELEN E	3035 MELTON ST N	184.38
	TITAN DEVELOPMENT GROUP LLC	3321 5TH AVE S	184.38
	TOLBERT, WILLIAM F	2506 19TH ST S	224.47
	TRADER, MANDISA L	4521 9TH AVE S	264.56

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

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	TRAPP, JAMES	649 28TH AVE S	184.38
	TRUST NO 256133712	2561 18TH AVE S	184.38
	TRUST 959	959 MELROSE AVE S	184.38
	U S BANK NATL ASSN	3233 23RD ST N	184.38
	U S LAND TREASURY INC	4810 8TH AVE S	184.38
	UNGR, HYNEK	1825 45TH ST S	184.38
	UNHITCHED HOLDINGS LLC	556 BEACH DR NE	184.38
	VANKREVELEN, STEPHEN	720 30TH AVE S	184.38
	VENTURE AT MIDTOWN I LLC	847 PARIS AVE S	184.38
	VERONA V LLC	1200 UPTON CT S	184.38
	VERONA V LLC	3474 17TH AVE S	184.38
	VERTUSO LLC	4063 9TH AVE S	304.65
	VIOLETTE, LINDA C	1666 27TH AVE N	184.38
	WALKER, ROSE M	1325 PRESTON ST S	184.38
	WARD, SCOTT M	676 25TH AVE S	204.43
	WARREN, JULIE T	415 25TH ST S	184.38
	WATERMAN, JOHN J JR	5055 12TH ST N	184.38
	WILLIAM, PATRICIA	2220 13TH AVE S	224.47
	WILLIAMS, CHERAY Y	2517 4TH AVE S	184.38
	WILLIAMS, HAYDEE	5664 KELLY DR N	184.38
	WILLIAMS, HOMER D EST	1212 MELROSE AVE S	184.38
	WILSON, THOMAS JR	766 21ST AVE S	184.38
	WOODS, JACQUELINE D	2024 21ST ST S	184.38
	YOUNG, WENDELL E	620 29TH AVE S	184.38
	ZINCK, RONALD L TRE	2917 16TH AVE S	184.38
	ZIPP, ALONZO A	640 12TH AVE N	184.38

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

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	1801 13TH AVE LAND TRUST	1801 13TH AVE S	184.38
	2430 21ST ST S FL LAND TRUST #	2430 21ST ST S	204.43
	2624 20TH ST LAND TRUST	2624 20TH ST S	184.38
	30 DAYS REAL ESTATE CORP TRE	1916 21ST ST S	184.38
	30 DAYS REAL ESTATE CORP TRE	1926 21ST ST S	184.38
	3535 4TH AVE S LAND TRUST	3535 4TH AVE S	224.47
	3928 9TH AVE LLC	3928 9TH AVE S	184.38
	7TH CAVALRY CORP	1915 10TH ST S	184.38

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

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
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*** END OF REPORT ***		PROJECT TOTAL	42,211.52
		GRAND TOTAL	42,211.52

LOT CLEARING NUMBER 1522
COST / FUNDING / ASSESSMENT INFORMATION

<u>CATEGORY ASSESSED</u>	<u>AMOUNT TO BE ASSESSED</u>
LOT CLEARING COST	\$ 28,171.52
ADMINISTRATIVE FEE	<u>\$ 14,040.00</u>
TOTAL:	\$ 42,211.52

A RESOLUTION CONFIRMING AND APPROVING
PRELIMINARY ASSESSMENT ROLLS FOR LOT
CLEARING NOS. 1521 AND 1522; PROVIDING FOR
AN INTEREST RATE ON UNPAID ASSESSMENTS;
AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, preliminary assessment rolls for Lot Clearing Nos. 1521 and 1522 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

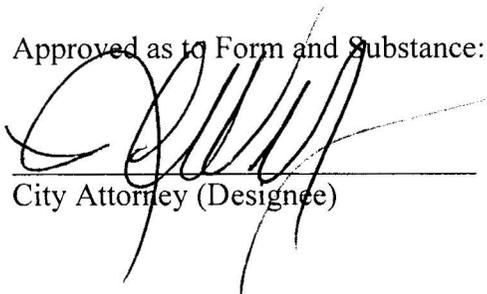
WHEREAS, City Council has corrected any and all mistakes or errors appearing on said preliminary assessment rolls.

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. 1521 and 1522 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 1180.

ST. PETERSBURG CITY COUNCIL

MEETING OF: September 19, 2013

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Securing Number **SEC 1180**

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

SEC:	<u>1180</u>
NUMBER OF STRUCTURES	<u>42</u>
ASSESSABLE AMOUNT:	<u>\$6,470.93</u>

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

COST/FUNDING/ASSESSMENT INFORMATION:

The total assessable amount of **\$6,470.93** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

FOLLOW-UP: _____

AGENDA NO. _____

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11:15:23

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

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
1180	ANTINORE, RICHARD F	4835 10TH AVE S	173.53
	APOLLO PARTNERS LLC	3866 12TH AVE S	91.53
	ASHBY-PITT, JUDY	3859 14TH AVE S	123.03
	ATLANTIC CAPITAL/MARCO BANK	805 14TH ST S	422.53
	BRENDLE, DALE L	5793 6TH ST S	82.09
	BUTT, RICHARD W	1744 42ND ST S	130.58
	BUYI, NEWTON	2500 3RD AVE S	71.53
	CARAVEL BRAZIL LLC	7100 DARTMOUTH AVE N	119.89
	CHURCH OF CHRIST AT PINECREST	4831 5TH AVE S	101.53
	D W HOMES INC	510 15TH AVE S	227.08
	DEMPS, KAREN A	725 21ST AVE S	125.39
	DREWS, LAURENCE A	1747 6TH ST S	97.09
	E R C HOMES LLC	4500 HELENA ST NE	127.59
	FRAZEE, CHRISTOPHER	3811 26TH ST N	89.89
	GILCHRIST, THURZA	967 22ND AVE S	128.53
	GULKIS, DENNIS	618 30TH AVE S	130.58
	HOUSEMYDEAR INC	4238 14TH AVE S	145.58
	JACKSON, LINDSEY JR	3019 17TH AVE S	86.53
	KENNEDY, KATHLEEN M	5901 33RD AVE N	267.08
	LAYTON, JAMES K	819 25TH AVE N	89.89
	LOREVIL LAND TRUST AGM NO 13	1773 TIFTON TERR S	260.22
	MAIN, DAVID G	2034 28TH AVE N	137.03
	MAXWELL, ROBERT	2721 4TH AVE S	117.59
	MC GRUDER, IRA G	661 52ND AVE S	79.08
	MORITZ, DAVID G	3510 1ST AVE S	350.03
	PELICAN HOMES LLC	4100 GROVE ST S	124.08

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

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
	PHOENIX PROPERTIES OF TAMPA BA	2401 35TH ST S	71.53
	SANDERSON, DAVID	3738 1ST AVE N	107.03
	SHIRLEY, CARLA A	5500 VENETIAN BLVD NE	205.08
	SMITH, RAYMOND	761 16TH AVE S	211.59
	SUKHASAM, MANIT	5027 4TH AVE S	107.03
	SWAIN, KIMBERLY P	1346 8TH AVE S	178.78
	TARPON IV LLC	1300 10TH AVE S	226.59
	TIMBERLAKE, HELEN E	3035 MELTON ST N	184.09
	VALDES, KATHERINE	1831 10TH ST S	181.08
	WILLIAMS, LEGENIA D	1256 12TH AVE S	102.59
	WILSON, LEONIA	4027 15TH AVE S	71.53
	WISE, KASEY R	2320 4TH AVE S	206.53
	YOUNG, WENDELL E	620 29TH AVE S	257.53
	2624 20TH ST LAND TRUST	2624 20TH ST S	167.03
	3500 1ST AVENUE SOUTH LAND TRU	3500 1ST AVE S	101.53
	7950 25TH AVE LAND TRUST	7950 25TH AVE N	191.89

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

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PROJECT	RELATED PARTY NAME	PROPERTY ADDRESS	ASSESS AMOUNT
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*** END OF REPORT ***		PROJECT TOTAL	6,470.93
		GRAND TOTAL	6,470.93

BUILDING SECURING NUMBER SEC 1180

COST/FUNDING/ASSESSMENT INFORMATION

<u>CATEGORY</u>	<u>AMOUNT TO BE ASSESSED</u>
SECURING COST	\$ 2,610.00
MATERIAL COST	\$ 1,343.20
LEGAL AD	\$ 627.73
ADMIN. FEE	\$ <u>1,890.00</u>
TOTAL:	\$ 6,470.93

A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1180 ("SEC 1180") 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. 1180 ("SEC 1180"); 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 September 19, 2013, to hear all persons who wished to be heard concerning this matter.

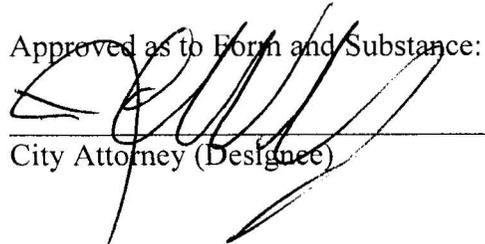
NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of securing listed on Securing Building No. 1180 ("SEC 1180") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

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

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

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Confirming the preliminary assessment for Building Demolition Number 407.

ST. PETERSBURG CITY COUNCIL

MEETING OF: September 19, 2013

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Demolition Number **DMO 407**

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

DMO:	<u>407</u>
NUMBER OF STRUCTURES:	<u>1</u>
ASSESSABLE AMOUNT:	<u>\$9,609.58</u>

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

COST/FUNDING/ASSESSMENT INFORMATION:

The total assessable amount of **\$9,609.58** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

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

BUILDING DEMOLITION NUMBER DMO 407

OWNERS NAME AND ADDRESS LISTING

<u>RELATED PARTY NAME</u>	<u>PROPERTY ADDRESS</u>	<u>ASSESSMENT AMOUNT</u>
CHRISTOPOULOS, GEORGIA	7925 3 rd AVE S	\$ 9,609.58
TOTAL		\$ 9,609.58

BUILDING DEMOLITION NUMBER DMO 407
COST/FUNDING/ASSESSMENT INFORMATION

<u>CATEGORY</u>	<u>AMOUNT TO BE ASSESSED</u>
Demolition Cost	\$ 7800.00
Asbestos Cost	\$ 1317.00
Legal Ad	\$ 156.02
Engineer's Chg	\$ 0
Administrative Fee	\$ <u>336.56</u>
TOTAL:	\$ 9,609.58

A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 407 ("DMO 407") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the structures so demolished are listed on Building Demolition No. 407 ("DMO 407"); 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 September 19, 2013, to hear all persons who wished to be heard concerning this matter.

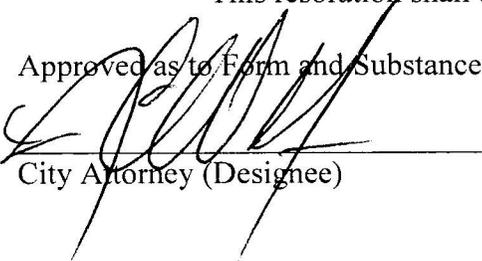
NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of the demolition listed on Building Demolition No. 407 ("DMO 407") as liens against the respective real property on which the costs were incurred and that pursuant to Section 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 Utility Rates:



September 19, 2013

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

FROM: Mayor Bill Foster 

SUBJECT: Utility Rates for FY2014 (Public Hearing)

Attached are three reports recommending rates associated with water, wastewater, reclaimed water, sanitation services and stormwater. These reports were reviewed at BF&T on August 29th and the first reading was held on September 5th. Today's Public Hearing is being held to proceed with final adoption of utility rates for fiscal year 2014.

The attached reports provide detailed information for the proposed rates in each of the enterprise operations. The water, wastewater, and reclaimed water increases are proposed at 3.75% for all three services. There are no increases proposed for sanitation service in either residential or commercial services. In accordance with City Code Sec. 27-405(b)1, the stormwater rate shall be adjusted every October 1st, to correspond with the preceding calendar year's Consumer Price Index, as published by the U.S. Department of Labor, Bureau of Labor and Statistics. The local CPI for FY12 was 2.4%. However, the current and projected fund balances exceed the target and in an effort to limit impact on our utility customers, an ordinance will be presented that provides for a zero percent (0%) increase for the stormwater fee.

Last year at this time, we anticipated a 4.25% overall increase in FY14 for water, wastewater and reclaimed water. However, based on a revenue sufficiency analysis, the rate study recommends an overall increase of 3.75% for FY14.

The primary factors allowing for a zero percent (0%) increase in the sanitation fees include operational efficiencies and reduced tonnage being taken to the County waste disposal site. The stormwater rate will remain the same as last year for several reasons including streamlined operation and matching grants from SWFWMD that have stretched local dollars. Fund balances in both the Sanitation Operating and Stormwater Utility Funds will remain above the target fund balance levels.

In the case of each of the utility fees, our effort has been to minimize the cost increases due to the impacts already felt by our residents of the difficult national economy. The impact to the typical customer is that they will see their utility bill increase by \$1.94 per monthly bill, or a 2.39% overall increase. For customers with reclaimed water they will see an additional \$.68 increase.

Gallons of Water & Sewer Use/Month: 4,000					
	<u>FY13</u>	<u>FY14</u>	<u>Difference</u>	<u>Difference Percent</u>	<u>Difference Water & Sewer Only</u>
SANITATION	\$22.33	\$22.33	\$0.00	0.00%	
POTABLE WATER	\$23.92	\$24.81	\$0.89	3.72%	
WASTEWATER	\$27.97	\$29.02	\$1.05	3.75%	3.74%
STORMWATER	<u>\$6.84</u>	<u>\$6.84</u>	<u>\$0.00</u>	<u>0.00%</u>	
SUBTOTAL	\$81.06	\$83.00	\$1.94	2.39%	
RECLAIMED	<u>\$18.11</u>	<u>\$18.79</u>	<u>\$0.68</u>	<u>3.75%</u>	
TOTAL	\$99.17	\$101.79	\$2.62	2.64%	

The revised rates for water, wastewater, and reclaimed water will begin to appear on the bills sent to customers in November (since those rates would be applied against October consumption).

MJC:tdj

Attachments



MEMORANDUM

TO: Mayor Bill Foster

FROM: Michael J. Connors, P.E. 
Public Works Administration

DATE: August 29, 2013

SUBJECT: FY2014 Water Resources Rate Study

Executive Summary

City staff and the financial rate team of McKim & Creed, P.A. and Burton & Associates have conducted a revenue sufficiency analysis and cost of service rate study for our water, wastewater and reclaimed water systems in conjunction with the FY14 budget development process. The rate study included an analysis of FY13 and FY14 projected costs of maintaining the utility system, revenues and expenses, customer water consumption, wastewater flows, capital and debt service requirements, and the cost of purchasing raw water through Tampa Bay Water.

Last year at this time, we anticipated a 4.25% overall increase in FY14 to help meet projected costs and service demands. Based on the revenue sufficiency analysis, the rate study recommends an overall increase of 3.75% for retail water, wastewater and reclaimed water customers in FY14. For a typical single-family retail customer using 4,000 gallons, the overall monthly bill will go up \$1.94; of that \$0.89 is for water and \$1.05 is for wastewater.

The rate team has also updated the base meter charges following AWWA Equivalent Meter Ratios for the varying pipe sizes. The Ordinance is attached showing proposed changes for all rates and charges.

State Statute 180.136 establishes certain notification requirements when municipal utilities propose rate increases. The City has met those requirements through inserts in the utility billing process (see Attachment 1). Letters have also been sent to wholesale water and wastewater customers notifying them of proposed adjustments. Following review by the Budget, Finance, and Taxation Committee on August 29, 2013, it is anticipated that the proposed rates will be considered at a First Reading on September 5, 2013 and a Public Hearing on September 19, 2013. If the proposed rates are approved on September 19th, they would go into effect October 1st and would appear on customer bills beginning November 2013.

Brief Methodology Overview

The methodology utilized in this study began by allocating the Water Resources FY14 budget costs between the water, wastewater, and reclaimed water systems. In addition, the costs of providing customer services such as meter reading, billing, collection, etc., were isolated and placed into a separate functional component (Customer Costs). Since the costs incurred to

provide reclaimed water service cannot be fully recovered through the charges to reclaimed water customers, the residual costs in excess of total reclaimed water revenues were split evenly between the water and wastewater systems, given the benefits the reclaimed water provides to both the water and wastewater systems. Additionally, these costs are allocated solely to the retail customers of those systems.

Once all of the costs (including reclaimed water residual costs) were allocated to the water and wastewater systems, they were then allocated to retail-specific, wholesale-specific, and joint cost categories. These allocations were performed separately for the Utility's operating costs and capital costs (debt service and annual transfer to the Water Resources Capital Projects Fund). The annual capital costs were allocated to these cost categories based upon the Utility's capital investment in these categories.

These allocated costs were then assigned to customers in proportion to their use of that system function. Thus, all retail-specific costs were allocated to retail users, and wholesale specific costs were allocated entirely to wholesale users. Joint costs were allocated to both wholesale and retail customers in proportion to their share of total system water consumption or sewer flows, as appropriate.

The wholesale water and wastewater rates are calculated based on a cost of service analysis established using the FY14 expense budget. Unlike with the retail rates, which are established using a multi-year blending of rates between the water and wastewater utilities, wholesale rates are established on an annual basis looking at those allocable costs attributed to the wholesale costs of each respective utility, as described above.

Summary of Current and Proposed Wholesale Rates				
<u>Wholesale Customer</u>	<u>Current Rate</u>	<u>Proposed Rate</u>	<u>Variance</u>	<u>% Change</u>
Water (per MG)	\$4,518	\$4,648	\$130	2.9%
Wastewater (per MG) (Treasure Island, South Pasadena, Tierra Verde, Gulfport, Pinellas County, Pinellas Park)	\$2,704	\$2,833	\$129	4.8%
St. Pete Beach				
Capital Charge (Monthly)	\$52,765	\$46,892	(\$5,873)	-11.1%
O&M Rate (per MG)	\$1,981	\$2,080	\$99	5.0%
Average Monthly Bill (using 82.1 MG)	\$215,313	\$217,563	\$2,250	1.04%

Reclaimed Water

We are also proposing an increase in the flat rate for reclaimed water service. If approved, the monthly reclaimed water rate would be increased by 3.75% to \$18.79 from the current monthly rate of \$18.11.

Even with the proposed increases, revenue generated from the reclaimed water fees does not fully cover the cost to operate the reclaimed water system. We will continue to evaluate this rate on an annual basis. However the residual amount has been decreasing steadily since 2011, representing less than half of the cost to operate the reclaimed water system.

Projected FY14 System Requirements

During this year's rate analysis, we looked at projected FY14 expense requirements and anticipated revenue. The operating budget for the Water Resources Department is projected at \$111,331,000 in FY14, an increase of 3.4% over the FY13 approved operating budget. Staff identified close to \$385,000 in reductions to help offset increases in debt service, payment in lieu of taxes, plant maintenance, odor control and Tampa Bay Water.

The rate analysis identified a number of factors driving rates over the next several years. These factors helped lower the rate increase needed in FY14 and in the later years and increase the amounts needed in FY15 and FY16. The recent settlement with Wells Fargo replenished some of the loss experienced in the Water Cost Stabilization and Operating Funds (approximately \$1,415,000 and \$280,000 respectively). Due to the recent favorable judgment in the legal case against Treasure Island, we were able to remove a liability of \$1,878,482 from the Operating fund balance.

The FY14 budget includes an increase of approximately \$1,000,000 for Payment in Lieu of Taxes. Beginning in FY15, we will begin to add \$1,000,000 annually to the transfer to Capital. We currently transfer \$3,000,000; however, the bond rating agencies expressed concern that this amount remains unchanged while we continue to issue new debt. Debt Service is programmed into the rate analysis based on debt issuance in FY14 (\$23.4 million), FY15 (\$76.9 million), FY16 (\$55.6 million), and FY18 (\$27.6 million). The larger than normal borrowing in FY15 and FY16 is partly attributable to the Waste to Energy project, which is expected to yield annual operating savings of \$4.5 million beginning in FY17. Additionally, the Albert Whitted consolidation project, currently under way, will begin to see annual operating savings of \$1.8 million starting in FY15. Lastly, there was an increase of approximately \$400,000 in TBW costs due to a slight increase in consumption in FY14.

On June 17, 2013, the Tampa Bay Water Board (TBW) approved its FY14 budget at a public hearing. The cost of purchasing raw water from TBW is anticipated to increase slightly for FY14. We have budgeted \$25,717,000 in anticipation of the final FY14 TBW budget, which is put in place in October following the completion of the current fiscal year. The Master Agreement with TBW members allows the approved budget to be re-allocated based on the prior year's actual water usage by each member government, rather than the estimated usage on which the June budget is based. The amount assigned by TBW in October can be higher or lower than the amount budgeted by the City through its normal budget process. Our water purchases through TBW have continually declined over the years; however, we anticipate adjusting projected consumption from 27.9 mgd to 28.45 mgd by year's end. As of July of this year, TBW projects a potential true-up that would require an additional payment of \$350,000. This amount is subject to change based on actual water usage by member governments by the end of September. This amount is influenced by the amount of water the City of Tampa needs to purchase from TBW. This year, Tampa purchased very little water, causing member governments to bear a higher share of the cost of water.

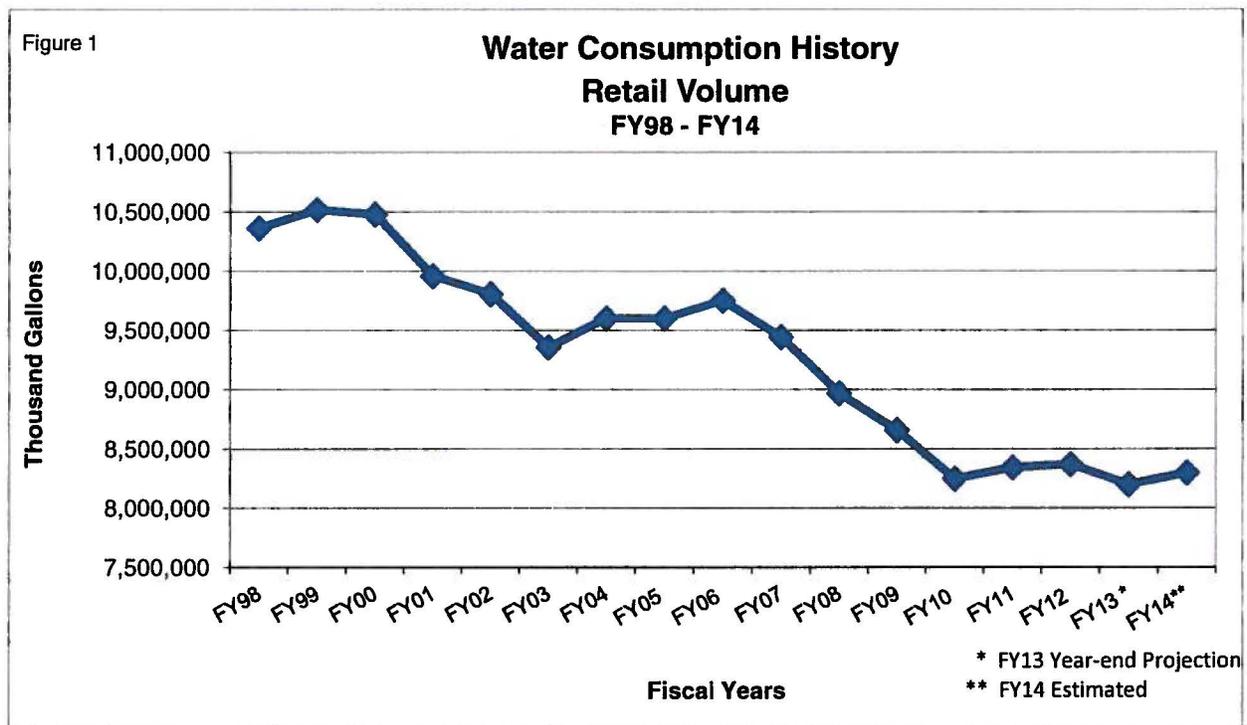
The proposed rate increase for FY14 is mitigated by the use of the Water Cost Stabilization Fund to meet the Target Fund Balance for three (3) months of operating expenses associated with water, wastewater and reclaimed water. Two (2) months of the Target Fund Balance are proposed to be met by a portion of the Water Cost Stabilization Fund reserve while one (1) month will be met by the Operating Fund reserve. The target fund balance now excludes the

transfer to capital share of expenses. This policy change was recently reviewed and approved by the members of the Budget, Finance and Taxation Committee and City Council.

Interest earnings from the Rate Stabilization Fund continue to be used to help offset the cost of water. The anticipated earnings in FY14 are budgeted at \$1,308,000, which is almost \$200,000 less than last year. The TBW pass-thru rate shown on customer bills for FY14 is projected at \$2.35 per thousand gallons. This is a \$0.01 decrease from FY13. The decrease is attributable to an increase in the amount of water expected to be consumed. The costs are spread over more consumption, thereby decreasing the rate per thousand gallons.

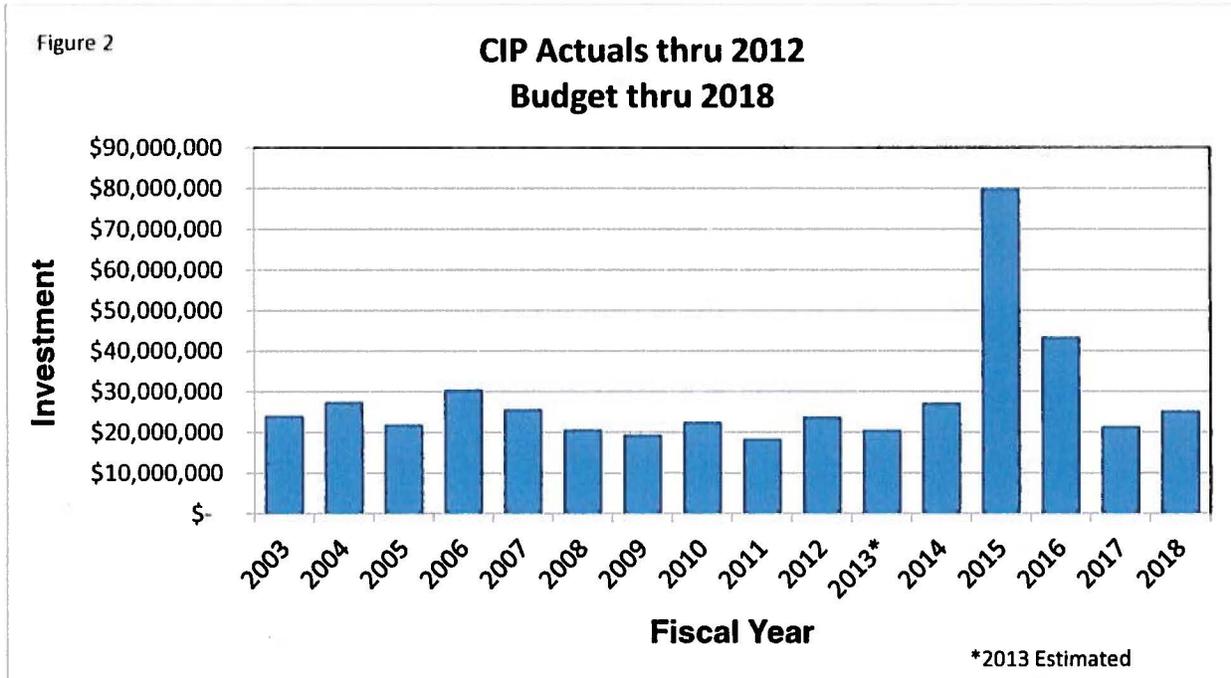
Consumption

Consumption by our retail customers has been level since FY10 when, for the first time since FY06, we began seeing a decline in usage. The housing and commercial development declines, in addition to water conservation measures, have contributed to this reduction. Consumption so far this year has maintained at last year's levels and is projected to be slightly higher next year. Figure 1 shows the consumption history trend line between 1998 and estimated 2014.



Capital Improvement Program

Over the past several years, the Water Resources Department has experienced increased debt service related to the Capital Improvement Program. Figure 2 shows a history of actual capital improvement dollars between FY03 and FY13 as well as the projected capital investment through FY18. The proposed CIP plan between FY14 and FY18 totals \$196,316,000 (not including inflation).

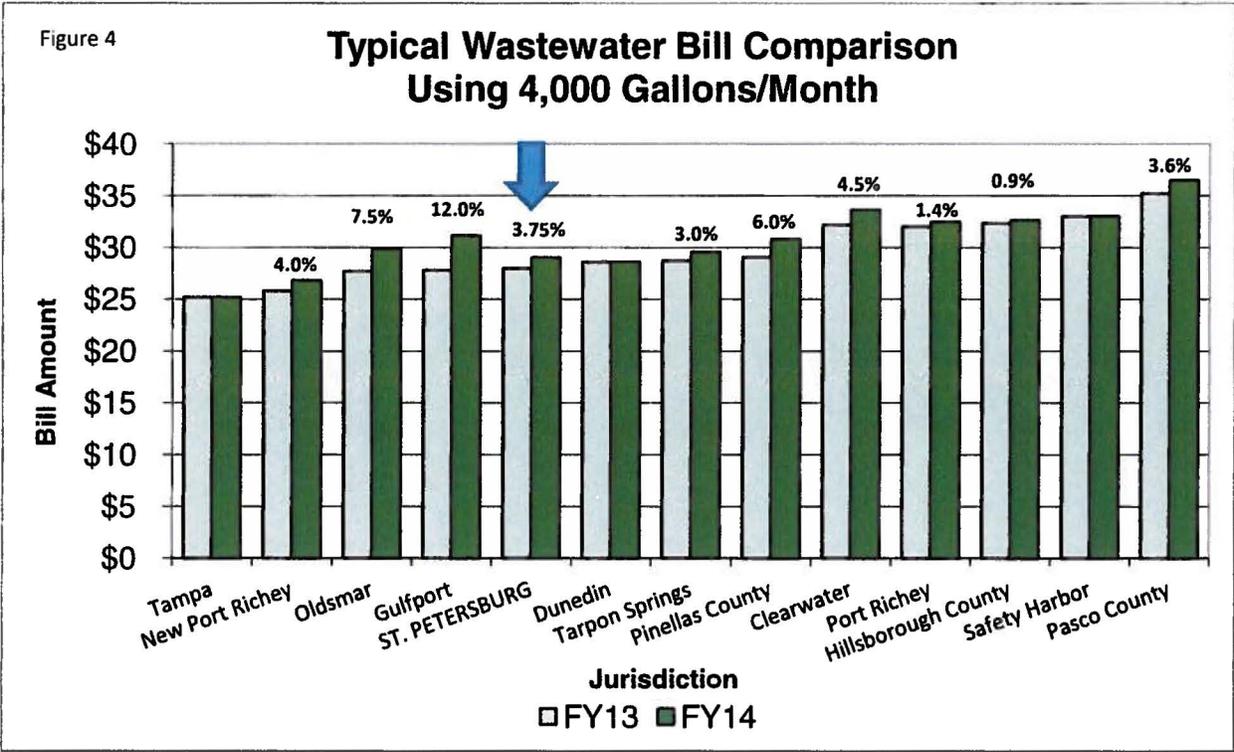
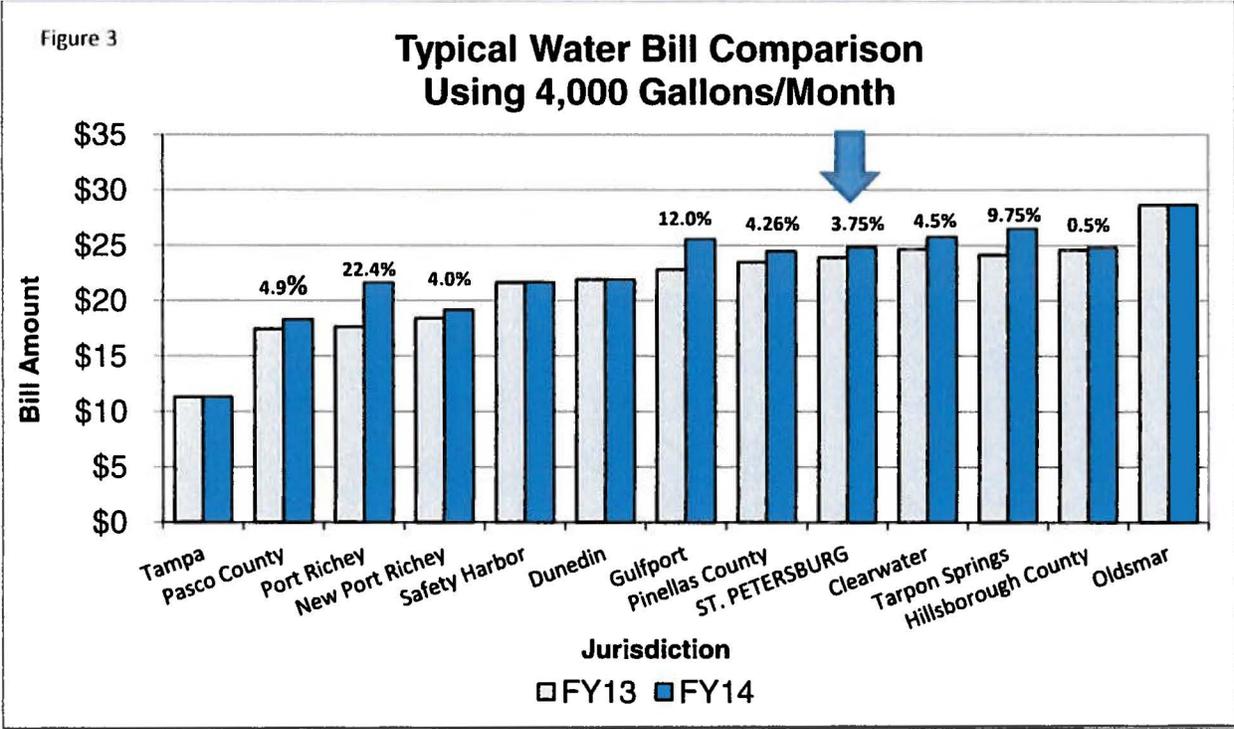


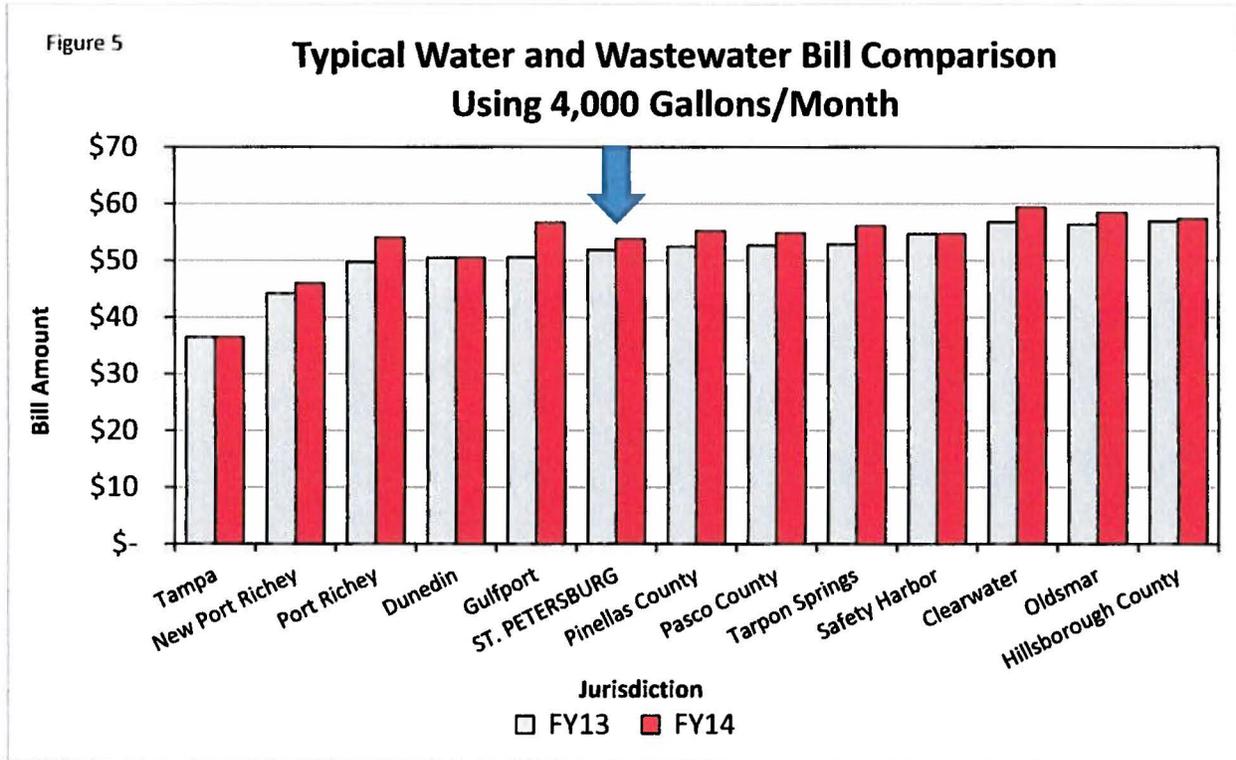
There are funds in the CIP for the replacement of aging pipes and infrastructure. Additionally, we have included a Waste to Energy project, whose construction begins in FY15. This significant effort to consolidate sludge from all water reclamation facilities and convert this sludge to energy will result in a savings to rate payers in the future. The following project categories are included in the 5-year CIP.

Capital Improvement Plan Projects and Programs (in thousands)						
	FY14	FY15	FY16	FY17	FY18	TOTAL
Water Treatment & Distribution/RW	\$5,720	\$6,290	\$14,624	\$10,678	\$7,140	\$44,452
Wastewater Collection	\$8,780	\$5,450	\$5,525	\$5,665	\$9,500	\$34,920
Wastewater Reclamation	\$4,800	\$17,254	\$15,800	\$3,200	\$6,550	\$47,604
Waste to Energy	\$6,170	\$48,860	\$0	\$0	\$0	\$55,030
Lift Stations	\$1,110	\$1,450	\$7,125	\$1,500	\$1,750	\$12,935
Other	\$520	\$335	\$150	\$220	\$150	\$1,375
TOTAL	\$27,100	\$79,639	\$43,224	\$21,263	\$25,090	\$196,316

Rate Data on Other Local Entities

Assuming that the recommended rates are implemented, the City's water and wastewater rates are shown in Figures 3, 4 and 5 in comparison to other local governments. Please note that the rates of the other governmental entities have been adjusted to reflect proposed rate increases for FY14 as advised by each entity. No increase is shown for those communities whose rate analysis is not complete as of this writing or do not intend to increase their rates at this time.





Customer Deposit Charges

A review of utility deposits for water and wastewater service is performed on an annual basis in conjunction with the utility rate study. The analysis looks at the proposed rates and changes in the volume of water used by our customers. The analysis compares the proposed rates, changes in the volume of water used by our customers and our collection policies which require the deposits to be the equivalent of a two month average bill based on meter size.

While we have experienced modest increases in utility rates over the last several years, the deposit amounts have remained unchanged since FY11. Since that time consumption has declined slightly and the need for increased deposits was offset by that lower demand for water services. This year’s study indicates the need for a slight deposit increase for the smaller meter sizes and a deposit decrease for the larger meter sizes. The decrease in the deposits resulted from updating of base meter charges to follow AWWA Equivalent Meter ratios last year. The majority of residential customer water deposits will increase from \$45 to \$50 with no change to those same customers for wastewater deposits.

The deposit policy for reclaimed water, residential sanitation service and stormwater is two times the flat monthly charges for those services. The reclaimed water deposit will be increased from \$36.22 to \$37.58 to comply with City Code. There will be no changes in the deposit amounts for either sanitation or stormwater as there are no rate increases proposed for those services in FY14.

Deposits primarily impact new customers. The City refunds deposits to residential and most commercial customers upon completing a two-year successful payment period. Additionally, interest is applied to all customers’ accounts on an annual basis when deposits are held. Exceptions to the deposit requirements include new large commercial customers who may utilize Surety Bonds or Bank Letters of Credit and residential customers with prior water utility service,

who may provide a credit reference letter documenting a satisfactory payment history.

Irrigation-Only Meters

In order to provide customers with an economic incentive, the irrigation-only rate table was modified. The ranges within each tier were adjusted to better reflect irrigation usage. The meter base charges and the volume rates were also changed to match the previously discussed rates.

Recommended Action

Attached is the rate ordinance, which reflects the proposed base, variable and wholesale rate changes for water and wastewater. It also includes the changes to the reclaimed water rates, charges and services.

It is recommended that City Council conduct a first reading of the proposed rate ordinance on September 5, 2013 and consider the proposed rate for final adoption following a public hearing on September 19, 2013. This will allow the rates to be effective as of October 1, 2013, as included within the FY14 revenue projections.

MJC/ER

- Attachment 1: Customer Notification
 - Attachment 2: Variable Rates including TBW pass-thru
 - Attachment 3: Recommended Base Rates
 - Attachment 4: Wholesale Rates
 - Attachment 5: History of Rate Increases
- Rate Ordinance

NOTICE TO CUSTOMERS



st.petersburg
UTILITY CUSTOMERS

Notice is hereby given that at the date and time shown below, the St. Petersburg City Council will consider increases to water, wastewater, and reclaimed water utility rates and charges.

Thursday, September 5, 2013
8:30 a.m. (The First Reading)

Thursday, September 19, 2013
6 p.m. (Public Hearing)

Both meetings will be held in City Council Chamber, City Hall, 175 Fifth Street N., St. Petersburg, Florida.

The proposed rate adjustments will be published at First Reading and made available on the city's website, www.stpete.org

For additional information, contact the Water Resources Department at 893-7297.

RECOMMENDED VARIABLE RATES

WATER BLOCK RATES

(Single-Family Residential and Multifamily Residential: Per Dwelling Unit)
Per 1,000 Gallons

	FY13	TBW	FY13 Total	FY14	TBW	FY14 Total
First 5,600 Gallons/month	\$1.18	\$2.36	\$3.54	\$1.32	\$2.35	\$3.67
Next 2,400 Gallons/month	\$2.07	\$2.36	\$4.43	\$2.25	\$2.35	\$4.60
Next 7,000 Gallons/month	\$3.65	\$2.36	\$6.01	\$3.89	\$2.35	\$6.24
Next 5,000 Gallons/month	\$5.60	\$2.36	\$7.96	\$5.91	\$2.35	\$8.26
Over 20,000 Gallons/month*	\$13.56	\$2.36	\$15.92	\$14.17	\$2.35	\$16.52

* Applies to Single-Family Residential Customers only

(Commercial)
Per 1,000 Gallons

	FY13	TBW	FY13 Total	FY14	TBW	FY14 Total
Up to the Average	\$1.18	\$2.36	\$3.54	\$1.32	\$2.35	\$3.67
Average to 1.4 Times Average	\$2.46	\$2.36	\$4.82	\$2.65	\$2.35	\$5.00
1.4 to 1.8 Times Average	\$3.65	\$2.36	\$6.01	\$3.89	\$2.35	\$6.24
Over 1.8 Times Average	\$4.73	\$2.36	\$7.09	\$5.01	\$2.35	\$7.36

WASTEWATER VARIABLE RATE

(Per 1,000 Gallons)

	FY13	FY14
WASTEWATER	\$4.23	\$4.39

RECOMMENDED BASE RATES

WATER BASE RATES

Meter Size	FY13	FY14	Difference	Percent Difference*
5/8"	\$9.76	\$10.13	\$0.37	3.79%
1"	\$24.40	\$25.33	\$0.93	3.81%
1½"	\$48.81	\$50.65	\$1.84	3.77%
2"	\$78.09	\$81.04	\$2.95	3.78%
3"	\$156.18	\$162.08	\$5.90	3.78%
4"	\$244.03	\$253.25	\$9.22	3.78%
6"	\$488.06	\$506.50	\$18.44	3.78%
8"	\$780.90	\$810.40	\$29.50	3.78%
10"	\$1,122.54	\$1,164.95	\$42.41	3.78%
12"	\$2,098.67	\$2,177.95	\$79.28	3.78%

* Includes adjustment for AWWA Equivalent Meter Ratios

WASTEWATER BASE RATES

Meter Size	FY13	FY14	Difference	Percent Difference*
5/8"	\$11.05	\$11.46	\$0.41	3.71%
1"	\$27.62	\$28.65	\$1.03	3.73%
1½"	\$55.23	\$57.30	\$2.07	3.75%
2"	\$88.37	\$91.68	\$3.31	3.75%
3"	\$176.73	\$183.36	\$6.63	3.75%
4"	\$276.14	\$286.50	\$10.36	3.75%
6"	\$552.28	\$573.00	\$20.72	3.75%
8"	\$883.65	\$916.80	\$33.15	3.75%
10"	\$1,270.25	\$1,317.90	\$47.65	3.75%
12"	\$2,374.81	\$2,463.90	\$89.09	3.75%

* Includes adjustment for AWWA Equivalent Meter Ratios

WHOLESALE RATES

WHOLESALE WATER: 2.9% increase

Customer: City of Gulfport

FY13: \$4,518/million gallons

FY14: \$4,648/million gallons

WHOLESALE WASTEWATER:

Customers: City of Gulfport; City of South Pasadena; Bear Creek Sanitary Sewer District, Pinellas County; Ft. Desoto, Pinellas County; City of Treasure Island; City of Pinellas Park; and Tierra Verde Utilities, Inc.

4.8% increase

FY13: \$2,704/million gallons

FY14: \$2,833/million gallons

Customer: City of St. Pete Beach

1.0% increase

FY13: \$1,981/million gallons, \$52,765/month for capital projects

FY14: \$2,080/million gallons, \$46,892/month for capital projects

HISTORY OF RATE INCREASES

CONSUMPTION OF WATER AND SEWER AT 4,000 GALLONS PER MONTH (FY 94 – 13)

Fiscal Years	Amount Prior to Increase	Bill After Increase	Amount Change	Percent Change
95-96	\$21.34	\$22.52	\$1.18	5.5%
96-97	\$22.52	\$24.01	\$1.49	6.6%
97-98	\$24.01	\$24.01	\$0.00	0.0%
98-99	\$24.01	\$25.35	\$1.34	5.6%
99-00	\$25.35	\$27.01	\$1.66	6.5%
00-01	\$27.01	\$28.42	\$1.41	5.2%
01-02	\$28.42	\$30.75	\$2.33	8.2%
02-03	\$30.75	\$34.37	\$3.62	11.8%
03-04	\$34.37	\$37.58	\$3.21	9.3%
04-05	\$37.58	\$39.25	\$1.67	4.4%
05-06	\$39.25	\$40.19	\$0.94	2.4%
06-07	\$40.19	\$41.27	\$1.08	2.7%
07-08	\$41.27	\$42.72	\$1.45	3.5%
08-09	\$42.72	\$44.03	\$1.31	3.1%
09-10	\$44.03	\$44.90	\$0.87	2.0%
10-11	\$44.90	\$48.25	\$3.35	7.5%
11-12	\$48.25	\$50.53	\$2.28	4.7%
12-13	\$50.53	\$51.89	\$1.36	2.7%
13-14	\$51.89	\$53.83	\$1.94	3.74%
Total Increase/Average Percentage			\$32.49	4.8%

ORDINANCE NO. _____

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTIONS 27-3 (k) (1) AND (2), 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), AND SUBSECTIONS 27-284 (a) AND 27-284 (e) OF THE ST. PETERSBURG CITY CODE; CHANGING TERM "SEWER" TO "WASTEWATER"; AMENDING WATER AND WASTEWATER DEPOSIT AMOUNTS; AMENDING BASE CHARGES AND VOLUME CHARGES FOR WATER SERVICE; AMENDING WHOLESALE WATER SERVICE CHARGES FOR THE CITY OF GULFPORT; ADDING LANGUAGE TO CLARIFY INCLUSION OF TAMPA BAY WATER CHARGES; AMENDING BASE AND VOLUME CHARGES AND CONSUMPTION RANGES FOR IRRIGATION ONLY ACCOUNTS; AMENDING RECLAIMED WATER RATES AND CHARGES; AMENDING BASE AND VOLUME CHARGES FOR WASTEWATER SERVICE; AMENDING WASTEWATER SERVICE CHARGES FOR WHOLESALE CUSTOMERS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTABLISHING A DATE TO BEGIN CALCULATING NEW RATES FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

- (k) *Deposit amounts*
 - (1) *Water.*

Meter Size (inches)	Single-Family Residential	Multifamily Residential and Commercial (per account)
5/8 or 3/4	\$45.00 <u>50.00</u>	\$45.00 <u>50.00</u> per-unit
1	130.00 <u>140.00</u>	130.00 <u>140.00</u>

Meter Size (inches)	Single-Family Residential	Multifamily Residential and Commercial (per account)
1 ½	360.00 <u>380.00</u>	360.00 <u>380.00</u>
2	600.00 <u>640.00</u>	600.00 <u>640.00</u>
3	N/A	970.00 <u>1,000.00</u>
4	N/A	1,730.00 <u>1,710.00</u>
6	N/A	3,890.00 <u>3,720.00</u>
8	N/A	6,100.00 <u>6,430.00</u>
10	N/A	10,800.00 <u>9,850.00</u>
12	N/A	15,550.00 <u>15,220.00</u>

(2) Sewer/Wastewater.

Meter Size (inches)	Single-Family Residential	Multifamily Residential and Commercial (per account)
5/8 or 3/4	\$60.00	\$60.00 per unit
1	140.00 <u>150.00</u>	140.00 <u>150.00</u>
1 ½	310.00 <u>320.00</u>	310.00 <u>320.00</u>
2	540.00	540.00
3	N/A	1,220.00 <u>1,180.00</u>
4	N/A	2,170.00 <u>2,010.00</u>
6	N/A	4,880.00 <u>4,380.00</u>
8	N/A	8,680.00 <u>7,590.00</u>
10	N/A	13,560.00 <u>11,620.00</u>
12	N/A	19,530.00 <u>17,870.00</u>

SECTION 2. Subsection 27-141 (a) of the St. Petersburg City Code is hereby amended as follows:

Sec. 27-141. Established; amount; service categories defined; surcharge.

(a) *Monthly use rate.* City water customers will be charged monthly base and volume charges as set forth in the following subsections:

(1) *Base charges.* The base charges, determined by meter size, are listed in the following table:

Meter Size (in inches)	Base Charge	
$\frac{5}{8}$ or $\frac{3}{4}$	\$ 9.76	<u>10.13</u>
1	24.40	<u>25.33</u>
1½	48.81	<u>50.65</u>
2	78.09	<u>81.04</u>
3	156.18	<u>162.08</u>
4	244.03	<u>253.25</u>
6	488.06	<u>506.50</u>
8	780.90	<u>810.40</u>
10	1,122.54	<u>1,164.95</u>
12	2,098.67	<u>2,177.95</u>

(2) *Volume charges.* Volume charges, determined by gallons used, are listed in the following tables:

a. For single-family dwelling customers, ~~\$2.36~~ 2.35 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Single-Family Dwelling Customer
Rates Per 1,000 Gallons
by Gallonage Increments*

First 5,600	\$1.18 <u>1.32</u>
Next 2,400	2.07 <u>2.25</u>
Next 7,000	3.65 <u>3.89</u>
Next 5,000	5.60 <u>5.91</u>
Over 20,000	13.56 <u>14.17</u>

b. For multifamily dwelling customers, ~~\$2.36~~ 2.35 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Multifamily Dwelling Customer
Rates Per 1,000 Gallons
Total Volume Divided by Number of Dwelling Units Served by Meter*

First 5,600 per unit	\$1.18 <u>1.32</u>
Next 2,400 per unit	2.07 <u>2.25</u>
Next 7,000 per unit	3.65 <u>3.89</u>
Over 15,000 per unit	5.60 <u>5.91</u>

- c. For commercial customers, ~~\$2.36~~ 2.35 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Commercial Customer
Rates Per 1,000 Gallons
Gallonge Based on Monthly Average per Commercial Customer*

Up to average	\$1.18 <u>1.32</u>
Average to 1.4 times average	2.46 <u>2.65</u>
1.4 to 1.8 times average	3.65 <u>3.89</u>
Over 1.8 times average	4.73 <u>5.01</u>

A monthly average of a 12-month period will be calculated per commercial customer for each fiscal year beginning October 1. The 12-month period utilized will be October through September of the preceding fiscal year and will be updated annually. For new commercial customers without consumption history, the lowest block rate will be utilized until a 12-month period between October and September is completed.

A commercial customer who experiences changed business conditions which would necessitate a revised calculation of the monthly average, may request a water use evaluation by the City. The City may calculate a new average based on that evaluation. After receiving notice of the results of the evaluation, the customer may appeal these results to the Utility Billing Review Committee within 14 days by filing notice of appeal with the City Clerk.

SECTION 3. Subsection 27-142 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-142. - Wholesale water customers.

(a) Wholesale water service shall be provided to the City of Gulfport at a uniform volume rate of ~~\$4,518.00~~ 4,648.00 per million gallons effective October 1, ~~2012~~ 2013. Additional charges and surcharges shall be added to the uniform volume rate in accordance with the City of Gulfport's water service agreement with the City of St. Petersburg.

SECTION 4. Subsection 27-144 (c) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-144. Irrigation only accounts.

(c) *Monthly irrigation only account charges.*

Customers with an irrigation only account shall not be charged fees for wastewater services for that account but shall pay a base charge based on the meter connection size, and also shall pay the Tampa Bay Water volume charge and the a tiered volume rate based on water consumption as follows:

Irrigation Only Base and Volume Charges							
Meter Size (inches)	Base Fee ₁	Volume Rates (per 1,000 Gallons)			Consumption Ranges (in Gallons)		
		Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
¾	\$12.76	\$3.65	\$5.60	\$13.56	0-7,000	7,001-12,000	>12,000
	\$13.13	\$3.89	\$5.91	\$14.17	0-15,000	15,001-20,000	20,000
1	\$27.40	\$3.65	\$5.60	\$13.56	0-17,000	17,001-30,000	>30,000
	\$28.33	\$3.89	\$5.91	\$14.17	0-37,000	37,001-50,000	50,000
1½	\$51.84	\$3.65	\$5.60	\$13.56	0-35,000	35,001-60,000	>60,000
	\$53.65	\$3.89	\$5.91	\$14.17	0-75,000	75,001-100,000	100,000
2	\$81.09	\$3.65	\$5.60	\$13.56	0-56,000	56,001-96,000	>96,000
	\$84.04	\$3.89	\$5.91	\$14.17	0-120,000	120,001-160,000	160,000
3	\$159.18	\$3.65	\$5.60	\$13.56	0-112,000	112,001-192,000	>192,000
	\$165.08	\$3.89	\$5.91	\$14.17	0-240,000	240,001-320,000	320,000
4	\$247.03	\$3.65	\$5.60	\$13.56	0-175,000	175,001-300,000	>300,000
	\$256.25	\$3.89	\$5.91	\$14.17	0-375,000	375,001-500,000	500,000
6	\$491.06	\$3.65	\$5.60	\$13.56	0-350,000	350,001-600,000	>600,000
	\$509.50	\$3.89	\$5.91	\$14.17	0-750,000	750,001-1,000,000	1,000,000
8	\$783.00	\$3.65	\$5.60	\$13.56	0-560,000	560,001-960,000	>960,000
	\$813.40	\$3.89	\$5.91	\$14.17	0-1,200,000	1,200,001-1,600,000	1,600,000
10	\$1,125.54	\$3.65	\$5.60	\$13.56	0-805,000	805,001-1,380,000	>1,380,000
	\$1,167.95	\$3.89	\$5.91	\$14.17	0-1,750,000	1,750,001-2,300,000	2,300,000
12	\$2,101.67	\$3.65	\$5.60	\$13.56	0-1,505,000	1,505,001-2,580,000	>2,580,000
	\$2,180.95	\$3.89	\$5.91	\$14.17	0-3,225,000	3,225,001-4,300,000	4,300,000
Tampa Bay Water:		\$2.36 \$2.35 per 1,000 Gallons					

SECTION 5. Subsection 27-177 (a) of the St. Petersburg City Code is hereby amended to read as follows:

- (a) A rate shall be charged to the customers of the reclaimed water system in accordance with the following schedule:
 - (1) For nonmetered service for tracts of one acre in size or smaller, the monthly charge shall be ~~\$18.11~~ 18.79.
 - (2) For nonmetered service for larger tracts an additional monthly charge of ~~\$10.38~~ 10.77 per each additional acre, or portion thereof in excess of one acre, shall be added to the fee of ~~\$18.11~~ 18.79 per month.
 - (3) For customers on metered service, the charge shall be ~~\$0.54~~ 0.53 per 1,000 gallons per month, but in no case shall the charge be less than ~~\$18.11~~ 18.79 per month.
 - (4) A surcharge of 25 percent will be added for service outside the City.
 - (5) The customer shall be required to obtain a reclaimed water permit, the charge shall be \$25.00 per permit issued. All reclaimed water permits shall be issued by the Reclaimed Water section of the Water Resources Department.

SECTION 6. Subsection 27-283 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-283. - Wastewater service charge.

(a) *Established, amount.* There is hereby established and imposed upon the owners and/or occupants of all premises which are connected to the sewer system a charge, to be designated "wastewater service charge," which charge shall be based upon the amount of water used on the premises except for that amount of water used for irrigation only accounts as established pursuant to Section 27-144, as shown by the following schedule:

- (1) A base charge per month based upon meter size in accordance with the following table:

Meter Size (inches)	Base Charge
5/8 or 3/4	\$ 41.05 <u>11.46</u>
1	27.62 <u>28.65</u>

Meter Size (inches)	Base Charge	
1½	55.23	<u>57.30</u>
2	88.37	<u>91.68</u>
3	176.73	<u>183.36</u>
4	276.14	<u>286.50</u>
6	552.28	<u>573.28</u>
8	883.65	<u>916.80</u>
10	1,270.25	<u>1,317.90</u>
12	2,374.81	<u>2,463.90</u>

(2) In addition to the base charge, there shall be a charge of ~~\$4.23~~ 4.39 for each 1,000 gallons of potable water registered on the water meter.

(3) Rates charged to customers outside the City in accordance with subsections (1) and (2) of this section shall have added to the rate a surcharge of 25 percent of the total wastewater charge.

(4) The base charge and any volume charge will apply on all active services; the base charge will apply to all service in standby status; only when a service has been removed will the base charge not be in effect.

SECTION 7. Subsections 27-284 (a) and 27-284 (e) of the St. Petersburg City Code are hereby amended to read as follows:

Sec. 27-284. - Wholesale wastewater customers.

(a) Wholesale wastewater service shall be provided to the City of Gulfport; the City of South Pasadena; Bear Creek Sanitary Sewer District, Pinellas County; Ft. Desoto, Pinellas County; the City of Pinellas Park; Treasure Island; and Tierra Verde Utilities, Inc. at a uniform volume rate of ~~\$2,704.00~~ 2,833.00 per million gallons for wholesale wastewater service effective October 1, ~~2012~~ 2013, based upon metered wastewater flows.

(e) Wholesale wastewater service shall be provided to the City of St. Pete Beach at an estimated rate including a uniform operation and maintenance volume rate of ~~\$1,981.00~~ 2,080.00 per million gallons and a monthly capital charge of ~~\$52,765.00~~ 46,892.00 for wholesale wastewater service effective October 1, ~~2012~~ 2013. At the end of each fiscal year, actual rates for the fiscal year will be determined in accordance with the terms of the agreement for wholesale wastewater service between the City of St. Petersburg and the City of St. Pete Beach.

SECTION 8. That the unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 9. That words in ~~struck-through~~ type are deletions from the existing St. Petersburg City Code and words that are underlined are additions.

SECTION 10. That the rates and charges established by this ordinance shall be utilized in calculating customers' bills beginning on November 1, 2013 for water consumed during the preceding month.

SECTION 11. 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.

LEGAL:



City Attorney (designee)

ADMINISTRATION:





TO: Mayor Bill Foster
FROM: Michael J. Connors, Public Works Administrator *MJC*
DATE: August 29, 2013
SUBJECT: FY2014 Stormwater Rate Recommendation

Introduction

The Stormwater Utility Fee was implemented by the City of St. Petersburg in November 1989. The utility fee remained constant until 2005 when City Council amended the ordinance providing for an automatic annual rate adjustment pursuant to the prior year's Consumer Price Index. While the C.P.I. for 2011 was 2.8%, the stormwater rates for last year were held at \$6.84 for the typical single family account.

The stormwater rate for FY 2014, if set based on the C.P.I. for 2012, would increase by 2.4%. However, the projected fund balance exceeds the target and again no rate increase is proposed for this year.

The Stormwater Utility Department oversees the operation, maintenance, reconstruction, and capital improvements of stormwater facilities in the City of St. Petersburg. Stormwater capital improvement projects are supplemented by Penny for Pinellas funds as well as grant funds. Revenues for the utility have continued to come in as budgeted and expenses have been controlled. The fund balance for the utility remains above target and is projected to cover ongoing needs. Additionally, the economic conditions in our community warrant keeping rates stable.

The department over the last several years has continued to improve operating efficiencies to include among others, staff and fleet reductions resulting in modest increases in expenses. In addition, the Stormwater Capital Improvement fund as supplemented by Penny Funds, are being used as matches with SWFWMD funds for large capital improvement projects that better our community with enhanced water quality of our surrounding bay waters and reduced flooding. This matching program allows funds to be stretched while allowing the necessary improvements to be completed.

The proposed FY14 Stormwater Utility Operating Budget is approximately 8.5% lower than the FY13 Adopted Budget, primarily due to a decrease in the transfer from Operating Funds to Capital Improvement Funds.

As City Code currently references an automatic adjustment in the stormwater utility rate, it is recommended to adopt the attached ordinance as amended, that eliminates the automatic adjustment provision and allows for a specific rate to be adopted in accordance with the rate analysis.

Recommended Action

It is recommended that City Council approve no rate increase for stormwater fees for FY 2014.

MJC:tdj
Attachment

ORDINANCE NO. _____

AN ORDINANCE RELATING TO STORMWATER UTILITY RATES; AMENDING CHAPTER 27, SUBSECTION 27-405(b) RELATING TO STORMWATER SYSTEM UTILITY FEES; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Subsection 27-405(b) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-405. Stormwater ~~management~~-system utility fee.

(b) *Scheduled rates.* The following uniform schedule of utility rates for services and facilities of the stormwater system is hereby established:

(1) A monthly stormwater system utility fee of ~~\$6.00~~ 6.84 per month is established as the rate for each SFRP. ~~The established rate for each SFRP shall be adjusted every October 1, beginning on October 1, 2005, to correspond with the preceding calendar year's Consumer Price Index for the Tampa-St. Petersburg-Clearwater area, as published by the U.S. Department of Labor, Bureau of Labor Statistics (i.e., the adjustment on October 1, 2005, shall be based on the CPI for 2004).~~

(2) For all other parcels an SFU equivalent shall be determined. This determination shall be based upon the total impervious area of the property divided by 2,719 square feet and then multiplied by the fee established for the SFRPU. The total impervious area of the parcel and the number of SFU equivalent units shall be updated by the City based on any additions or deletions to the impervious area. For parcels that are not separately metered for potable water, the total bill will be sent to the account holder of the master meter. For developed parcels which are not billed for potable water service, the owner shall be billed separately.

a. For those parcels that have multiple meters for potable water, each metered account shall be billed based upon an on-site visit or a meeting with the owner of the property to determine the proportion of SFU equivalent units applicable to each metered parcel. For this determination, the proportion of the impervious area of the building applicable to each meter shall be the square footage of the space served by that meter divided

by the total square footage of metered space. Parking lots, nonmetered building spaces and other impervious areas appurtenant to the building shall be assumed to be proportionate to metered space. This calculation shall be done to the nearest tenth of a single-family average equivalent unit. Disputes concerning the determination of the proportion of the impervious area shall require the owner to notify in writing the POD of the disputes.

- b. Disputes involving the total impervious area for a parcel or the proportionate amount assigned to a metered account based on an on-site measurement will be resolved by the POD. The POD may require the owner to provide a survey certified by a State registered professional land surveyor and verified as representing the impervious area currently on the parcel as the means for resolving a dispute.

(3) The fee for residential non-SFRP parcels determined under subsection (b)(2) of this section shall not exceed a per residential unit cost equal to the fee established in subsection (b)(1) of this section.

(4) For non-SFRP parcels meeting the following criteria, the fee determined under subsection (b)(2) of this section shall be applied as follows:

- a. For those parcels that:

- 1. Prove a zero discharge of stormwater runoff, directly or indirectly, into stormwater system; and
- 2. Meet the stormwater quality and quantity requirements of chapter 16,

then the monthly stormwater system utility fee shall be 63 percent of the established rate for each SFRP.

- b. For those parcels that:

- 1. Prove zero discharge of stormwater runoff, directly or indirectly, into the stormwater system; and
- 2. Meet the stormwater quality requirements of chapter 16,

then the monthly stormwater system utility fee shall be 82 percent of the established rate for each SFRP.

- c. For those parcels that meet the stormwater quality and quantity requirements of chapter 16, then the monthly stormwater system utility fee shall be 92 percent of the established rate for each SFRP. Where only a

portion of a parcel meets the stormwater quality requirements of chapter 16, then the following formula shall be applied to determine the percent of the established rate for each SFRP:

0.92 + (0.08 percent of non SFRP property meeting quality requirement)

~~(5) — In lieu of the automatic rate adjustment to the monthly stormwater system utility fee based on the preceding calendar year's CPI as provided for in subsection (b)(1) of this section, the rate adjustment for fiscal year 2009 shall be three percent.~~

~~(6) — In lieu of the automatic rate adjustment to the monthly stormwater system utility fee based on the preceding calendar year's CPI as provided for in subsection (b)(1) of this section there shall be no rate increase for fiscal year 2010.~~

~~(7) — In lieu of the automatic rate adjustment to the monthly stormwater system utility fee based on the preceding calendar year's CPI as provided for in subsection (b)(1) of this section, there shall be no rate increase for Fiscal Year 2012.~~

~~(8) — In lieu of the automatic rate adjustment to the monthly stormwater system utility fee based on the preceding calendar year's CPI as provided for in subsection (b)(1) of this section, there shall be no rate increase for Fiscal Year 2013.~~

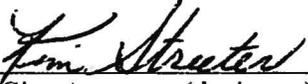
SECTION 2. That the unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 3. That words in struck-through type are deletions from the existing St. Petersburg City Code and words that are underlined are additions.

SECTION 4. 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.

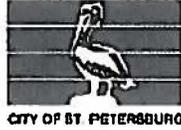
LEGAL:

ADMINISTRATION:



City Attorney (designee)





MEMORANDUM

TO: Mayor Bill Foster

THRU: Michael Connors, Public Works Administrator *gc*

FROM: Ben Shirley, Sanitation Director *BS*

DATE: August 16, 2013

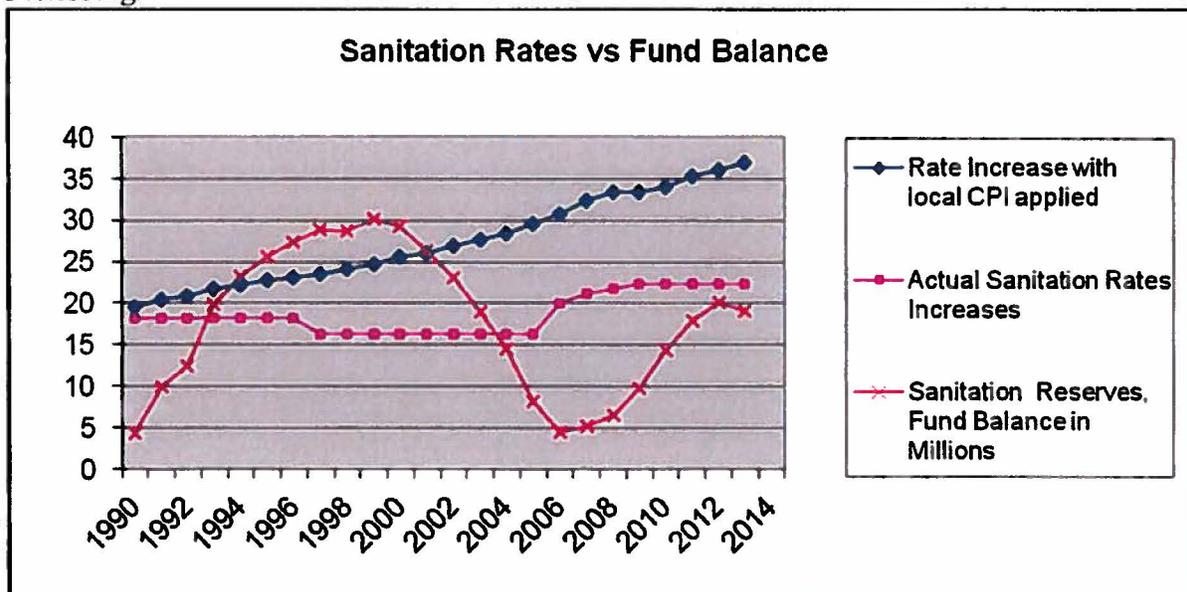
SUBJECT: FY2014 Sanitation Rate Study

Introduction

I am pleased to report that no rate increase is being proposed for the 2014 budget. This is our fifth consecutive year with no rate increase. Our efforts in previous years have helped match revenues with expenses. In our current operating year increases in maintenance, demolition, and securing and lot clearing costs have been partially offset by continuing reduced tonnage for our tipping fees.

In 2008 City Council approved a sanitation rate increase for FY2009 of 2.6% for residential and commercial customers. This was only the fourth rate increase in sanitation rates since 1988. For the period FY1988 through FY2005 rates remained stable as the City intentionally drew down the Sanitation Operating and Rate Stabilization Fund balances. With the increase approved by City Council for FY2009 the residential rate increased to \$22.33 per month and will remain there through FY2014.

The chart below illustrates how rates would have increased if inflation rates were applied against the 1989 sanitation rates. The chart also shows the fund balance trend. The years between FY2000 and FY2004 when the sanitation rate remained stable were very turbulent rate years for water/wastewater customers due to the increases in the cost of raw water. The stability of sanitation rates helped level the overall cost to utility customers in St. Petersburg.

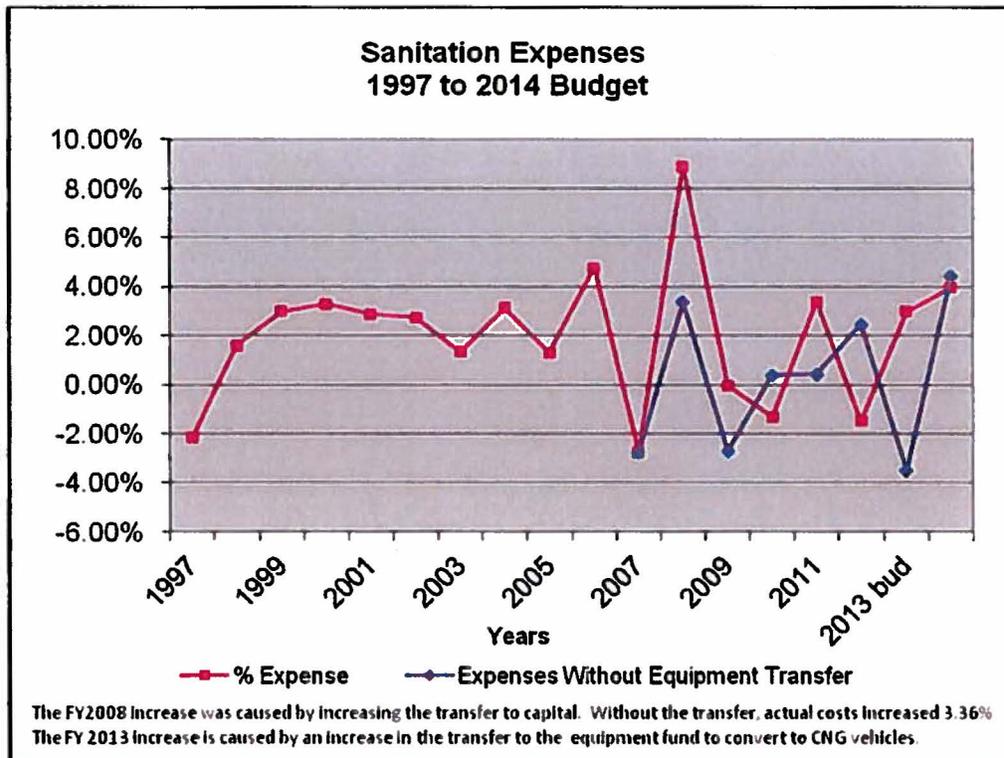


Without a proposed increase this year, the recommended rates will continue to be very competitive with other cities in the greater St. Petersburg area. In addition, it should be noted that the Sanitation Department pays for a number of support functions such as Payment in Lieu of Tax, General and Administrative charges, Return on Equity, Codes, Demolition and the NTeam, Debris from Parks and Stormwater, Legal and Public Service Representatives, rent to Parks and Water Resources, Litter in Parks and Recreation Center grounds, Community Service, Graffiti and Snipe sign removal, the Homeless Initiative and the Environmental Policeman. These programs all play a major role in the cleanliness and appearance of our community and may exceed the service level of other providers.

Projected FY2014 Requirements

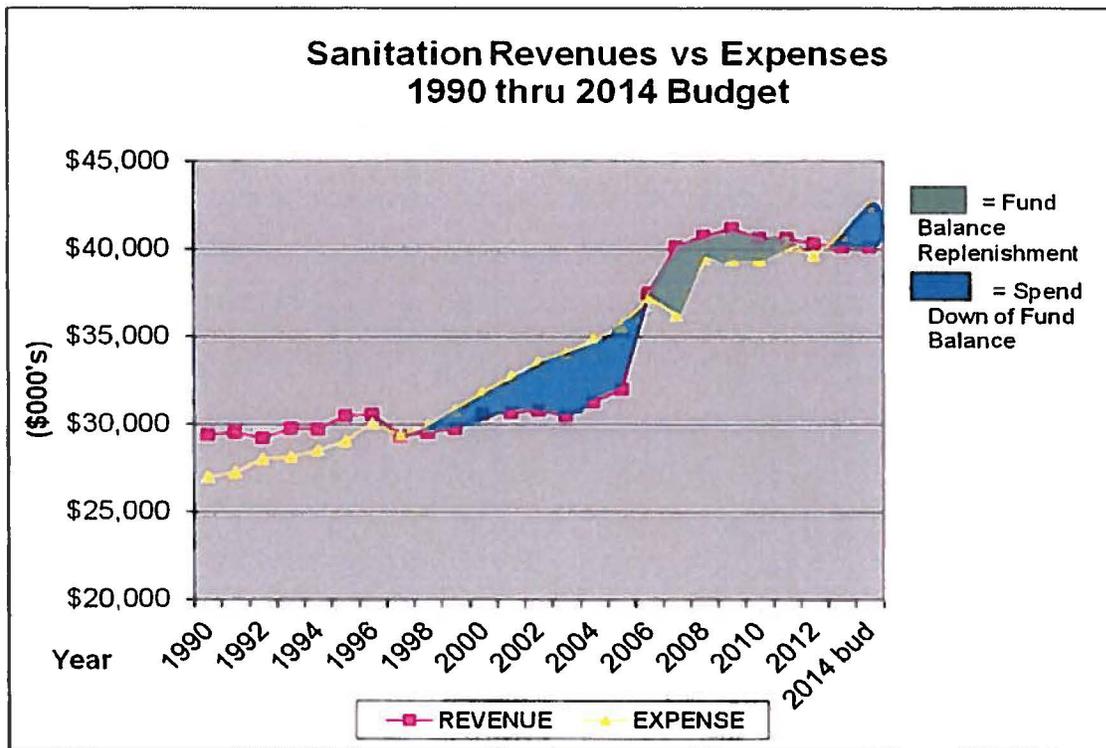
The Sanitation Department purchased and successfully tested 2 CNG Collection trucks and has an additional 9 on order. The 2014 budget includes the purchase of an additional 6 CNG trucks and the installation of a temporary skid mounted CNG filling station. This gradual conversion of the diesel fueled fleet of collection vehicles to CNG is in an effort to lower Sanitation’s operating costs, increase efficiency and lower air emissions.

The chart below, illustrates increases in expenses on an annual basis for the last 18 years. Sanitation costs have generally mirrored inflationary trends and reflect staff’s effort to control costs when possible. The FY 2008 increase was caused by reinstating the transfer from the operating fund to the capital equipment replacement fund. Without this transfer, costs increased 3.36%. The 2013 and 2014 increases are primarily attributable to increases in the transfer to the Equipment Replacement Fund to cover the cost of converting to CNG.



As mentioned earlier, prior to the period of FY2006 thru 2009, there had not been any revenue rate increases for Sanitation dating back to 1988. The following chart is updated from last year’s report and compares revenues and expenses since 1990. The data reflects that 1997 was the last year revenues matched expenses until the rate increase approved for FY2006 thru FY2008. The FY2006 rate increase was the first year that revenues exceeded expenses in 10 years. By

converting a major portion of the fleet to CNG fueled vehicles Sanitation hopes to hold its future years' rate increases to a minimum.



Rate Data on Other Local Entities

The residential rate will be competitive with other large cities in the local area, as shown below:

<i>City</i>	<i>Monthly Residential Rate</i>
St. Petersburg (FY13 Rate)	\$22.33**
Tampa (FY13 Rate)	\$31.94
Clearwater (FY13 Rate)	\$27.21*

*Includes \$2.35 for curbside recycling costs

** Includes \$.36 for centralized recycling costs

Proposed Changes to City Code

None pursuant to no increase in rates proposed.

Recommended Action

No Action is necessary pursuant to no increase in rates proposed.

MEMORANDUM



September 9, 2013

TO: Eva Andujar, City Clerk

FROM: Evelyn Rosetti, Manager, Special Projects 

SUBJECT: Revised Rate Ordinance

We have discovered a typo on Page 7 of the Rate Ordinance. The Base Rate for a 6 inch sewer meter should be \$573.00. The rate published previously showed \$573.28. This correction should not affect the Ordinance title.

Please let me know if you have any questions. I am at Extension 7297. Thank you.

ORDINANCE NO. _____

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTIONS 27-3 (k) (1) AND (2), 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), AND SUBSECTIONS 27-284 (a) AND 27-284 (e) OF THE ST. PETERSBURG CITY CODE; CHANGING TERM "SEWER" TO "WASTEWATER"; AMENDING WATER AND WASTEWATER DEPOSIT AMOUNTS; AMENDING BASE CHARGES AND VOLUME CHARGES FOR WATER SERVICE; AMENDING WHOLESALE WATER SERVICE CHARGES FOR THE CITY OF GULFPORT; ADDING LANGUAGE TO CLARIFY INCLUSION OF TAMPA BAY WATER CHARGES; AMENDING BASE AND VOLUME CHARGES AND CONSUMPTION RANGES FOR IRRIGATION ONLY ACCOUNTS; AMENDING RECLAIMED WATER RATES AND CHARGES; AMENDING BASE AND VOLUME CHARGES FOR WASTEWATER SERVICE; AMENDING WASTEWATER SERVICE CHARGES FOR WHOLESALE CUSTOMERS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTABLISHING A DATE TO BEGIN CALCULATING NEW RATES FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

- (k) *Deposit amounts*
 - (1) *Water.*

Meter Size (inches)	Single-Family Residential	Multifamily Residential and Commercial (per account)
$\frac{5}{8}$ or $\frac{3}{4}$	\$45.00 <u>50.00</u>	\$45.00 <u>50.00</u> per unit
1	130.00 <u>140.00</u>	130.00 <u>140.00</u>

Meter Size (inches)	Single-Family Residential	Multifamily Residential and Commercial (per account)
1 ½	360.00 <u>380.00</u>	360.00 <u>380.00</u>
2	600.00 <u>640.00</u>	600.00 <u>640.00</u>
3	N/A	970.00 <u>1,000.00</u>
4	N/A	1,730.00 <u>1,710.00</u>
6	N/A	3,890.00 <u>3,720.00</u>
8	N/A	6,100.00 <u>6,430.00</u>
10	N/A	10,800.00 <u>9,850.00</u>
12	N/A	15,550.00 <u>15,220.00</u>

(2) Sewer/Wastewater.

Meter Size (inches)	Single-Family Residential	Multifamily Residential and Commercial (per account)
5/8 or 3/4	\$60.00	\$60.00 per unit
1	140.00 <u>150.00</u>	140.00 <u>150.00</u>
1 ½	310.00 <u>320.00</u>	310.00 <u>320.00</u>
2	540.00	540.00
3	N/A	1,220.00 <u>1,180.00</u>
4	N/A	2,170.00 <u>2,010.00</u>
6	N/A	4,880.00 <u>4,380.00</u>
8	N/A	8,680.00 <u>7,590.00</u>
10	N/A	13,560.00 <u>11,620.00</u>
12	N/A	19,530.00 <u>17,870.00</u>

SECTION 2. Subsection 27-141 (a) of the St. Petersburg City Code is hereby amended as follows:

Sec. 27-141. Established; amount; service categories defined; surcharge.

(a) *Monthly use rate.* City water customers will be charged monthly base and volume charges as set forth in the following subsections:

(1) *Base charges.* The base charges, determined by meter size, are listed in the following table:

Meter Size (in inches)	Base Charge	
5/8 or 3/4	\$ 9.76	<u>10.13</u>
1	24.40	<u>25.33</u>
1½	48.81	<u>50.65</u>
2	78.09	<u>81.04</u>
3	156.18	<u>162.08</u>
4	244.03	<u>253.25</u>
6	488.06	<u>506.50</u>
8	780.90	<u>810.40</u>
10	1,122.54	<u>1,164.95</u>
12	2,098.67	<u>2,177.95</u>

(2) *Volume charges.* Volume charges, determined by gallons used, are listed in the following tables:

a. For single-family dwelling customers, ~~\$2.36~~ 2.35 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Single-Family Dwelling Customer
Rates Per 1,000 Gallons
by Gallonage Increments*

First 5,600	\$1.18 <u>1.32</u>
Next 2,400	2.07 <u>2.25</u>
Next 7,000	3.65 <u>3.89</u>
Next 5,000	5.60 <u>5.91</u>
Over 20,000	13.56 <u>14.17</u>

b. For multifamily dwelling customers, ~~\$2.36~~ 2.35 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Multifamily Dwelling Customer
Rates Per 1,000 Gallons
Total Volume Divided by Number of Dwelling Units Served by Meter*

First 5,600 per unit	\$1.18 <u>1.32</u>
Next 2,400 per unit	2.07 <u>2.25</u>
Next 7,000 per unit	3.65 <u>3.89</u>
Over 15,000 per unit	5.60 <u>5.91</u>

- c. For commercial customers, ~~\$2.36~~ 2.35 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Commercial Customer
Rates Per 1,000 Gallons
Gallonage Based on Monthly Average per Commercial Customer*

Up to average	\$1.18 <u>1.32</u>
Average to 1.4 times average	2.46 <u>2.65</u>
1.4 to 1.8 times average	3.65 <u>3.89</u>
Over 1.8 times average	4.73 <u>5.01</u>

A monthly average of a 12-month period will be calculated per commercial customer for each fiscal year beginning October 1. The 12-month period utilized will be October through September of the preceding fiscal year and will be updated annually. For new commercial customers without consumption history, the lowest block rate will be utilized until a 12-month period between October and September is completed.

A commercial customer who experiences changed business conditions which would necessitate a revised calculation of the monthly average, may request a water use evaluation by the City. The City may calculate a new average based on that evaluation. After receiving notice of the results of the evaluation, the customer may appeal these results to the Utility Billing Review Committee within 14 days by filing notice of appeal with the City Clerk.

SECTION 3. Subsection 27-142 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-142. - Wholesale water customers.

(a) Wholesale water service shall be provided to the City of Gulfport at a uniform volume rate of ~~\$4,548.00~~ 4,648.00 per million gallons effective October 1, ~~2012~~ 2013. Additional charges and surcharges shall be added to the uniform volume rate in accordance with the City of Gulfport's water service agreement with the City of St. Petersburg.

SECTION 4. Subsection 27-144 (c) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-144. Irrigation only accounts.

(c) *Monthly irrigation only account charges.*

Customers with an irrigation only account shall not be charged fees for wastewater services for that account but shall pay a base charge based on the meter connection size, and also shall pay the Tampa Bay Water volume charge and the a tiered volume rate based on water consumption as follows:

Irrigation Only Base and Volume Charges							
		Volume Rates (per 1,000 Gallons)			Consumption Ranges (in Gallons)		
Meter Size (inches)	Base Fee ₁	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
¾	\$12.76	\$3.65	\$5.60	\$13.56	0-7,000	7,001-12,000	>12,000
	\$13.13	\$3.89	\$5.91	\$14.17	0-15,000	15,001-20,000	20,000
1	\$27.40	\$3.65	\$5.60	\$13.56	0-17,000	17,001-30,000	>30,000
	\$28.33	\$3.89	\$5.91	\$14.17	0-37,000	37,001-50,000	50,000
1½	\$51.81	\$3.65	\$5.60	\$13.56	0-35,000	35,001-60,000	>60,000
	\$53.65	\$3.89	\$5.91	\$14.17	0-75,000	75,001-100,000	100,000
2	\$81.09	\$3.65	\$5.60	\$13.56	0-56,000	56,001-96,000	>96,000
	\$84.04	\$3.89	\$5.91	\$14.17	0-120,000	120,001-160,000	160,000
3	\$159.18	\$3.65	\$5.60	\$13.56	0-112,000	112,001-192,000	>192,000
	\$165.08	\$3.89	\$5.91	\$14.17	0-240,000	240,001-320,000	320,000
4	\$247.93	\$3.65	\$5.60	\$13.56	0-175,000	175,001-300,000	>300,000
	\$256.25	\$3.89	\$5.91	\$14.17	0-375,000	375,001-500,000	500,000
6	\$491.06	\$3.65	\$5.60	\$13.56	0-350,000	350,001-600,000	>600,000
	\$509.50	\$3.89	\$5.91	\$14.17	0-750,000	750,001-1,000,000	1,000,000
8	\$783.90	\$3.65	\$5.60	\$13.56	0-560,000	560,001-960,000	>960,000
	\$813.40	\$3.89	\$5.91	\$14.17	0-1,200,000	1,200,001-1,600,000	1,600,000
10	\$1,125.54	\$3.65	\$5.60	\$13.56	0-805,000	805,001-1,380,000	>1,380,000
	\$1,167.95	\$3.89	\$5.91	\$14.17	0-1,750,000	1,750,001-2,300,000	2,300,000
12	\$2,101.67	\$3.65	\$5.60	\$13.56	0-1,505,000	1,505,001-2,580,000	>2,580,000
	\$2,180.95	\$3.89	\$5.91	\$14.17	0-3,225,000	3,225,001-4,300,000	4,300,000
Tampa Bay Water:		\$2.36 \$2.35 per 1,000 Gallons					

SECTION 5. Subsection 27-177 (a) of the St. Petersburg City Code is hereby amended to read as follows:

- (a) A rate shall be charged to the customers of the reclaimed water system in accordance with the following schedule:
 - (1) For nonmetered service for tracts of one acre in size or smaller, the monthly charge shall be ~~\$18.11~~ 18.79.
 - (2) For nonmetered service for larger tracts an additional monthly charge of ~~\$10.38~~ 10.77 per each additional acre, or portion thereof in excess of one acre, shall be added to the fee of ~~\$18.11~~ 18.79 per month.
 - (3) For customers on metered service, the charge shall be ~~\$0.51~~ 0.53 per 1,000 gallons per month, but in no case shall the charge be less than ~~\$18.11~~ 18.79 per month.
 - (4) A surcharge of 25 percent will be added for service outside the City.
 - (5) The customer shall be required to obtain a reclaimed water permit, the charge shall be \$25.00 per permit issued. All reclaimed water permits shall be issued by the Reclaimed Water section of the Water Resources Department.

SECTION 6. Subsection 27-283 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-283. - Wastewater service charge.

(a) *Established, amount.* There is hereby established and imposed upon the owners and/or occupants of all premises which are connected to the sewer system a charge, to be designated "wastewater service charge," which charge shall be based upon the amount of water used on the premises except for that amount of water used for irrigation only accounts as established pursuant to Section 27-144, as shown by the following schedule:

- (1) A base charge per month based upon meter size in accordance with the following table:

Meter Size (inches)	Base Charge
5/8 or 3/4	\$ 11.05 <u>11.46</u>
1	27.62 <u>28.65</u>

Meter Size (inches)	Base Charge	
1½	55.23	<u>57.30</u>
2	88.37	<u>91.68</u>
3	176.73	<u>183.36</u>
4	276.14	<u>286.50</u>
6	552.28	<u>573.00</u>
8	883.65	<u>916.80</u>
10	1,270.25	<u>1,317.90</u>
12	2,374.84	<u>2,463.90</u>

(2) In addition to the base charge, there shall be a charge of ~~\$4.23~~ 4.39 for each 1,000 gallons of potable water registered on the water meter.

(3) Rates charged to customers outside the City in accordance with subsections (1) and (2) of this section shall have added to the rate a surcharge of 25 percent of the total wastewater charge.

(4) The base charge and any volume charge will apply on all active services; the base charge will apply to all service in standby status; only when a service has been removed will the base charge not be in effect.

SECTION 7. Subsections 27-284 (a) and 27-284 (e) of the St. Petersburg City Code are hereby amended to read as follows:

Sec. 27-284. - Wholesale wastewater customers.

(a) Wholesale wastewater service shall be provided to the City of Gulfport; the City of South Pasadena; Bear Creek Sanitary Sewer District, Pinellas County; Ft. Desoto, Pinellas County; the City of Pinellas Park; Treasure Island; and Tierra Verde Utilities, Inc. at a uniform volume rate of ~~\$2,704.00~~ 2,833.00 per million gallons for wholesale wastewater service effective October 1, ~~2012~~ 2013, based upon metered wastewater flows.

(e) Wholesale wastewater service shall be provided to the City of St. Pete Beach at an estimated rate including a uniform operation and maintenance volume rate of ~~\$1,981.00~~ 2,080.00 per million gallons and a monthly capital charge of ~~\$52,765.00~~ 46,892.00 for wholesale wastewater service effective October 1, ~~2012~~ 2013. At the end of each fiscal year, actual rates for the fiscal year will be determined in accordance with the terms of the agreement for wholesale wastewater service between the City of St. Petersburg and the City of St. Pete Beach.

SECTION 8. That the unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 9. That words in ~~struck-through~~ type are deletions from the existing St. Petersburg City Code and words that are underlined are additions.

SECTION 10. That the rates and charges established by this ordinance shall be utilized in calculating customers' bills beginning on November 1, 2013 for water consumed during the preceding month.

SECTION 11. 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.

LEGAL:



City Attorney (designee)

ADMINISTRATION:



**FY14
Utility and
Sanitation Rates**

ccmtg
9-19-13

II.4.

RECOMMENDED RATE INCREASES

Water	3.75%
Wastewater	3.75%
Reclaimed Water	3.75%
Stormwater	0.0%
Sanitation	0.0%

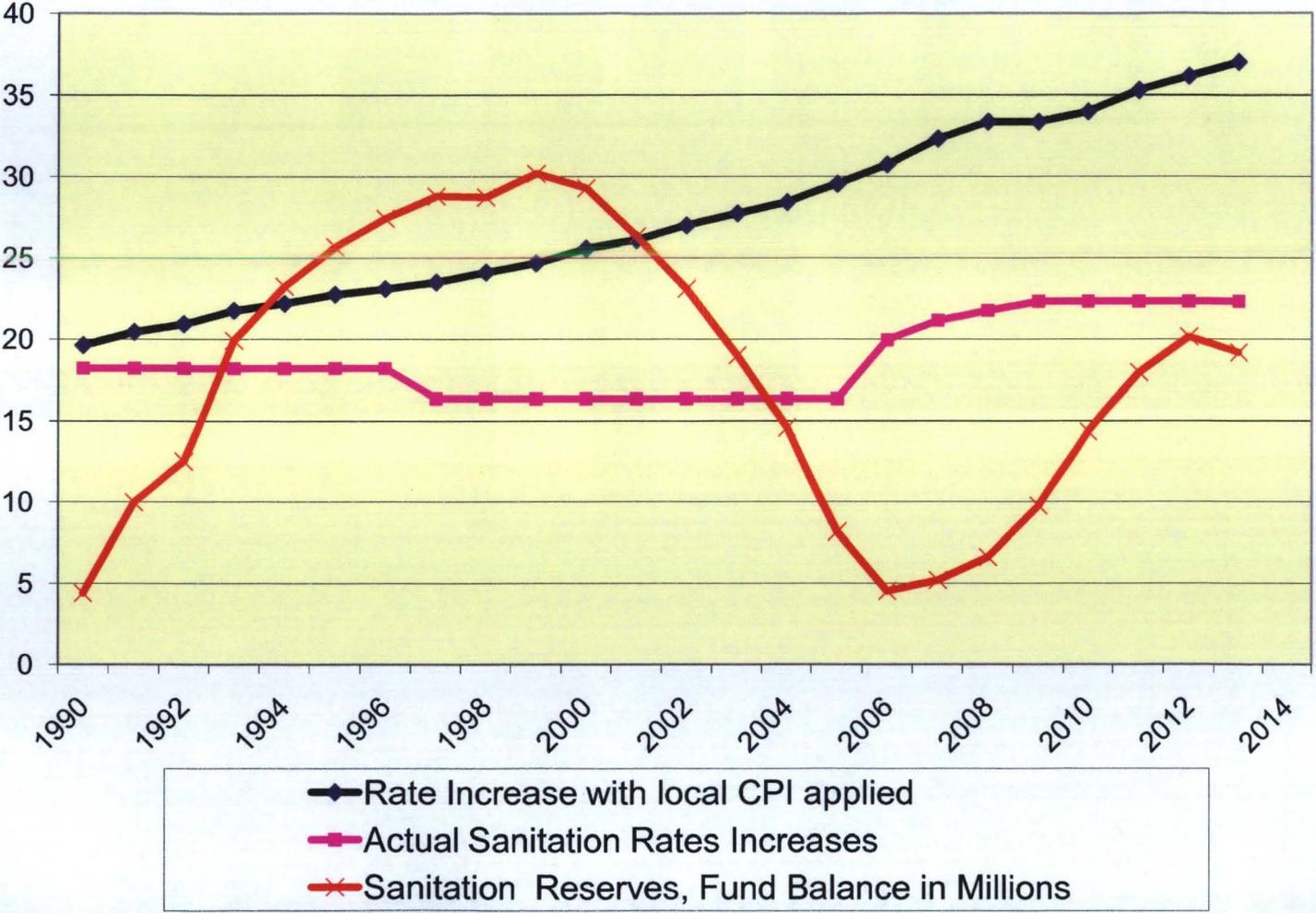
SANITATION RATE HISTORY

	<u>Residential</u>	<u>Commercial</u>
1997	-10.00% \$16.35	0%
2006	22.00% \$19.95	12.00%
2007	6.00% \$21.15	6.00%
2008	2.90% \$21.76	2.90%
2009	2.60% \$22.33	2.60%
2010	0.00% \$22.33	0.00%
2011	0.00% \$22.33	0.00%
2012	0.00% \$22.33	0.00%
2013	0.00% \$22.33	0.00%
2014 (Proposed)	0.00% \$22.33	0.00%

Issues Ahead: Fuel Costs

CNG Engines and Fueling Station
Residential Curbside Recycling

SANITATION RATES VS FUND BALANCE

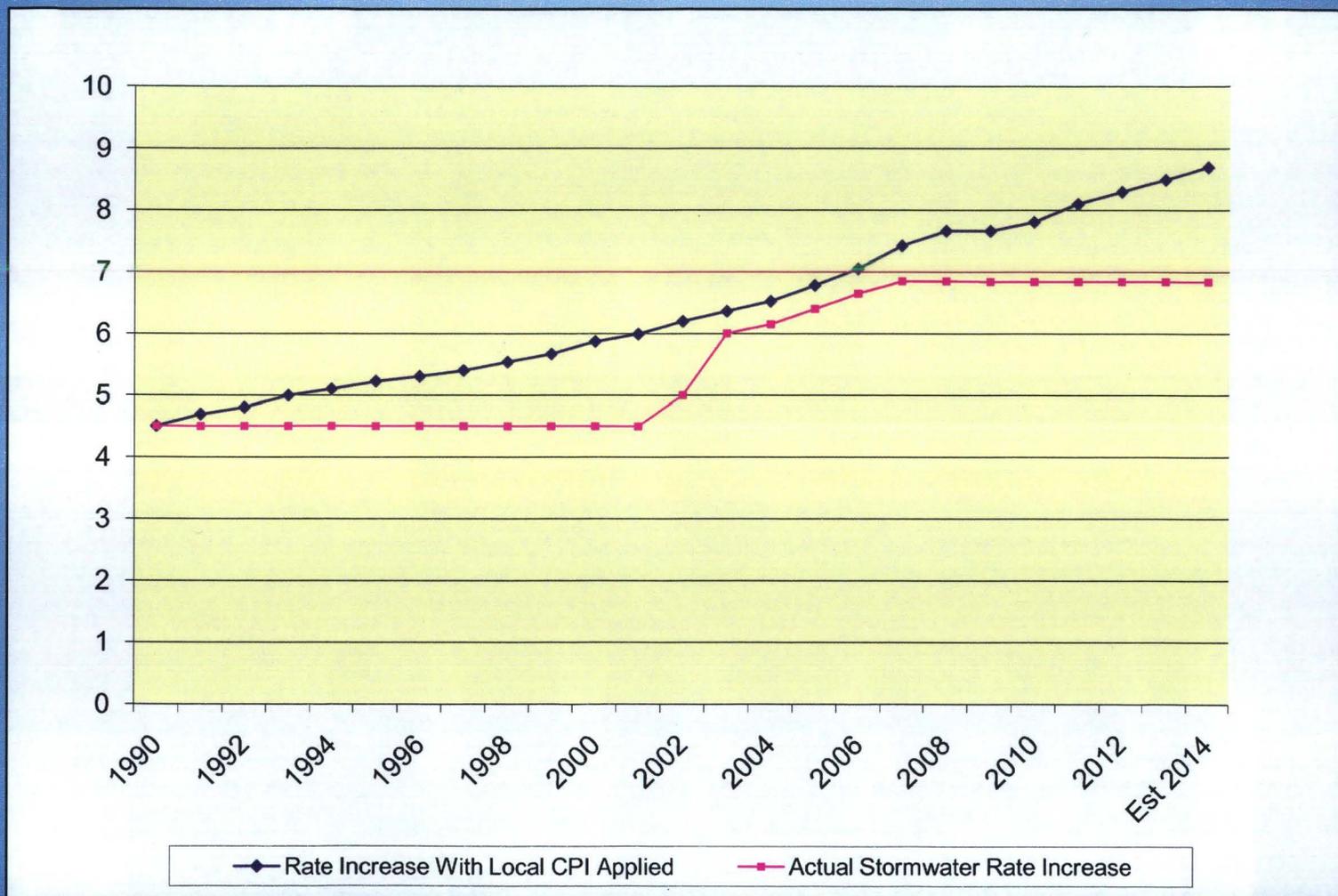


STORMWATER RATE HISTORY

	<u>From</u>	<u>To</u>	<u>Change</u>
FY91-01	\$4.50	\$4.50	\$.00
FY02	\$4.50	\$5.00	\$.50
FY05	\$5.00	\$6.00	\$1.00
FY06	\$6.00	\$6.15	\$.15
FY07	\$6.15	\$6.40	\$.25
FY08	\$6.40	\$6.65	\$.25
FY09	\$6.65	\$6.85	\$.20
FY10	\$6.85	\$6.85	\$.00
FY11	\$6.85	\$6.84	\$ -.01
FY12	\$6.84	\$6.84	\$.00
FY13	\$6.84	\$6.84	\$.00
FY14	\$6.84	\$6.84	\$.00

Issues Ahead: TMDL's/Nutrient Reductions
Debt Service Increases
SWFWMD/P-A Basin Board

STORMWATER RATES CPI VS ACTUAL



Water, Wastewater & Reclaimed Water Rates

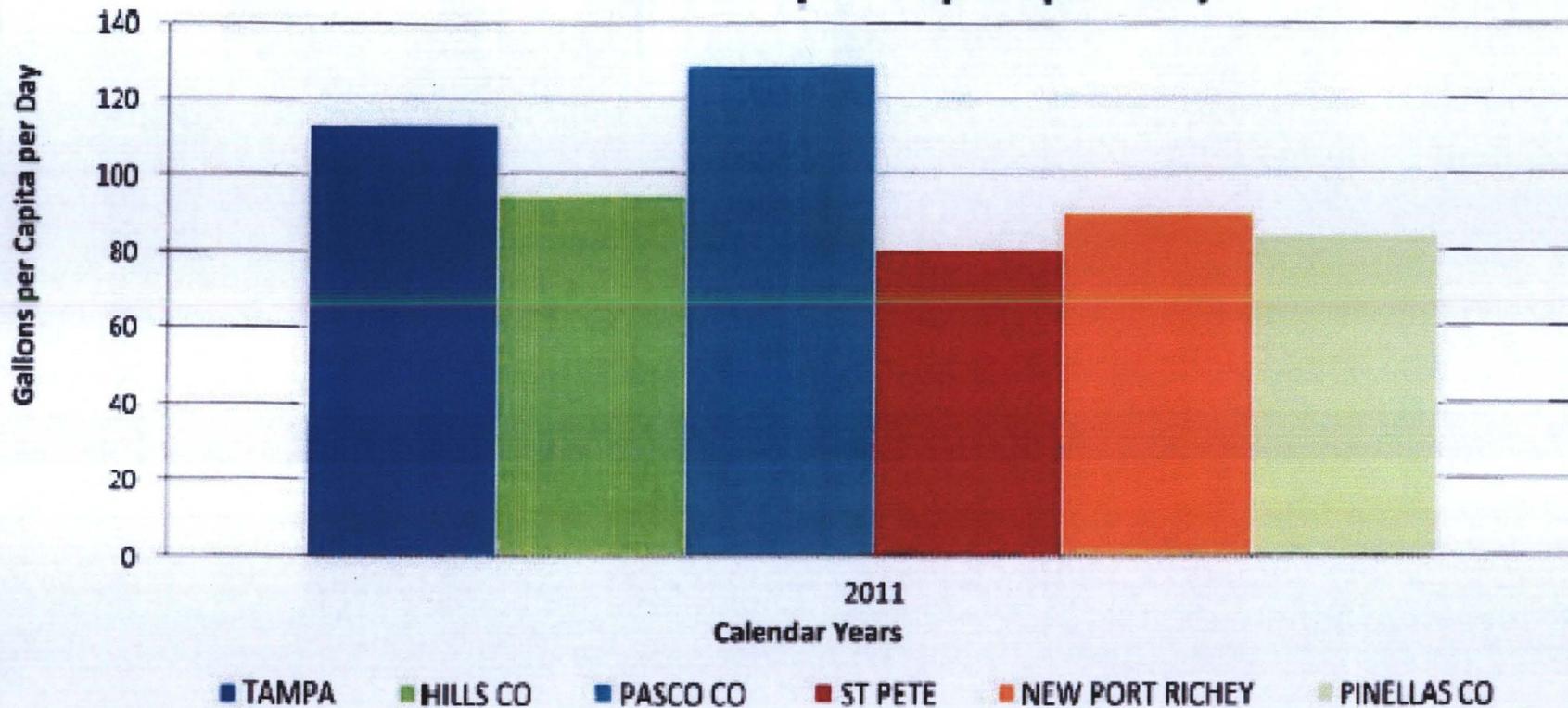
Cost of Service Allocation Methodology

- Based upon FY 2014 Budget
 - Costs of each division were allocated to utility services (in accordance with wholesale agreements)
- Allocation to utility services
 - Adjustments to reflect residual reclaimed water costs and separate customer costs
- Allocation of utility service cost allocations to functions
 - Wholesale-specific
 - Retail-specific (Including 100% of residual reclaimed water & customer costs)
 - Joint (Allocated between retail and wholesale customers based upon flow ratios)

WATER, WASTEWATER, RECLAIMED WATER RATE HISTORY

	<u>Water</u>	<u>Wastewater</u>	<u>Reclaimed Water</u>
FY05	5.00%	4.00%	8.80%
FY06	3.50%	1.50%	8.09%
FY07	3.50%	2.00%	7.50%
FY08	3.50%	3.50%	3.50%
FY09	3.00%	3.00%	3.00%
FY10	2.00%	2.00%	2.00%
FY11	7.50%	7.50%	7.50%
FY12	7.50%	2.50%	5.00%
FY13	2.75%	2.75%	2.75%
FY14	3.75%	3.75%	3.75%

Tampa Bay Water Members Gallons per Capita per Day



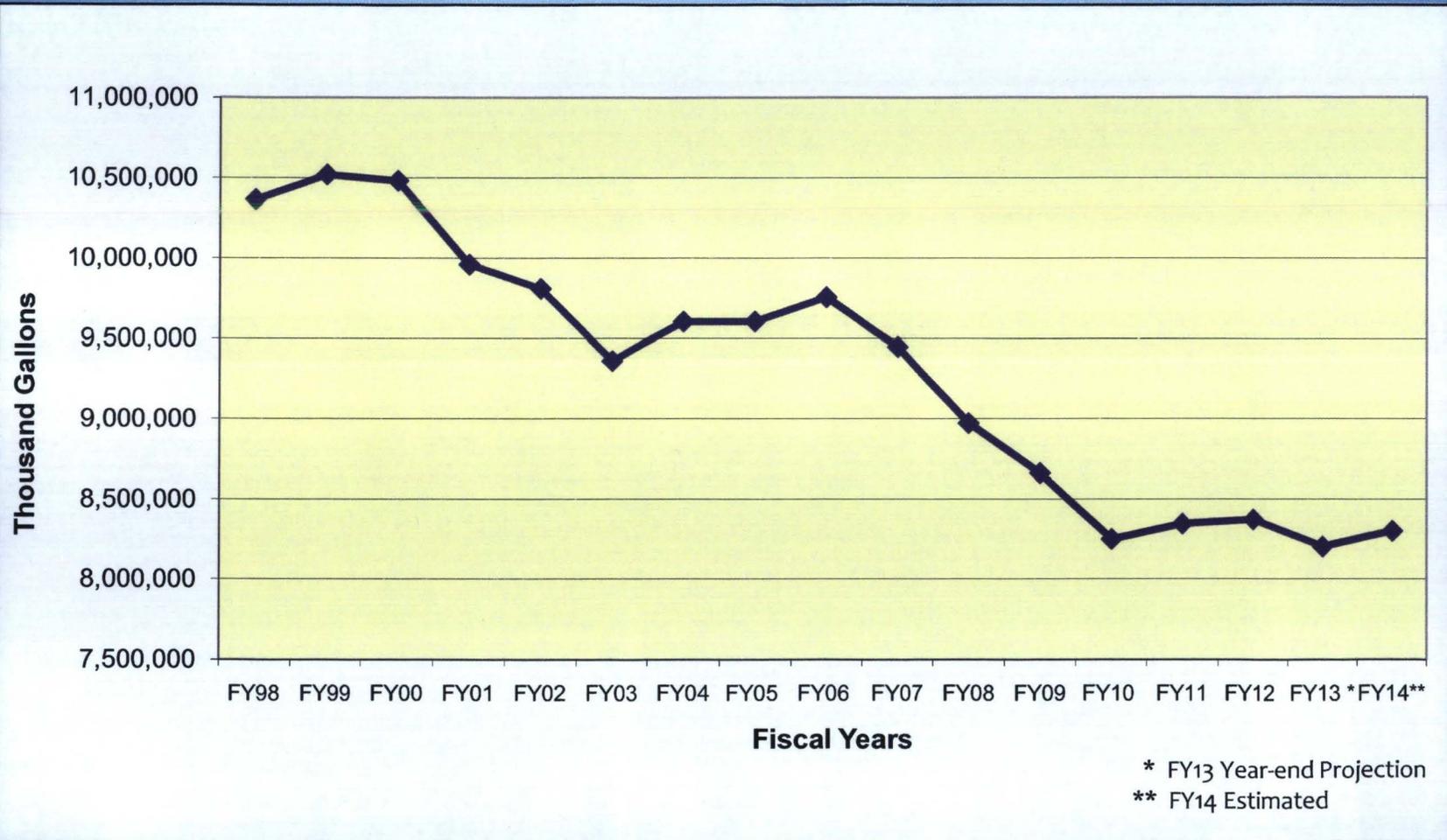
1-5-420-002

Water Resources

Data reflects gross water use as reported to SWFWMD by each member government. City performance measure comparisons are generally for the prior 5 years and incorporate 1990 for historical perspective; for this chart, data is not available for 1990. CY2012 data not available until June 2013. Data through 12/31/11; updated annually.

WATER CONSUMPTION HISTORY

RETAIL VOLUME (FY98 – FY14)



WHOLESALE RATES

WHOLESALE Water: 2.9% increase

Customers: City of Gulfport

FY13: \$4,518/million gallons

FY14: \$4,648/million gallons

WHOLESALE Wastewater: 4.8% increase

Customers: Cities of Gulfport, South Pasadena, Pinellas Park, Treasure Island, Bear Creek Sanitary Sewer District in Pinellas County; Ft. Desoto in Pinellas County; and Tierra Verde Utilities, Inc.

FY13: \$2,704/million gallons

FY14: \$2,833/million gallons

Customer: City of St. Pete Beach 1.0% Increase
(Agreement with Differing Conditions)

FY13: \$1,981/million gallons for O&M

FY14: \$2,080/million gallons for O&M

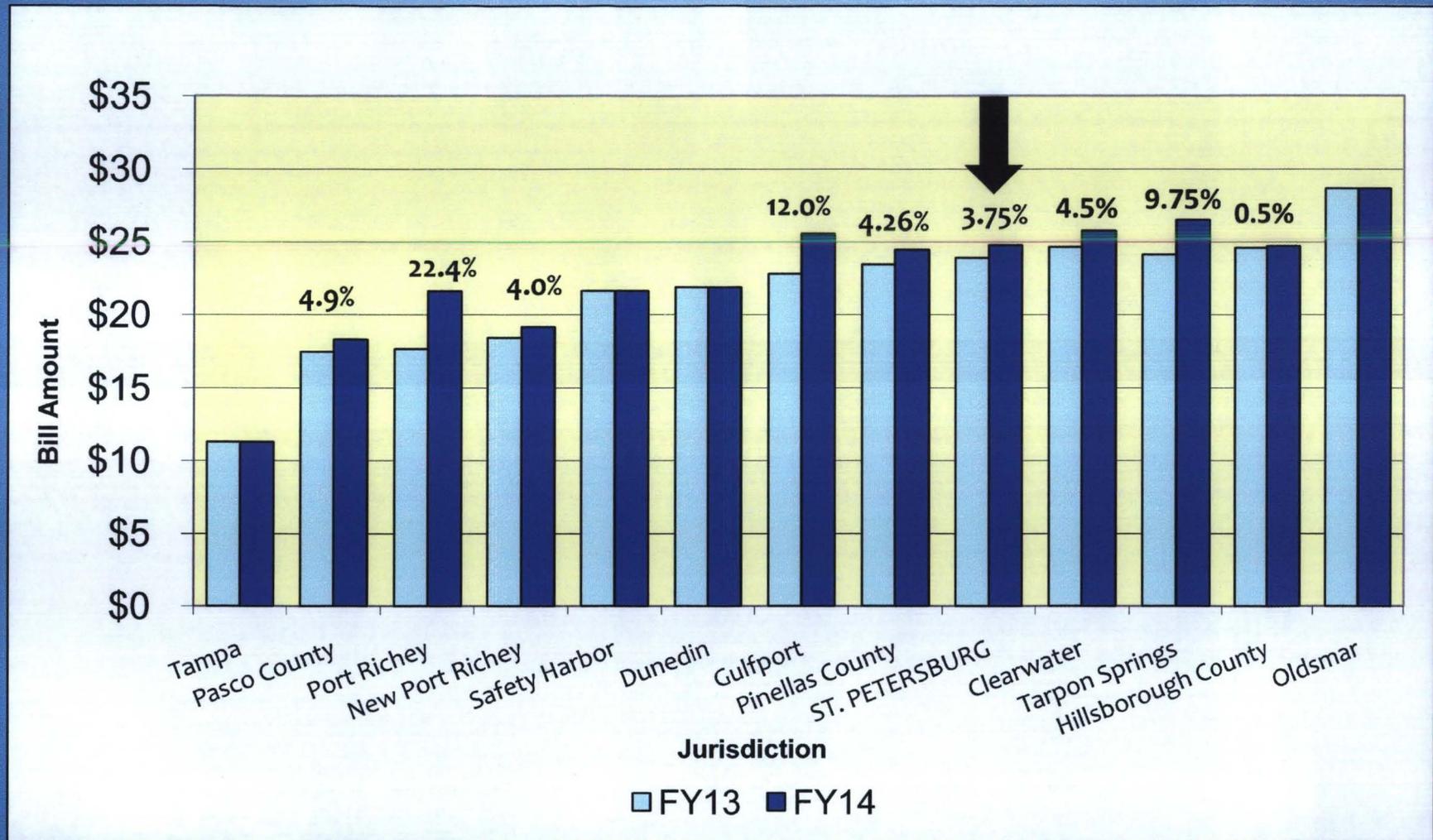
&

FY13: \$52,765/month for capital projects

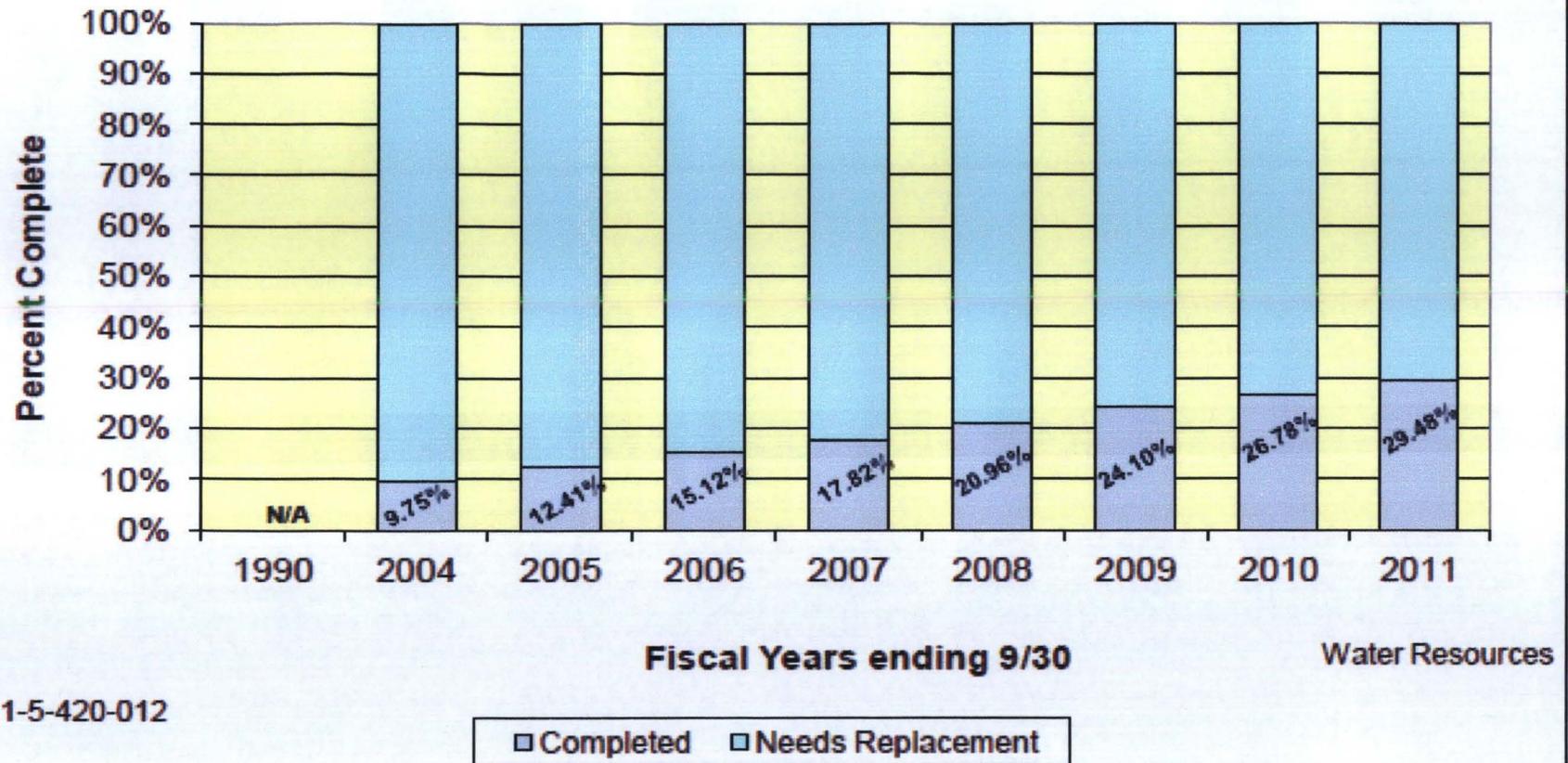
FY14: \$46,892/month for capital projects

TYPICAL WATER BILL COMPARISON

USING 4,000 GALLONS/MONTH



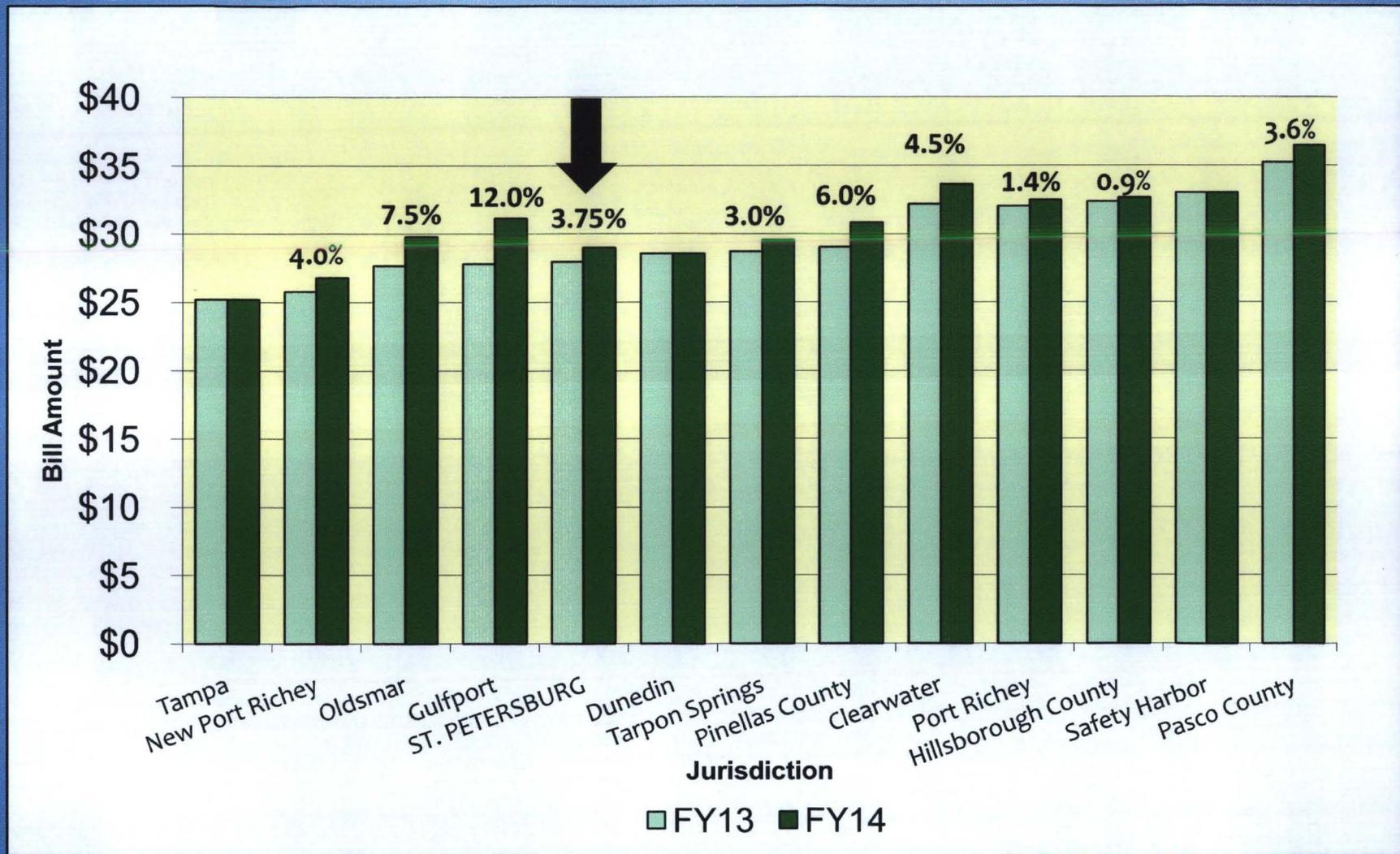
Potable Water Main Replacement



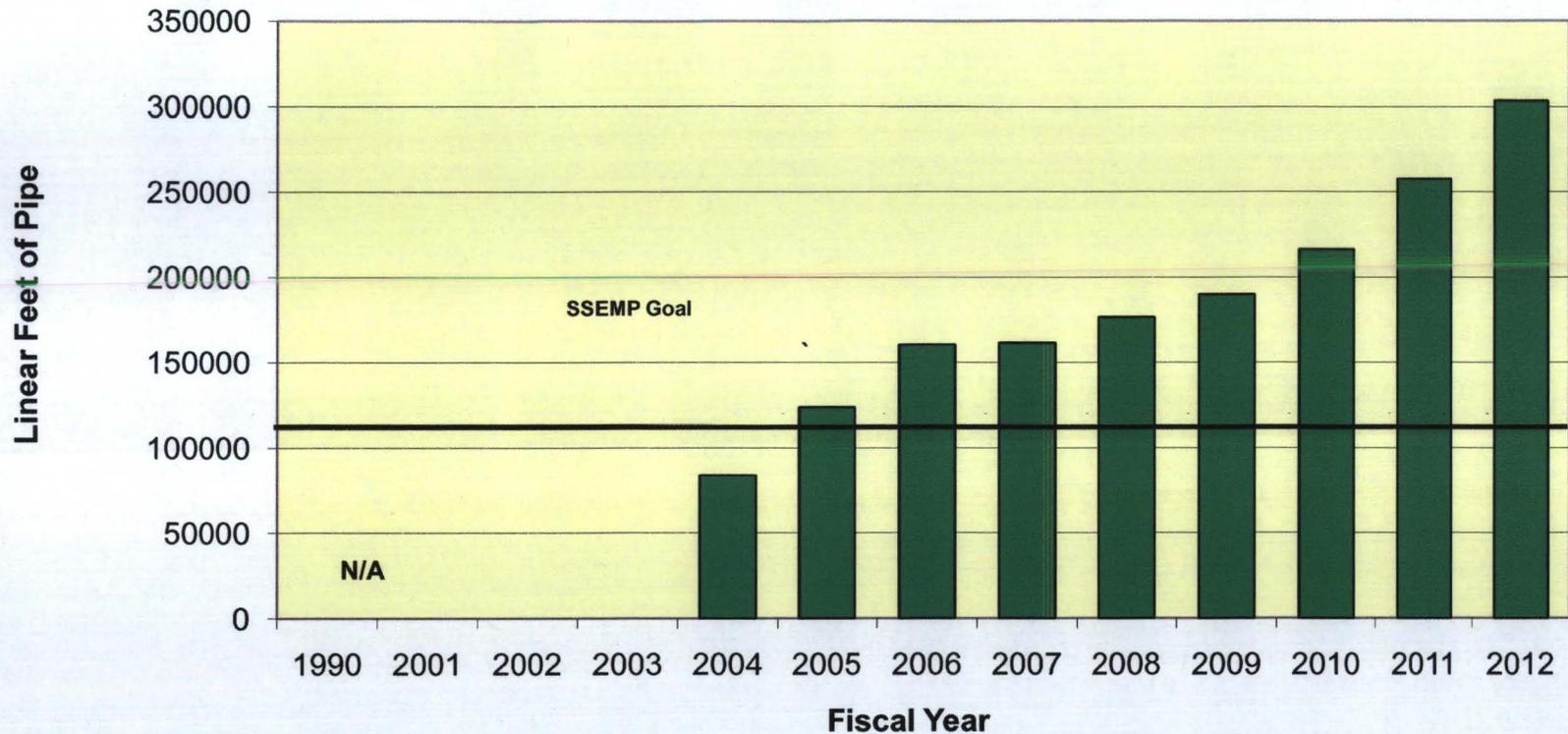
Note: Water main pipes (2 inch and larger) to be replaced as identified by water system analysis conducted by the City in October, 2002, based on program completion in 18 years. Department proposes to replace 400 miles of the 1600 miles of total water main pipes with priority of replacing 2 inch galvanized and 4 inch cast iron. New pipes will be PVC. (Chart is on an accumulated basis nearing completion of total task)

TYPICAL WASTEWATER BILL COMPARISON

USING 4,000 GALLONS/MONTH



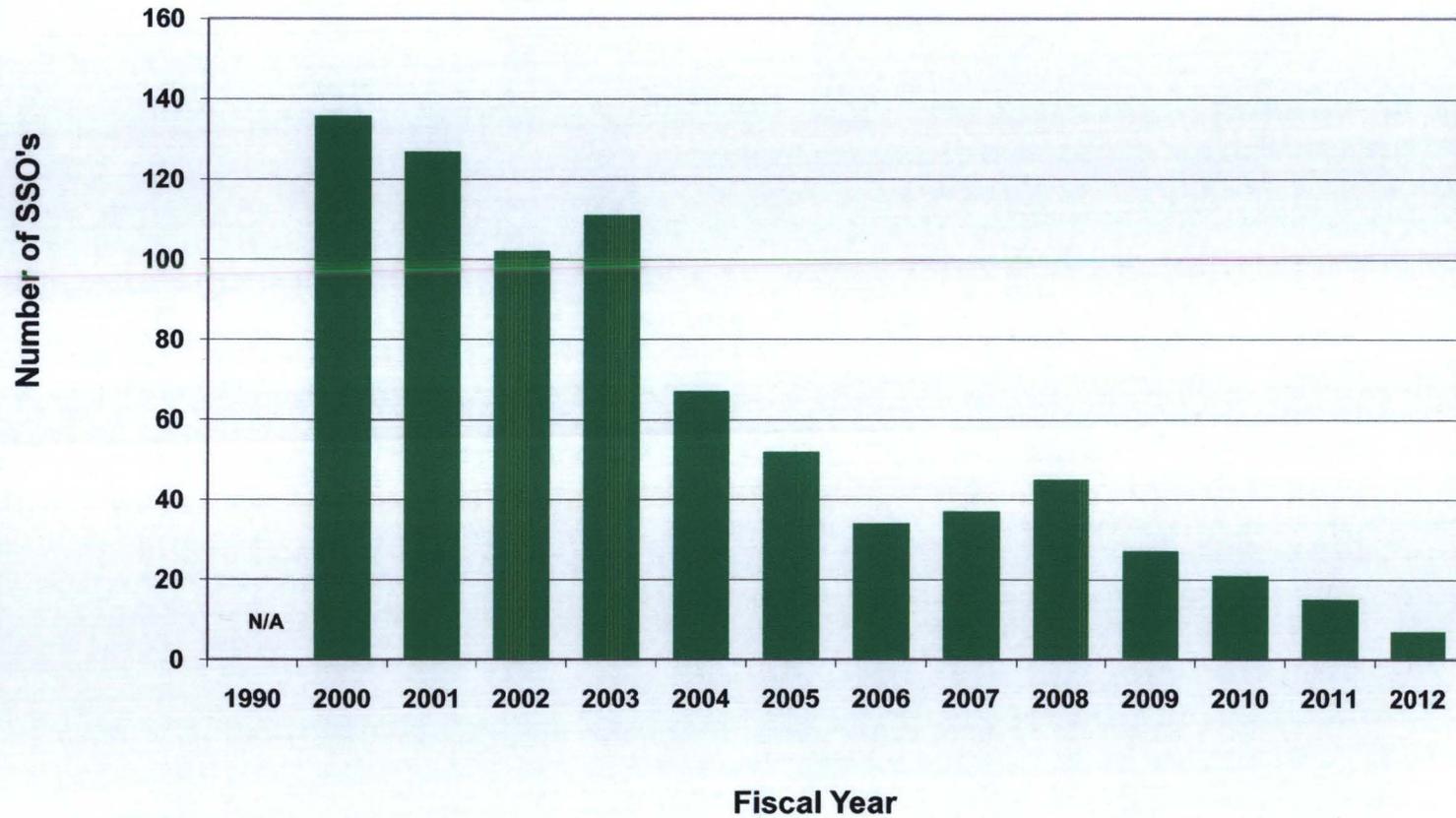
SSEMP Gravity Sewer Pipe Rehabilitation Program



The SSEMP (Sanitary Sewer Evaluation Management Plan) report dated March 1998 indicated that 5% of the pipe in established priority basins required immediate rehabilitation (97,680 LF). The SSEMP was incorporated into an FDEP (Florida Department of Environmental Protection) Consent Order to abate sanitary sewer overflows. Since the Priority Basin Sewer Rehab Program was initiated, modifications have been made based on inspection and hydraulic modeling as approved by FDEP. In FY05, sewer pipe rehab work continued as priorities were identified beyond the original SSEMP. FY01-03 involved inspection and design of priority sub-basin work.

*City performance measures comparisons are generally for the prior 5 years and incorporate 1990 for historical perspective; for this chart data is not applicable for 1990. Data through 9/30/12; updated annually.

Sanitary Sewer Overflows (SSO's)

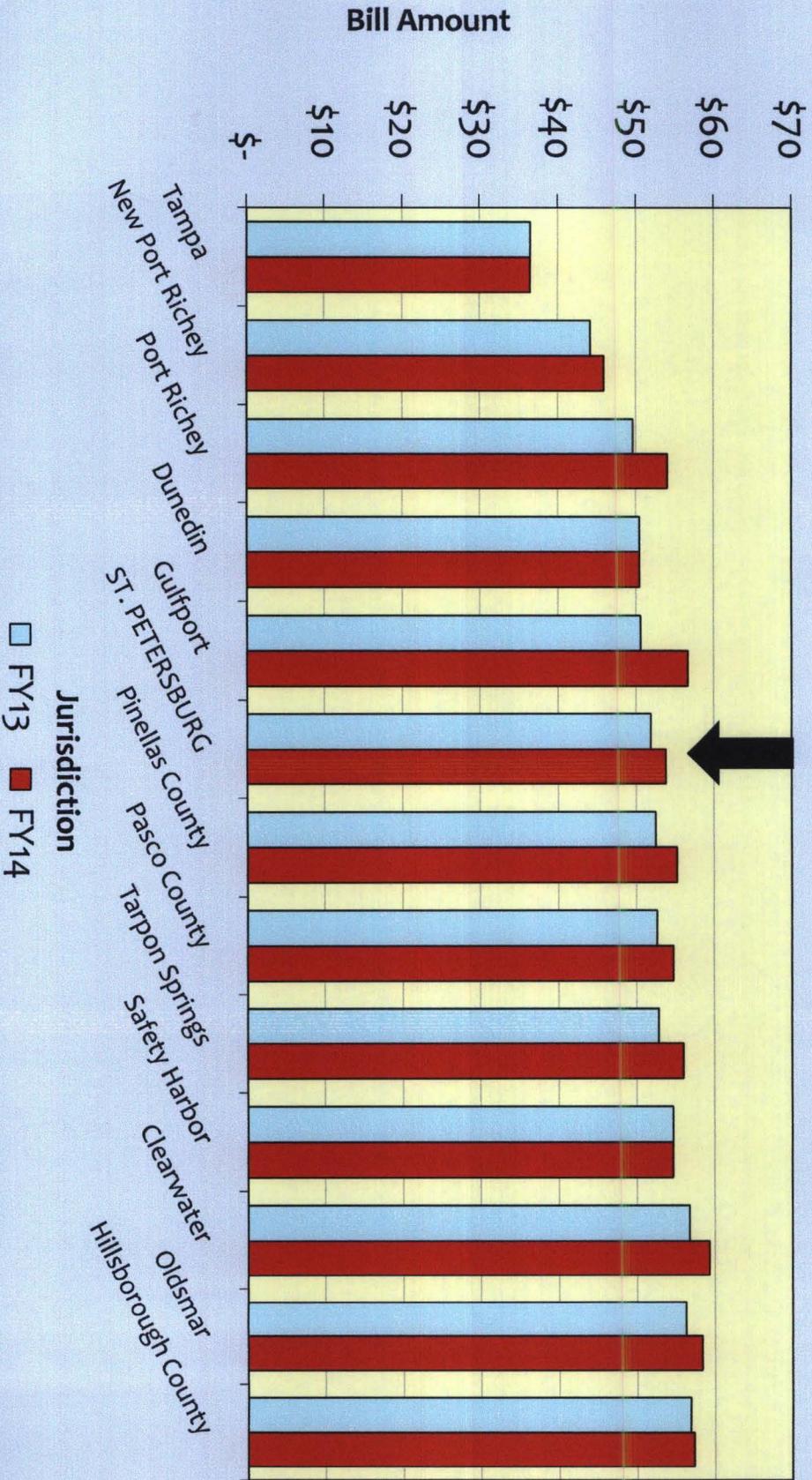


1-5-420-014

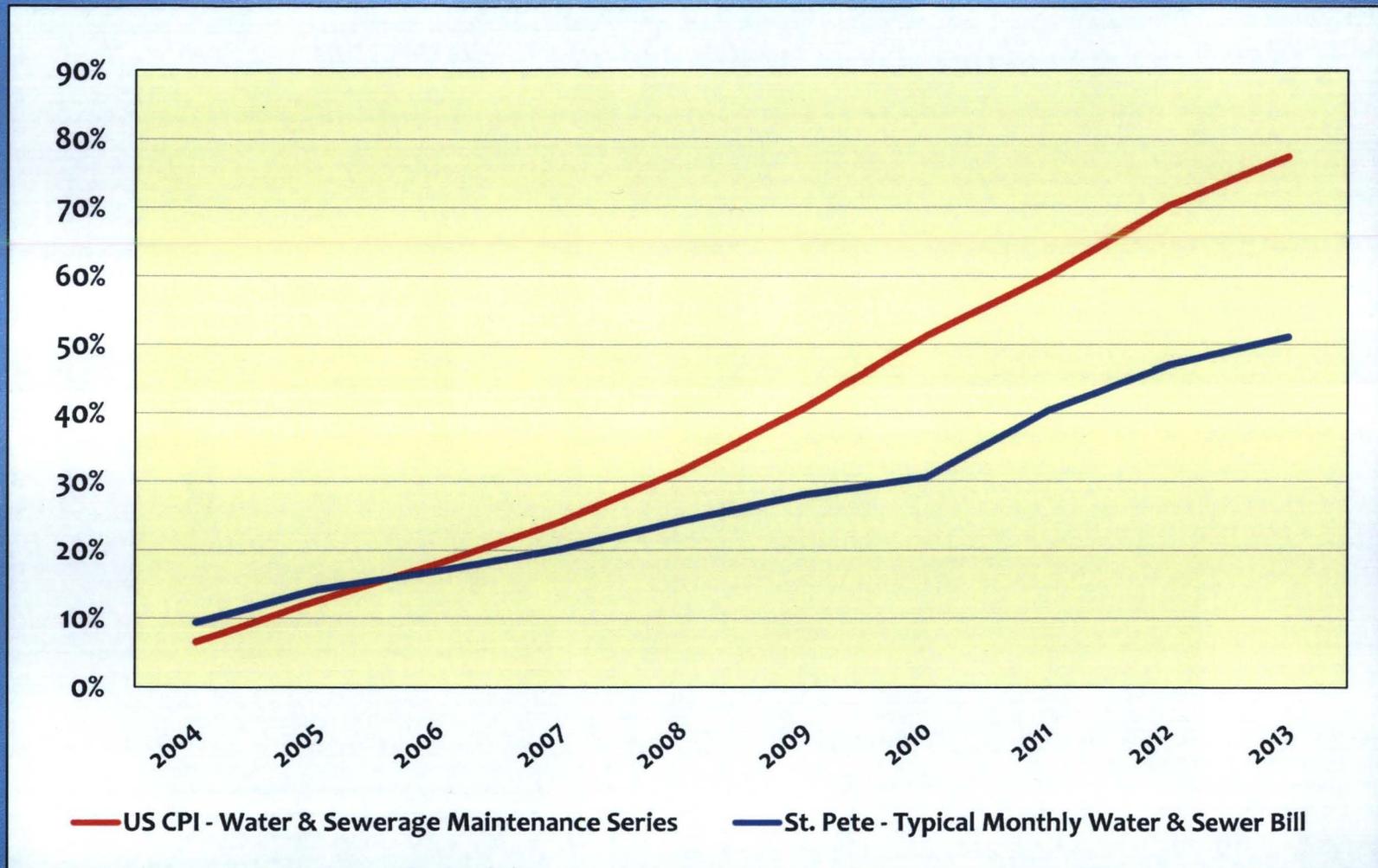
Sanitary Sewer Overflows (SSO's) are any discharges of wastewater from the collection system or a discharge of raw or partially treated wastewater at one of the water reclamation facilities. Data through 9/30/12; updated annually.

COMBINED BILL COMPARISON

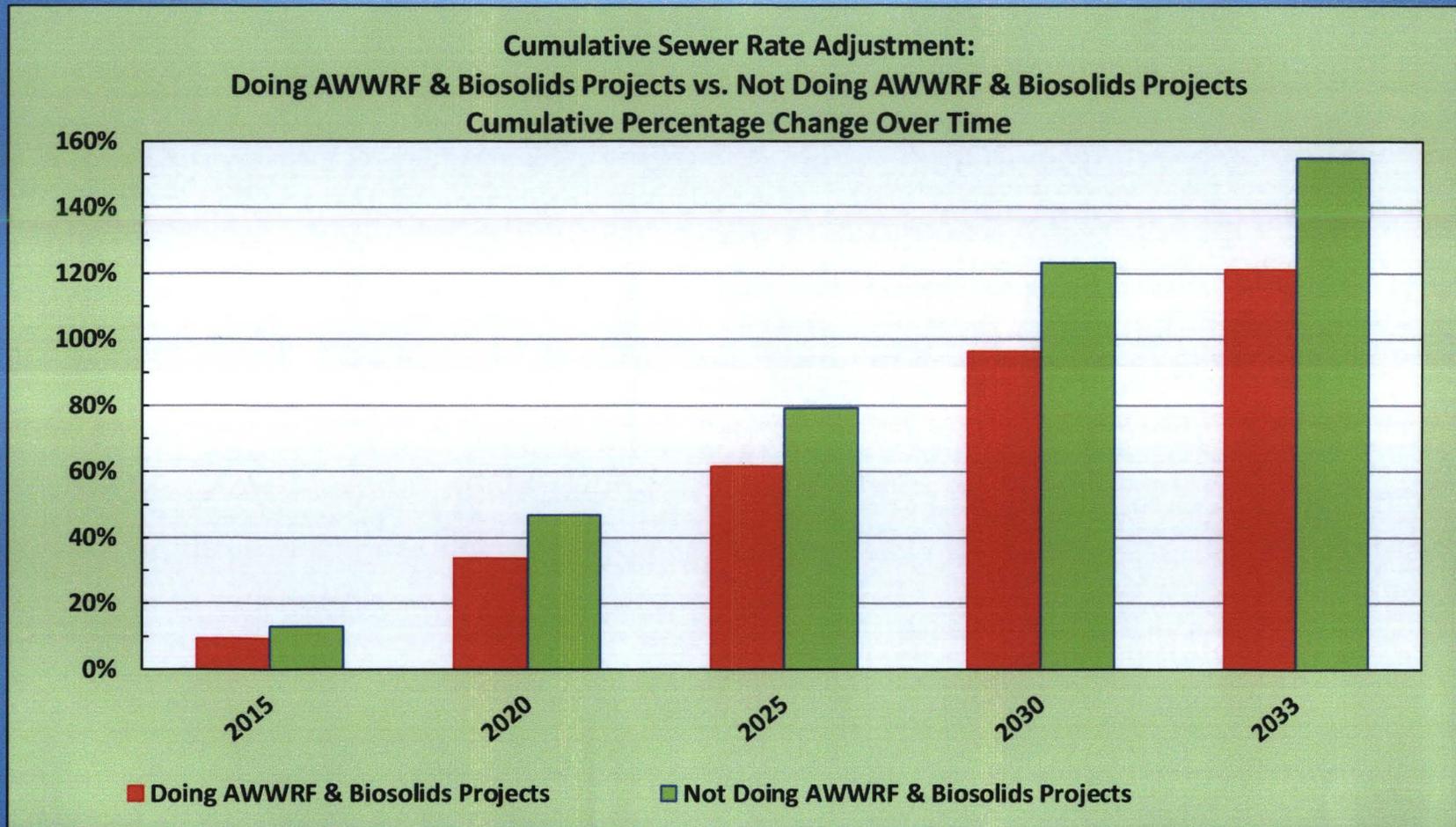
USING 4,000 GALLONS/MONTH



Typical Monthly Bill vs CPI (Water and Sewerage Maintenance Series)



Cumulative Sewer Rate Adjustment: Doing AWWRF & Biosolids Projects vs. Not Doing Projects



TYPICAL CUSTOMER UTILITY BILL

4,000 Gallons of Water & Sewer Use/Month

	FY13	FY14	Change	Change Percent	Change Water & Sewer Only
SANITATION	\$22.33	\$22.33	\$0.00	0.00%	} 3.74%
POTABLE WATER	\$23.92	\$24.81	\$0.89	3.72%	
WASTEWATER	\$27.97	\$29.02	\$1.05	3.75%	
STORMWATER	\$ 6.84	\$ 6.84	\$0.00	0.00%	
RECLAIMED	\$18.11	\$18.79	\$0.68	3.75%	
TOTAL (Including Reclaimed)	\$99.17	\$101.79	\$ 2.62	2.64%	
TOTAL (Excluding Reclaimed)	\$81.06	\$83.00	\$1.94	2.39%	

QUESTIONS AND COMMENTS

Tampa Bay Times

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF Pinellas

} S.S.

Before the undersigned authority personally appeared **B. Harr** who on oath says that he/she is **Legal Clerk** of the *Tampa Bay Times* a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a **Legal Notice** in the matter **RE: ST. PETERSBURG PUBLIC HEARING NOTICE - ORDINANCES 81-H, 84-H, 85-H, 86-H** was published in said newspaper in the issues of **Neighborhood Times St Petersburg , 9/8/2013 .**

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

B. Harr

Signature of Affiant

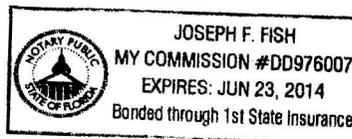
Sworn to and subscribed before me
this **10th** day of **September** **A.D.2013**

Joseph F. Fish

Signature of Notary Public

Personally known X or produced indentification

Type of indentification produced _____



PUBLIC HEARING NOTICE CITY OF ST. PETERSBURG

PROPOSED ORDINANCE NO. 81-H

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE REGARDING DEMOLITION OF BUILDINGS; AMENDING THE POWERS AND DUTIES OF THE DEVELOPMENT REVIEW COMMISSION; AMENDING THE POWERS AND DUTIES OF THE COMMUNITY PRESERVATION COMMISSION; AMENDING REGULATIONS REGARDING CONSTRUCTION OF STREET INTERSECTIONS; AMENDING REGULATIONS RELATED TO THE RELEASE OF A DECLARATION OF UNITY OF TITLE; CREATING NEW REGULATIONS FOR AN APPLICATION FOR RECONSIDERATION; AMENDING REGULATIONS RELATED TO PRELIMINARY PLATS; AMENDING REGULATIONS RELATED TO FINAL PLATS; AMENDING THE DEFINITION OF GOVERNMENT AND PUBLIC SIGNS; CLARIFYING THE PROHIBITION AGAINST SIGNS ON PUBLIC RIGHTS-OF-WAY OR PUBLIC LANDS; REPEALING THE REQUIREMENT TO PROVIDE PROOF OF OWNERSHIP OR A LEASE OVER SUBMERGED LANDS FOR DOCKS; AMENDING THE USE PERMISSSIONS MATRIX TO MAKE CHILD CARE FACILITIES A PERMITTED USE IN THE IC-R/OG ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 84-H

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTIONS 27-3 (k) (1) AND (2), 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), AND SUBSECTIONS 27-284 (a) AND 27-284 (e) OF THE ST. PETERSBURG CITY CODE; CHANGING TERM "SEWER" TO "WASTEWATER"; AMENDING WATER AND WASTEWATER DEPOSIT AMOUNTS; AMENDING BASE CHARGES AND VOLUME CHARGES FOR WATER SERVICE; AMENDING WHOLESALE WATER SERVICE CHARGES FOR THE CITY OF GULFPORT; ADDING LANGUAGE TO CLARIFY INCLUSION OF TAMPA BAY WATER CHARGES; AMENDING BASE AND VOLUME CHARGES AND CONSUMPTION RANGES FOR IRRIGATION ONLY ACCOUNTS; AMENDING RECLAIMED WATER RATES AND CHARGES; AMENDING BASE AND VOLUME CHARGES FOR WASTEWATER SERVICE; AMENDING WASTEWATER SERVICE CHARGES FOR WHOLESALE CUSTOMERS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTAB-

LISHING A DATE TO BEGIN CALCULATING NEW RATES FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 85-H

AN ORDINANCE RELATING TO STORMWATER UTILITY RATES; AMENDING CHAPTER 27, SUBSECTION 27-405(b) RELATING TO STORMWATER SYSTEM UTILITY FEES; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 86-H

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE TO PROVIDE FOR THE REGULATION OF NEIGHBORHOOD CRIME WATCH PROGRAMS AND SIGNS; AUTHORIZING NEIGHBORHOOD VIDEO WATCH SIGNS IN NEIGHBORHOOD WATCH PROGRAM AREAS WHICH MAY HAVE PRIVATE VIDEO SURVEILLANCE CAMERAS; AND PROVIDING AN EFFECTIVE DATE.

Date: September 19, 2013

Time: 6:00 p.m.

City Council Chamber

City Hall, 175 5th Street North

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

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

Eva Andujar, City Clerk



Attached documents for item Ordinance 86-H amending the St. Petersburg City Code to provide for the regulation of Neighborhood Crime Watch Programs and Signs; and authorizing Neighborhood Video Watch Signs in neighborhood watch program areas which may have private video surveillance

MEMORANDUM

TO: The Honorable Chair and Members of the City Council

FROM: Mark A. Winn, Chief Assistant City Attorney

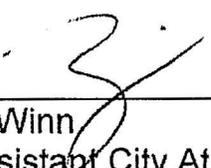
DATE: August 21, 2013

RE: Ordinance - Neighborhood Crime Watch Signs

=====

Attached please find an ordinance which was recommended to you by the PSI Committee. The ordinance allows signs to be attached to crime watch sign posts that place the public on notice that there may be private cameras providing video surveillance in the area.

There are two drafts attached. The first draft shows the changes requested at the PSI meeting and other changes since the PSI Committee recommended this to you, in track change format. The second is a clean version that has those changes incorporated. This is the version you should adopt if you choose to move forward with this ordinance. Any other changes can be made at the Council meeting.



Mark A. Winn
Chief Assistant City Attorney

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE TO PROVIDE FOR THE REGULATION OF NEIGHBORHOOD CRIME WATCH PROGRAMS AND SIGNS; AUTHORIZING NEIGHBORHOOD VIDEO WATCH SIGNS IN NEIGHBORHOOD WATCH PROGRAM AREAS WHICH MAY HAVE PRIVATE VIDEO SURVEILLANCE CAMERAS; AND PROVIDING AN EFFECTIVE DATE

THE CITY OF ST. PETERSBURG DOES HEREBY ORDAIN:

SECTION 1. The St. Petersburg City Code is hereby amended to add a new Section 23-20 to read as follows:

Section 23-20. *Neighborhood Watch Signs.*

The following regulations apply to the placement of signs which provide notice of a neighborhood watch program identified by the City.

1. *Neighborhood Watch Programs* are those programs which are initially found to be in compliance with the requirements established by the Police Chief for such programs and which are listed on the most recent registry of Neighborhood Watch Programs maintained by the Chief's designee (currently the Crime Prevention Unit). Such programs are not supervised or reviewed by the City after the initial determination that they have met the eligibility for the program. Approvals-Determinations as to the eligibility of each program are issued for one year and must be renewed annually to be current and active. Renewals shall identify the locations of existing Neighborhood Watch Signs and Neighborhood Video Watch Signs. Approval of the application is at the discretion of the Chief's designee and the POD, and may be rejected for any reason. No approval shall be granted unless the application contains all required materials.

2. *Traditional Neighborhood Watch* is a neighborhood watch program and area which was initially found to apply the techniques and methods promoted by the City.

Traditional Neighborhood Watch programs may request that the POD install a Neighborhood Watch Sign(s) at specific locations on the right of way.

a. *Neighborhood Watch Sign.* Neighborhood Watch Signs shall be of a standard design prepared by the City and shall be no more than six⁴ square feet (2' by 3'). They may be placed on the right of way within the designated crime watch area, subject to approval of the specific locations by the POD. Only signs issued and installed by the POD may be used. Alternative signs are not permitted.

3. *Neighborhood Video Watch* is a neighborhood crime watch program area, which, in addition to meeting the requirements of a Traditional Neighborhood Watch program ~~and having neighborhood watch signs,~~ may also contain residents who represent that they have private outdoor video monitoring systems which may monitor both private and public property and the right of way. Such a Neighborhood Watch program may apply to the POD for a Neighborhood Video Watch Signs.

a. *Neighborhood Video Watch Sign.* Neighborhood Video Watch Signs shall be of a standard design prepared by the City, shall be no more than three² square feet (18' x 24'), shall state that ~~“There may be private video surveillance cameras in this crime watch neighborhood which may or may not be recording activities on the public right of way or private property~~ “WARNING Areas in this neighborhood may be under private video surveillance”, and shall be affixed with the upper edge of the Neighborhood Video Watch Sign immediately below the Neighborhood Crime Watch Sign. Only signs issued and installed by the POD may be used. Alternative signs are not permitted.

4. *Application and Costs.* In order to request the installation of either of these signs, the following application process ~~and costs~~ shall be followed:

a. Application for a Neighborhood Watch Sign(s) shall be made by filing a request in writing or by e-mail to the Chief's designee. The cost of the sign(s) may be funded by the City from the Forfeiture Grant Fund if funds are available and appropriated for that purpose. Neighborhood Crime Watch programs (or any person) may pay for additional signs. Neighborhood Crime Watch signs shall be approved and installed at the discretion of the POD and may be rejected for any reason. Any Neighborhood Crime Watch sign is subject to removal without notice.

b. Application for a Neighborhood Video Watch Sign(s) shall be made by filing a request in writing or by e-mail to the Chief's designee. The cost of the sign(s) may be funded by the City from the Forfeiture Grant Fund if funds are available and appropriated for that purpose and the applicant follows the process for the award of forfeiture fund grants. Neighborhood Crime Watch programs (or any person) may pay for additional signs. Neighborhood Crime Watch signs shall be approved and installed at the discretion of the POD and may be rejected for any reason. Sign(s) shall be approved for a one year period only and must be renewed annually. Applicants shall only be an currently (as of the date this section was initially adopted, June __, 2013) active Neighborhood Crime Watch program that has residents who have private video monitoring systems at the time of application, must sign a hold harmless agreement with the City, and must which program agrees that the residents with such private video monitoring systems shall provide unrestricted access to video recordings to any law enforcement agency requesting copies. Only Neighborhood Crime Watch Signs existing on the date this section is initially adopted may receive a Neighborhood Video Watch Sign. The application fee for each Neighborhood Video Watch Sign is \$100. No application shall be accepted unless accompanied with the application fee. The renewal application fee for each Neighborhood Crime Watch program is \$25.00 annually. Any Neighborhood Video Watch sign for which a renewal application fee is not received in a timely manner shall be subject to removal without notice. A new application shall be necessary to reinstall another sign if a sign is removed. Approval of the application is at the discretion of the Chief's designee and the POD and may be rejected for any reason. No approval shall be granted unless the application contains all required materials. No City grants or other City funds may be used to pay for any of the costs (design, production, delivery, installation, etc.) of the Neighborhood Video Watch Signs.

SECTION 2. 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 3. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the Ordinance, in which case the Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (designee)

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE TO PROVIDE FOR THE REGULATION OF NEIGHBORHOOD CRIME WATCH PROGRAMS AND SIGNS; AUTHORIZING NEIGHBORHOOD VIDEO WATCH SIGNS IN NEIGHBORHOOD WATCH PROGRAM AREAS WHICH MAY HAVE PRIVATE VIDEO SURVEILLANCE CAMERAS; AND PROVIDING AN EFFECTIVE DATE

THE CITY OF ST. PETERSBURG DOES HEREBY ORDAIN:

SECTION 1. The St. Petersburg City Code is hereby amended to add a new Section 23-20 to read as follows:

Section 23-20. *Neighborhood Watch Signs.*

The following regulations apply to the placement of signs which provide notice of a neighborhood watch program identified by the City.

1. *Neighborhood Watch Programs* are those programs which are initially found to be in compliance with the requirements established by the Police Chief for such programs and which are listed on the most recent registry of Neighborhood Watch Programs maintained by the Chief's designee (currently the Crime Prevention Unit). Such programs are not supervised or reviewed by the City after the initial determination that they have met the eligibility for the program. Determinations as to the eligibility of each program are issued for one year and must be renewed annually to be current and active. Renewals shall identify the locations of existing Neighborhood Watch Signs and Neighborhood Video Watch Signs. Approval of the application is at the discretion of the Chief's designee and the POD, and may be rejected for any reason. No approval shall be granted unless the application contains all required materials.

2. *Traditional Neighborhood Watch* is a neighborhood watch program and area which was initially found to apply the techniques and methods promoted by the City.

Traditional Neighborhood Watch programs may request that the POD install a Neighborhood Watch Sign(s) at specific locations on the right of way.

a. *Neighborhood Watch Sign.* Neighborhood Watch Signs shall be of a standard design prepared by the City and shall be no more than six square feet (2' by 3'). They may be placed on the right of way within the designated crime watch area, subject to approval of the specific locations by the POD. Only signs issued and installed by the POD may be used. Alternative signs are not permitted.

3. *Neighborhood Video Watch* is a neighborhood crime watch program area, which, in addition to meeting the requirements of a Traditional Neighborhood Watch program may also contain residents who represent that they have private outdoor video monitoring systems which may monitor both private and public property and the right of way. Such a Neighborhood Watch program may apply to the POD for Neighborhood Video Watch Signs.

a. *Neighborhood Video Watch Sign.* Neighborhood Video Watch Signs shall be of a standard design prepared by the City, shall be no more than three square feet (18' x 24'), shall state "WARNING Areas in this neighborhood may be under private video surveillance", and shall be affixed with the upper edge of the Neighborhood Video Watch Sign immediately below the Neighborhood Crime Watch Sign. Only signs issued and installed by the POD may be used. Alternative signs are not permitted.

4. *Application and Costs.* In order to request the installation of either of these signs, the following application process shall be followed:

a. Application for a Neighborhood Watch Sign(s) shall be made by filing a request in writing or by e-mail to the Chief's designee. The cost of the sign(s) may be funded by the City from the Forfeiture Grant Fund if funds are available and appropriated for that purpose. Neighborhood Crime Watch programs (or any person) may pay for additional signs. Neighborhood Crime Watch signs shall be approved and installed at the discretion of the POD and may be rejected for any reason. Any Neighborhood Crime Watch sign is subject to removal without notice.

b. Application for a Neighborhood Video Watch Sign(s) shall be made by filing a request in writing or by e-mail to the Chief's designee. The cost of the sign(s)

may be funded by the City from the Forfeiture Grant Fund if funds are available and appropriated for that purpose and the applicant follows the process for the award of forfeiture fund grants. Neighborhood Crime Watch programs (or any person) may pay for additional signs. Neighborhood Crime Watch signs shall be approved and installed at the discretion of the POD and may be rejected for any reason. Applicants shall only be an active Neighborhood Crime Watch program that has residents who have private video monitoring systems at the time of application and which program agrees that the residents with such private video monitoring systems shall provide unrestricted access to video recordings to any law enforcement agency requesting copies.

SECTION 2. 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 3. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the Ordinance, in which case the Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (designee)



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

I5
①

CITY OF ST. PETERSBURG, PUBLIC HEARING

NAME: Judy Ellis
ADDRESS: 1874 Juarez Way S.
REPRESENTING: Schwood Estates
AGENDA ITEM NO. : I5
FOR: ✓ AGAINST: _____

SEP 19 2013

3 MINUTE TIME LIMIT

Tampa Bay Times

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA }
COUNTY OF Pinellas } S.S.

Before the undersigned authority personally appeared **B. Harr** who on oath says that he/she is **Legal Clerk** of the *Tampa Bay Times* a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a **Legal Notice** in the matter **RE: ST. PETERSBURG PUBLIC HEARING NOTICE - ORDINANCES 81-H, 84-H, 85-H, 86-H** was published in said newspaper in the issues of **Neighborhood Times St Petersburg , 9/8/2013 .**

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

B. Harr

Signature of Affiant

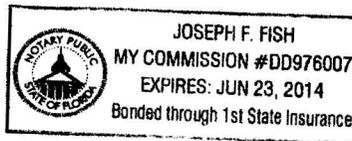
Sworn to and subscribed before me
this **10th** day of **September** A.D.2013

Joseph A. Fish

Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



PUBLIC HEARING NOTICE CITY OF ST. PETERSBURG

PROPOSED ORDINANCE NO. 81-H

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE REGARDING DEMOLITION OF BUILDINGS; AMENDING THE POWERS AND DUTIES OF THE DEVELOPMENT REVIEW COMMISSION; AMENDING THE POWERS AND DUTIES OF THE COMMUNITY PRESERVATION COMMISSION; AMENDING REGULATIONS REGARDING CONSTRUCTION OF STREET INTERSECTIONS; AMENDING REGULATIONS RELATED TO THE RELEASE OF A DECLARATION OF UNITY OF TITLE; CREATING NEW REGULATIONS FOR AN APPLICATION FOR RECONSIDERATION; AMENDING REGULATIONS RELATED TO PRELIMINARY PLATS; AMENDING REGULATIONS RELATED TO FINAL PLATS; AMENDING THE DEFINITION OF GOVERNMENT AND PUBLIC SIGNS; CLARIFYING THE PROHIBITION AGAINST SIGNS ON PUBLIC RIGHTS-OF-WAY OR PUBLIC LANDS; REPEALING THE REQUIREMENT TO PROVIDE PROOF OF OWNERSHIP OR A LEASE OVER SUBMERGED LANDS FOR DOCKS; AMENDING THE USE PERMISSIONS MATRIX TO MAKE CHILD CARE FACILITIES A PERMITTED USE IN THE IC-R/OG ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 84-H

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTIONS 27-3 (k) (1) AND (2), 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), AND SUBSECTIONS 27-284 (a) AND 27-284 (e) OF THE ST. PETERSBURG CITY CODE; CHANGING TERM "SEWER" TO "WASTEWATER"; AMENDING WATER AND WASTEWATER DEPOSIT AMOUNTS; AMENDING BASE CHARGES AND VOLUME CHARGES FOR WATER SERVICE; AMENDING WHOLESALE WATER SERVICE CHARGES FOR THE CITY OF GULFPORT; ADDING LANGUAGE TO CLARIFY INCLUSION OF TAMPA BAY WATER CHARGES; AMENDING BASE AND VOLUME CHARGES AND CONSUMPTION RANGES FOR IRRIGATION ONLY ACCOUNTS; AMENDING RECLAIMED WATER RATES AND CHARGES; AMENDING BASE AND VOLUME CHARGES FOR WASTEWATER SERVICE; AMENDING WASTEWATER SERVICE CHARGES FOR WHOLESALE CUSTOMERS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTAB-

LISHING A DATE TO BEGIN CALCULATING NEW RATES FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 85-H

AN ORDINANCE RELATING TO STORMWATER UTILITY RATES; AMENDING CHAPTER 27, SUBSECTION 27-405(b) RELATING TO STORMWATER SYSTEM UTILITY FEES; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 86-H

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE TO PROVIDE FOR THE REGULATION OF NEIGHBORHOOD CRIME WATCH PROGRAMS AND SIGNS; AUTHORIZING NEIGHBORHOOD VIDEO WATCH SIGNS IN NEIGHBORHOOD WATCH PROGRAM AREAS WHICH MAY HAVE PRIVATE VIDEO SURVEILLANCE CAMERAS; AND PROVIDING AN EFFECTIVE DATE.

Date: September 19, 2013

Time: 6:00 p.m.

City Council Chamber

City Hall, 175 5th Street North

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

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

Eva Andujar, City Clerk

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Attached documents for item Ordinance 81-H amending St. Petersburg City Code, Chapter 16, Land Development Regulations (“LDRs”). (City File LDR-2013-01)

ST. PETERSBURG CITY COUNCIL

Meeting of September 19, 2013

- TO:** The Honorable Karl Nurse, Chair, and Members of City Council
- SUBJECT:** City File LDR-2013-01: Amending City Code Chapter 16, Land Development Regulations.
- REQUEST:** Second reading and second public hearing of the attached ordinance amending the St. Petersburg City Code, Chapter 16, Land Development Regulations (“LDRs”) making clarifications, changes to ensure consistency with federal, state and local law, and other substantive (regulatory) changes.
- ANALYSIS:** The City Attorney’s office has prepared the attached set of proposed amendments to the LDRs. The attachments list the proposed amendments and describe the issues and proposals. The proposed amendments have been generally classified into three (3) types: clarifications, consistency improvements and substantive (regulatory) changes.

- **Clarifications**

Clarifications include the ongoing effort to provide the clearest language in the city code for benefit of staff and customers using the regulations. This amendment package includes nine (9) clarifications.

- **Consistency Improvements**

Consistency improvements maintain consistency with changes in federal, state and local law. This amendment package includes two (2) consistency improvements.

- **Substantive (Regulatory) Changes**

Substantive (regulatory) changes are amendments resulting from new issues that were not originally contemplated or whose need has emerged from staff’s experience in administering the city code. This amendment package includes six (6) substantive (regulatory) changes.

RECOMMENDATION:

Administration:

The Administration recommends APPROVAL.

Development Review Commission:

On July 17, 2013 the Development Review Commission (DRC) reviewed the attached ordinance and unanimously voted to recommend APPROVAL, based on consistency with the Comprehensive Plan.

One (1) additional item has since been added for consideration, Section 17 of the proposed Ordinance.

Citizen Input:

No comments received.

City Council Action:

On September 5, 2013, the City Council conducted the first reading for the proposed ordinance and set the second reading and public hearing for September 19, 2013. A City Council Workshop is scheduled for September 12, 2013 at 1:30 p.m.

Recommended City Council Action:

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

Attachments: Ordinance
DRC Staff Report

ORDINANCE NO.

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE REGARDING DEMOLITION OF BUILDINGS; AMENDING THE POWERS AND DUTIES OF THE DEVELOPMENT REVIEW COMMISSION; AMENDING THE POWERS AND DUTIES OF THE COMMUNITY PRESERVATION COMMISSION; AMENDING REGULATIONS REGARDING CONSTRUCTION OF STREET INTERSECTIONS; AMENDING REGULATIONS RELATED TO THE RELEASE OF A DECLARATION OF UNITY OF TITLE; CREATING NEW REGULATIONS FOR AN APPLICATION FOR RECONSIDERATION; AMENDING REGULATIONS RELATED TO PRELIMINARY PLATS; AMENDING REGULATIONS RELATED TO FINAL PLATS; AMENDING THE DEFINITION OF GOVERNMENT AND PUBLIC SIGNS; CLARIFYING THE PROHIBITION AGAINST SIGNS ON PUBLIC RIGHTS-OF-WAY OR PUBLIC LANDS; REPEALING THE REQUIREMENT TO PROVIDE PROOF OF OWNERSHIP OR A LEASE OVER SUBMERGED LANDS FOR DOCKS; AMENDING THE USE PERMISSIONS MATRIX TO MAKE CHILD CARE FACILITIES A PERMITTED USE IN THE IC-R/OG ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

SECTION 1. Section 16.20.080.8.A. of the St. Petersburg City Code is hereby amended to read as follows:

16.20.080.8. Demolition of buildings.

- A. *Purpose.* Vacant lots along streets within the CCT-2 zoning district are generally detrimental to the goal of promoting a pedestrian oriented area. Vacant lots which are not maintained to certain minimum standards promote visual blight, property maintenance concerns and erosion of soil into the public stormwater management system. The purpose of this section is to minimize the creation of vacant land parcels and ensure the proper treatment and maintenance of any vacant parcels resulting from voluntary demolition within the CCT-2 zoning district.

SECTION 2. Section 16.20.080.8.B. of the St. Petersburg City Code is hereby amended to read as follows:

16.20.080.8. Demolition of buildings.

- B. *Definition(s).* For the purposes of this section, the term "structure of general public interest" means the existing primary or principal building or buildings on any land parcel any existing

building within the CCT-2 zoning district. Accessory structures, structures over submerged land or structures within right-of-way are not included in this definition.

SECTION 3. Section 16.20.120.4.5.A. of the St. Petersburg City Code is hereby amended to read as follows:

16.20.120.4.5. Demolition of Buildings.

- A. Purpose. Vacant lots along certain streets within the DC-C, DC-1, DC-2, DC-3, or DC-P (DC zoning districts) are detrimental to the goal of promoting a pedestrian oriented downtown area. Vacant lots which are not maintained to certain minimum standards promote visual blight, property maintenance concerns and erosion of soil into the public stormwater management system. The purpose of this section is to minimize the creation of vacant land parcels and ensure the proper treatment and maintenance of any vacant parcels resulting from voluntary demolition within the DC zoning districts.

SECTION 4. Section 16.20.120.4.5.B. of the St. Petersburg City Code is hereby amended to read as follows:

16.20.120.4.5. Demolition of Buildings.

- B. Definition(s). For the purposes of this section, the term "structure of general public interest" means the existing primary or principal building or buildings on any land parcel any existing building within the DC zoning districts. Accessory structures, structures over submerged land or structures within right-of-way are not included in this definition.

SECTION 5. Section 16.40.120.3.2. of the St. Petersburg City Code is hereby amended to read as follows:

16.40.120.3.2. Exempt signs.

Government and public signs. Informational, directional and regulatory signs located within rights-of-way or on publicly-owned land that are installed by the City or other governmental signs installed with the approval of the City. Official regulatory or warning signs upon any body of water (river, bay, lake, or other body of water) within the limits of the City, informational or directional signs installed by the City or with the approval of the City upon any body of water within the limits of the City in connection with a water path or paddling trail. Such signs shall not exceed nine square feet unless a larger sign is required by law.

SECTION 6. Section 16.40.120.3.3. of the St. Petersburg City Code is hereby amended to read as follows:

16.40.120.3.3. Prohibited signs.

Signs that are located within or project over rights-of-way, publicly-owned lands, or easements for the use of the City or public utility service providers, except government and public signs ~~installed by the City or with the approval of the City~~. Such prohibited signs shall include, but are not limited to, handbills, posters, advertisements, or notices that are attached in any way to or upon lampposts, telephone poles, utility poles, bridges, sidewalks, or other public property or improvements. The person or business who owns or is advertised or identified on the sign shall be presumed to have permitted the placement of the sign in the absence of evidence to the contrary and may be cited for a violation of this section, as may the person or business installing the sign.

SECTION 7. Section 16.40.140.4.1.J.5. of the St. Petersburg City Code is hereby amended to read as follows:

16.40.140.4.1. - Streets.

J. *Intersections.* Street intersections shall be designed and constructed as follows:

5. *Corner radii.* A minimum radius or diagonal cutoff of 25 feet shall be provided at the property lines of all intersections, unless such radii would be inconsistent with the existing platted pattern of the area and the additional area is not required for necessary street or intersection improvements. A greater radius or diagonal cutoff may be required at the intersection of any street with a major street. This radius may be provided by the dedication as a portion of the ~~street right-of-way or as an easement for street purposes~~.

SECTION 8. Section 16.50.130.9.8. of the St. Petersburg City Code is hereby repealed.

~~**16.50.130.9.8. - Ownership.**~~

~~Upon submission of an application, the applicant shall provide evidence of ownership or a written lease of the submerged land upon which work is proposed. Such evidence of ownership may include, in the discretion of the POD, an affidavit of ownership executed by the owner of the property or may include the review of State laws which provides that a lease is not required for sovereign submerged lands at the location.~~

SECTION 9. Section 16.70.010.12.F. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.010.12. - Declarations of unity of title.

F. The POD is authorized on behalf of the City to release a declaration of unity of title. Such release shall be granted only when it is determined by the POD that the development order has expired or has been revoked or abandoned, there is a material or substantial change in circumstances, or ~~and~~ that the declaration is no longer necessary or required. The POD is further authorized on behalf of the City to approve changes or amendments to a recorded declaration of unity of title when necessary to correct errors, mistakes or changes in circumstances.

SECTION 10. The St. Petersburg City Code is hereby amended by adding a new section 16.70.010.13. to read as follows:

16.70.010.13. Application for reconsideration.

If a Commission approves or approves with conditions, a variance, a permit, street closure, a certificate of appropriateness or a certificate of occupancy, and if the action of the Commission is not reversed by City Council or a court of competent jurisdiction, the same or substantially similar application shall not be accepted by the POD, regardless of a change in the property ownership, unless the applicant can demonstrate that one or more of the following has occurred since the Commission approval: 1) a change in local, state or federal laws which would impact the approval; 2) a substantial change in the conditions or character of the land or structure subject to the approval; 3) unavailability of materials necessary to meet or complete one or more of the conditions of approval; 4) new information which by due diligence could not have been obtained at the time of the Commission approval; or 5) the proposed change contributes toward furthering the goals, objectives and policies of the Comprehensive Plan and/or the purpose and intent of the Land Development Regulations.

Any application for reconsideration of an approval for which construction has begun, is occurring or completed and which the application violates, or request removal of, the conditions of approval shall not be accepted by the POD.

SECTION 11. Section 16.70.050.1.7.B.1. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.050.1.7. - Preliminary plat.

B. *Application.* An application shall include the following information in addition to the information that the POD may generally require for a preliminary plat application:

1. A black ~~or blue~~ line print of the subject property prepared by a registered surveyor at a scale of not less than 100 feet to the inch, meeting all the requirements of this chapter and F.S. ch. 177. The preliminary plat shall include the following information:

a. The subdivision title, date, north point, scale and a brief description, including township and range. The title shall as nearly as possible identify the area of the City in which the proposed subdivision is located;

b. The name and the address of the owner; and the surveyor ~~and the engineer of the land planner~~; if the property is owned by a corporation or company, the name and address of its president or other responsible party ~~and secretary~~ shall be given;

c. The boundaries and dimensions of the tract to be subdivided;

d. Wooded areas, marshes, preservation areas and other conditions affecting the site;

e. The location of existing and proposed property lines, streets, watercourses, railroads, bridges, power transmission and distribution lines, sewer, gas and water mains, culverts and drainpipes, city limits and any public utility easements on the land to be subdivided ~~and on the land immediately adjoining for a distance of at least 150 feet~~; also the location of all structures on the land to be subdivided ~~and on the land within ten feet thereof~~; and the exact location of the intersections of all adjacent streets within the boundary of the proposed plat shall be given;

f. The names of the adjoining subdivisions;

g. The locations, dimensions and purposes of proposed rights-of-way, easements and waterways; street names; and pavement widths when unusual intersections occur or medians or planter islands are proposed or when paving width in excess of 24 feet is required;

h. The proposed lot lines, lot and block numbers, and approximate dimensions;

i. The approximate radii of all curves;

- j. On acreage or fill areas, a tie to the nearest section corner, quarter section or other known point;
- k. When topography controls the street and lot layout, approximate contours with a vertical interval of not more than one foot referred to city datum;
- l. Existing and proposed parks, school sites or other public open spaces; ~~both on the plat and within 150 feet of the plat;~~
- m. Plat language, when required in conjunction with special developments or conditions.

SECTION 12. Section 16.70.050.1.7.C.1. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.050.1.7. - Preliminary plat.

C. *Procedure.*

1. Upon receipt of the preliminary plat, the POD shall determine whether the application complies with all applicable requirements contained in the Land Development Regulations, Florida Statutes and any conditions imposed by any Commission ~~the Development Review Commission, Planning and Visioning Commission, Community Preservation Commission~~ or City Council. If the POD determines that the preliminary plat application complies and that approval of the application requires no variance from any applicable requirement, the preliminary plat application shall be approved.

If the POD determines that the application does not comply, the POD shall identify the application's deficiencies and shall either deny the application or, if the applicant applies for a variance, withhold approval pending approval of the variance.

SECTION 13. Section 16.70.050.1.8.B. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.050.1.8. - Final plat.

B. *Application.* An application shall include the following information in addition to the information that the POD may generally require for a final plat application:

~~1. The original tracing of the final plat and an additional number of black or blue line prints of the final plat. The number of copies required shall be established by the POD.~~

~~a. All land within the boundaries of the plat shall be accounted for either by blocks; and lots, out-lots, parks, streets, and alleys and ~~excepted~~ parcels. No parcel of land shall be reserved by the owner when recording a subdivision unless the parcel meets the minimum lot requirements of the Land Development Regulations.~~

~~2. Three copies of each of the final plans and specifications for stormwater management, the sanitary sewer system, sidewalks, seawall, when required, and a detailed cost estimate of all required improvements.~~

~~32. The final plat shall be prepared on-line in the manner prescribed by law and include. The final plans and specifications shall be prepared by a professional engineer, registered and licensed in the State of Florida, and shall provide, at a minimum, the following information:~~

- ~~a. The title, including the name and a brief description of the property being subdivided, and the names of the City, county and State;~~
- ~~b. The date, the true north point and the graphic scale;~~
- ~~c. The names, designations or purposes of all proposed streets, alleys, easements, waterways and areas to be dedicated to public use;~~
- ~~d. The lot and block designations;~~
- ~~e. The boundary lines with accurate distances and bearings;~~
- ~~f. Sufficient data to determine readily and reproduce accurately on the ground the location, bearing and length of every street and alley line, lot line, easement boundary line and block line, whether straight or curved; this shall include the radii, arcs and chords of all curves;~~
- ~~g. All dimensions accurate to the nearest 0.01 of a foot and angles to the nearest second;~~
- ~~h. The accurate location of all monuments and the designation of specific control corners in conformance with this article and F.S. Ch. 177;~~
- ~~i. Any conditions as required by the POD, any ~~or~~ Development Review Commission, or City Council in conjunction with preliminary plat approval.~~

SECTION 14. Section 16.70.050.1.8.C.1. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.050.1.8. - Final plat.

C. Procedure.

1. Upon identifying the method of guaranteeing installation of required improvements and determining that all requirements have been met, the POD may recommend approval of the mylar ~~original linen~~ tracing of the plat, subject to approval by the City Council and the Mayor. The POD may deny approval of a final plat which does not comply with the Land Development Regulations or conditions applicable to plat approval or for other good cause.

SECTION 15. Section 16.80.020.1.A. of the St. Petersburg City Code is hereby amended to read as follows:

16.80.020.1. Powers and duties.

- A. There is hereby created a Development Review Commission (DRC) to evaluate and act on the development proposals within the City in order to ensure compliance with the Comprehensive Plan, zoning ordinance and other appropriate city regulations, and to act as the Land Development Regulation Commission (LDRC) for the purposes of and as required by the Local Government Comprehensive Planning and Land Development Regulation Act to review and evaluate proposed modifications to the Land Development Regulations, except as to certain historic and archaeological preservation matters where the Community Preservation Commission will serve as the LDRC.

SECTION 16. Section 16.80.030.1.A. of the St. Petersburg City Code is hereby amended to read as follows:

16.80.030.1. Powers and duties.

- A. There is hereby created a Community Preservation Commission (CPC) to review certain variance requests, redevelopment plans, reinstatement of abandoned grandfathered uses, to act on historic and archaeological matters, to act as the Land Development Regulation Commission (LDRC) for the purposes of and as required by the Local Government Comprehensive Planning and Land Development Regulation Act to review and evaluate proposed modifications to the Land Development Regulations related to historic and archaeological preservation, to review and evaluate proposed historic designations, certificates of appropriateness and any other action to be performed pursuant to the Historic and Archaeological Preservation Overlay Section (currently Sec. 16.30.070), and to perform all duties required by the City of St. Petersburg's Certified Local Government Statutes awarded by the State.

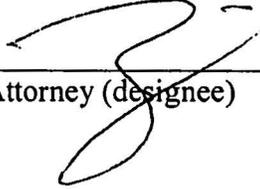
SECTION 17. The allowable uses for 'Child Care Facility' in the following zoning district (the use designation in all other zoning districts remains unchanged) in Section 16.10.020.1 of the St. Petersburg City Code is hereby amended to read as follows:

SECTION 18. Words that are ~~struck through~~ shall be deleted from the existing City Code and language which is underlined shall be added to the existing City Code. Provisions not specifically amended shall continue in full force and effect.

SECTION 19. 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 20. 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 content:



City Attorney (designee)



PUBLIC HEARING

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

For Public Hearing on July 17, 2013
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

Subject: City File LDR 2013-01: Amendments to the Land Development Regulations, Chapter 16, City Code of Ordinances.

Request: It is requested that the Development Review Commission (DRC) review and recommend approval of the attached proposed amendments to the Land Development Regulations (LDRs), based on consistency with the Comprehensive Plan. Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the Land Development Regulation Commission (LDRC), is responsible for reviewing and making a recommendation to the City Council on all proposed LDR amendments.

Background: The City Attorney's office has suggested clarifications to existing code language as well as changes to ensure consistency with current county and state regulations. Clarifications and changes for consistency purposes are part of the ongoing effort to provide the clearest language in the city code for benefit of staff and customers using the regulations as well as uniformity with county and state regulations and laws.

Proposal: The City Attorney's office, working with various City departments, has prepared the attached proposal to amend the Land Development Regulations (LDRs), Chapter 16, City Code of Ordinances. The proposal includes 16 items for consideration. These issues are generally classified into one of four categories: technical corrections (0); clarifications (9); policy items (5); and changes to ensure consistency with county and state regulations (2). These amendments involve aspects of the LDRs that are applied city-wide.

Housing Affordability Impact Statement:

The proposed amendments will have no impact on housing affordability, availability or accessibility. A Housing Affordability Impact Statement is attached.

Compliance with the Comprehensive Plan:

The following objectives and policies from the City's Comprehensive Plan are applicable to the attached proposed amendments:

Objective V1: When considering the probable use of land in a development application, the principles and recommendations noted in the Vision Element should be considered where applicable.

Policy V1.1: Development decisions and strategies shall integrate the guiding principles found in the Vision Element with sound planning principles followed in the formal planning process.

Objective LU7: The City will continue to revise and amend the land development regulations, as necessary, to ensure compliance with the requirements of Chapter 163.3202, Florida Statutes and Chapter 9J-24 F.A.C. The City will amend its land development regulations consistent with the requirements of Chapter 163.3202, Florida Statutes and Chapter 9J-24 F.A.C. so that future growth and development will continue to be managed through the preparation, adoption, implementation and enforcement of land development regulations that are consistent with the Comprehensive Plan.

Policy LU7.1: Pursuant to the requirements of Chapter 163.3202 F.S. and Chapter 9J-24 F.A.C. the land development regulations will be amended, as necessary, to ensure consistency with the goals, objectives and policies of the Comprehensive Plan.

Objective LU20: The City shall, on an ongoing basis, review and consider for adoption, amendments to existing and/or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.

Policy LU20.1: The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.

Recommendation:

The Planning and Economic Development Department finds that the proposed amendments to the Land Development Regulations, Chapter 16, City Code of Ordinances, are consistent with the Comprehensive Plan and recommends APPROVAL.

Process:

The Planning and Economic Development Department is prepared to bring forward these proposed amendments for the required one (1) public hearing at City Council's regularly scheduled meeting tentatively scheduled for August 22, 2013.

Attachment:

Ordinance to Amend the LDRs

IV: Certification

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

CHECK ONE:



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

David A. Killbome

Department Director (signature)

07.10.2013

Date

OR

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

Department Director (signature)

Date

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

ORDINANCE NO.

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE REGARDING DEMOLITION OF BUILDINGS; AMENDING THE POWERS AND DUTIES OF THE DEVELOPMENT REVIEW COMMISSION; AMENDING THE POWERS AND DUTIES OF THE COMMUNITY PRESERVATION COMMISSION; AMENDING REGULATIONS REGARDING CONSTRUCTION OF STREET INTERSECTIONS; AMENDING REGULATIONS RELATED TO THE RELEASE OF A DECLARATION OF UNITY OF TITLE; CREATING NEW REGULATIONS FOR AN APPLICATION FOR RECONSIDERATION; AMENDING REGULATIONS RELATED TO PRELIMINARY PLATS; AMENDING REGULATIONS RELATED TO FINAL PLATS; AMENDING THE DEFINITION OF GOVERNMENT AND PUBLIC SIGNS; CLARIFYING THE PROHIBITION AGAINST SIGNS ON PUBLIC RIGHTS-OF-WAY OR PUBLIC LANDS; REPEALING THE REQUIREMENT TO PROVIDE PROOF OF OWNERSHIP OR A LEASE OVER SUBMERGED LANDS FOR DOCKS; AMENDING THE USE PERMISSIONS MATRIX TO MAKE CHILD CARE FACILITIES A PERMITTED USE IN THE IC-R/OG ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

SECTION 1. Section 16.20.080.8.A. of the St. Petersburg City Code is hereby amended to read as follows:

16.20.080.8. Demolition of buildings.

- A. *Purpose.* Vacant lots along streets within the CCT-2 zoning district are generally detrimental to the goal of promoting a pedestrian oriented area. Vacant lots which are not maintained to certain minimum standards promote visual blight, property maintenance concerns and erosion of soil into the public stormwater management system. The purpose of this section is to minimize the creation of vacant land parcels and ensure the proper treatment and maintenance of any vacant parcels resulting from voluntary demolition within the CCT-2 zoning district.

SECTION 2. Section 16.20.080.8.B. of the St. Petersburg City Code is hereby amended to read as follows:

16.20.080.8. Demolition of buildings.

- B. *Definition(s).* For the purposes of this section, the term "structure of general public interest" means the existing primary or principal building or buildings on any land parcel ~~any existing~~

~~building~~ within the CCT-2 zoning district. Accessory structures, structures over submerged land or structures within right-of-way are not included in this definition.

SECTION 3. Section 16.20.120.4.5.A. of the St. Petersburg City Code is hereby amended to read as follows:

16.20.120.4.5. Demolition of Buildings.

- A. Purpose. Vacant lots along certain streets within the DC-C, DC-1, DC-2, DC-3, or DC-P (DC zoning districts) are detrimental to the goal of promoting a pedestrian oriented downtown area. Vacant lots which are not maintained to certain minimum standards promote visual blight, property maintenance concerns and erosion of soil into the public stormwater management system. The purpose of this section is to minimize the creation of vacant land parcels and ensure the proper treatment and maintenance of any vacant parcels resulting from voluntary demolition within the DC zoning districts.

SECTION 4. Section 16.20.120.4.5.B. of the St. Petersburg City Code is hereby amended to read as follows:

16.20.120.4.5. Demolition of Buildings.

- B. Definition(s). For the purposes of this section, the term "structure of general public interest" means the existing primary or principal building or buildings on any land parcel ~~any existing building~~ within the DC zoning districts. Accessory structures, structures over submerged land or structures within right-of-way are not included in this definition.

SECTION 5. Section 16.40.120.3.2. of the St. Petersburg City Code is hereby amended to read as follows:

16.40.120.3.2. Exempt signs.

Government and public signs. Informational, directional and regulatory signs located within rights-of-way or on publicly-owned land that are installed by the City or other governmental signs installed with the approval of the City. Official regulatory or warning signs upon any body of water (river, bay, lake, or other body of water) within the limits of the City, informational or directional signs installed by the City or with the approval of the City upon any body of water within the limits of the City in connection with a water path or paddling trail. Such signs shall not exceed nine square feet unless a larger sign is required by law.

SECTION 6. Section 16.40.120.3.3. of the St. Petersburg City Code is hereby amended to read as follows:

16.40.120.3.3. Prohibited signs.

Signs that are located within or project over rights-of-way, publicly-owned lands, or easements for the use of the City or public utility service providers, except government and public signs ~~installed by the City or with the approval of the City~~. Such prohibited signs shall include, but are not limited to, handbills, posters, advertisements, or notices that are attached in any way to or upon lampposts, telephone poles, utility poles, bridges, sidewalks, or other public property or improvements. The person or business who owns or is advertised or identified on the sign shall be presumed to have permitted the placement of the sign in the absence of evidence to the contrary and may be cited for a violation of this section, as may the person or business installing the sign.

SECTION 7. Section 16.40.140.4.1.J.5. of the St. Petersburg City Code is hereby amended to read as follows:

16.40.140.4.1. - Streets.

J. *Intersections.* Street intersections shall be designed and constructed as follows:

5. *Corner radii.* A minimum radius or diagonal cutoff of 25 feet shall be provided at the property lines of all intersections, unless such radii would be inconsistent with the existing platted pattern of the area and the additional area is not required for necessary street or intersection improvements. A greater radius or diagonal cutoff may be required at the intersection of any street with a major street. This radius may be provided by the dedication as a portion of the ~~street~~ right-of-way ~~or as an easement for street purposes~~.

SECTION 8. Section 16.50.130.9.8. of the St. Petersburg City Code is hereby repealed.

~~16.50.130.9.8. - Ownership.~~

~~Upon submission of an application, the applicant shall provide evidence of ownership or a written lease of the submerged land upon which work is proposed. Such evidence of ownership may include, in the discretion of the POD, an affidavit of ownership executed by the owner of the property or may include the review of State laws which provides that a lease is not required for sovereign submerged lands at the location.~~

SECTION 9. Section 16.70.010.12.F. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.010.12. - Declarations of unity of title.

F. The POD is authorized on behalf of the City to release a declaration of unity of title. Such release shall be granted only when it is determined by the POD that the development order has expired or has been revoked or abandoned, there is a material or substantial change in circumstances, or ~~and~~ that the declaration is no longer necessary or required. The POD is further authorized on behalf of the City to approve changes or amendments to a recorded declaration of unity of title when necessary to correct errors, mistakes or changes in circumstances.

SECTION 10. The St. Petersburg City Code is hereby amended by adding a new section 16.70.010.13. to read as follows:

16.70.010.13. Application for reconsideration.

If a Commission approves or approves with conditions, a variance, a permit, street closure, a certificate of appropriateness or a certificate of occupancy, and if the action of the Commission is not reversed by City Council or a court of competent jurisdiction, the same or substantially similar application shall not be accepted by the POD, regardless of a change in the property ownership, unless the applicant can demonstrate that one or more of the following has occurred since the Commission approval: 1) a change in local, state or federal laws which would impact the approval; 2) a substantial change in the conditions or character of the land or structure subject to the approval; 3) unavailability of materials necessary to meet or complete one or more of the conditions of approval; 4) new information which by due diligence could not have been obtained at the time of the Commission approval; or 5) the proposed change contributes toward furthering the goals, objectives and policies of the Comprehensive Plan and/or the purpose and intent of the Land Development Regulations.

Unless one of the exceptions in this subsection applies, any application for reconsideration of an approval after construction has begun, is occurring or has been completed, which requests removal or substantial modification of any of the conditions of approval, whether or not those conditions have been violated, shall not be accepted by the POD.

SECTION 11. Section 16.70.050.1.7.B.1. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.050.1.7. - Preliminary plat.

B. *Application.* An application shall include the following information in addition to the information that the POD may generally require for a preliminary plat application:

1. A black ~~or blue~~ line print of the subject property prepared by a registered surveyor at a scale of not less than 100 feet to the inch, meeting all the requirements of this chapter and F.S. ch. 177. The preliminary plat shall include the following information:

a. The subdivision title, date, north point, scale and a brief description, including township and range. The title shall as nearly as possible identify the area of the City in which the proposed subdivision is located;

b. The name and the address of the owner; and the surveyor ~~and the engineer of the land planner~~; if the property is owned by a corporation or company, the name and address of its president or other responsible party ~~and secretary~~ shall be given;

c. The boundaries and dimensions of the tract to be subdivided;

d. Wooded areas, marshes, preservation areas and other conditions affecting the site;

e. The location of existing and proposed property lines, streets, watercourses, railroads, bridges, power transmission and distribution lines, sewer, gas and water mains, culverts and drainpipes, city limits and any public utility easements on the land to be subdivided ~~and on the land immediately adjoining for a distance of at least 150 feet~~; also the location of all structures on the land to be subdivided ~~and on the land within ten feet thereof~~; and the exact location of the intersections of all adjacent streets within the boundary of the proposed plat shall be given;

f. The names of the adjoining subdivisions;

g. The locations, dimensions and purposes of proposed rights-of-way, easements and waterways; street names; and pavement widths when unusual intersections occur or medians or planter islands are proposed or when paving width in excess of 24 feet is required;

h. The proposed lot lines, lot and block numbers, and approximate dimensions;

i. The approximate radii of all curves;

- j. On acreage or fill areas, a tie to the nearest section corner, quarter section or other known point;
- k. When topography controls the street and lot layout, approximate contours with a vertical interval of not more than one foot referred to city datum;
- l. Existing and proposed parks, school sites or other public open spaces, ~~both on the plat and within 150 feet of the plat;~~
- m. Plat language, when required in conjunction with special developments or conditions.

SECTION 12. Section 16.70.050.1.7.C.1. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.050.1.7. - Preliminary plat.

C. *Procedure.*

1. Upon receipt of the preliminary plat, the POD shall determine whether the application complies with all applicable requirements contained in the Land Development Regulations, Florida Statutes and any conditions imposed by any Commission ~~the Development Review Commission, Planning and Visioning Commission, Community Preservation Commission~~ or City Council. If the POD determines that the preliminary plat application complies and that approval of the application requires no variance from any applicable requirement, the preliminary plat application shall be approved.

If the POD determines that the application does not comply, the POD shall identify the application's deficiencies and shall either deny the application or, if the applicant applies for a variance, withhold approval pending approval of the variance.

SECTION 13. Section 16.70.050.1.8.B. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.050.1.8. - Final plat.

B. *Application.* An application shall include the following information in addition to the information that the POD may generally require for a final plat application:

1. ~~The original tracing of the final plat and an additional number of black or blue line prints of the final plat.~~ The number of copies required shall be established by the POD.

a. All land within the boundaries of the plat shall be accounted for ~~either~~ by blocks; and lots, out-lots, parks, streets, and alleys ~~and excepted parcels~~. No parcel of land shall be reserved by the owner when recording a subdivision unless the parcel meets the minimum lot requirements of the Land Development Regulations.

2. ~~Three copies of each of the final plans and specifications for stormwater management, the sanitary sewer system, sidewalks, seawall, when required, and a detailed cost estimate of all required improvements.~~

32. The final plat shall be prepared ~~on-line~~ in the manner prescribed by law and include. ~~The final plans and specifications shall be prepared by a professional engineer, registered and licensed in the State of Florida, and shall provide, at a minimum, the following information:~~

a. ~~The title, including the name and a brief description of the property being subdivided, and the names of the City, county and State;~~

b. ~~The date, the true north point and the graphic scale;~~

c. ~~The names, designations or purposes of all proposed streets, alleys, easements, waterways and areas to be dedicated to public use;~~

d. ~~The lot and block designations;~~

e. ~~The boundary lines with accurate distances and bearings;~~

f. ~~Sufficient data to determine readily and reproduce accurately on the ground the location, bearing and length of every street and alley line, lot line, easement boundary line and block line, whether straight or curved; this shall include the radii, arcs and chords of all curves;~~

g. ~~All dimensions accurate to the nearest 0.01 of a foot and angles to the nearest second;~~

h. ~~The accurate location of all monuments and the designation of specific control corners in conformance with this article and F.S. Ch. 177;~~

i. ~~Any conditions as required by the POD, any or Development Review Commission, or City Council in conjunction with preliminary plat approval.~~

SECTION 14. Section 16.70.050.1.8.C.1. of the St. Petersburg City Code is hereby amended to read as follows:

16.70.050.1.8. - Final plat.

C. Procedure.

1. Upon identifying the method of guaranteeing installation of required improvements and determining that all requirements have been met, the POD may recommend approval of the mylar ~~original line~~ tracing of the plat, subject to approval by the City Council and the Mayor. The POD may deny approval of a final plat which does not comply with the Land Development Regulations or conditions applicable to plat approval or for other good cause.

SECTION 15. Section 16.80.020.1.A. of the St. Petersburg City Code is hereby amended to read as follows:

16.80.020.1. Powers and duties.

- A. There is hereby created a Development Review Commission (DRC) to evaluate and act on the development proposals within the City in order to ensure compliance with the Comprehensive Plan, zoning ordinance and other appropriate city regulations, and to act as the Land Development Regulation Commission (LDRC) for the purposes of and as required by the Local Government Comprehensive Planning and Land Development Regulation Act to review and evaluate proposed modifications to the Land Development Regulations, except as to certain historic and archaeological preservation matters where the Community Preservation Commission will serve as the LDRC.

SECTION 16. Section 16.80.030.1.A. of the St. Petersburg City Code is hereby amended to read as follows:

16.80.030.1. Powers and duties.

- A. There is hereby created a Community Preservation Commission (CPC) to review certain variance requests, redevelopment plans, reinstatement of abandoned grandfathered uses, to act on historic and archaeological matters, to act as the Land Development Regulation Commission (LDRC) for the purposes of and as required by the Local Government Comprehensive Planning and Land Development Regulation Act to review and evaluate proposed modifications to the Land Development Regulations related to historic and archaeological preservation, to review and evaluate proposed historic designations, certificates of appropriateness and any other action to be performed pursuant to the Historic and Archaeological Preservation Overlay Section (currently Sec. 16.30.070), and to perform all duties required by the City of St. Petersburg's Certified Local Government Statutes awarded by the State.

SECTION 17. The allowable uses for 'Child Care Facility' in the following zoning district (the use designation in all other zoning districts remains unchanged) in Section 16.10.020.1 of the St. Petersburg City Code is hereby amended to read as follows:

SECTION 18. Words that are ~~struck through~~ shall be deleted from the existing City Code and language which is underlined shall be added to the existing City Code. Provisions not specifically amended shall continue in full force and effect.

SECTION 19. 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 20. 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 content:

City Attorney (designee)

Tampa Bay Times

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF Pinellas

} S.S.

Before the undersigned authority personally appeared **B. Harr** who on oath says that he/she is **Legal Clerk** of the *Tampa Bay Times* a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a **Legal Notice** in the matter **RE: ST. PETERSBURG PUBLIC HEARING NOTICE - ORDINANCES 81-H, 84-H, 85-H, 86-H** was published in said newspaper in the issues of **Neighborhood Times St Petersburg , 9/8/2013 .**

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

B. Harr

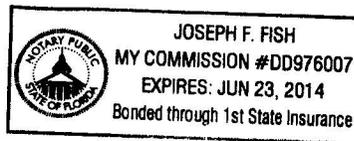
Signature of Affiant

Sworn to and subscribed before me
this 10th day of **September** A.D.2013

Joseph F. Fish
Signature of Notary Public

Personally known X or produced indentification

Type of indentification produced _____



Ille

PUBLIC HEARING NOTICE CITY OF ST. PETERSBURG

PROPOSED ORDINANCE NO. 81-H

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE REGARDING DEMOLITION OF BUILDINGS; AMENDING THE POWERS AND DUTIES OF THE DEVELOPMENT REVIEW COMMISSION; AMENDING THE POWERS AND DUTIES OF THE COMMUNITY PRESERVATION COMMISSION; AMENDING REGULATIONS REGARDING CONSTRUCTION OF STREET INTERSECTIONS; AMENDING REGULATIONS RELATED TO THE RELEASE OF A DECLARATION OF UNITY OF TITLE; CREATING NEW REGULATIONS FOR AN APPLICATION FOR RECONSIDERATION; AMENDING REGULATIONS RELATED TO PRELIMINARY PLATS; AMENDING REGULATIONS RELATED TO FINAL PLATS; AMENDING THE DEFINITION OF GOVERNMENT AND PUBLIC SIGNS; CLARIFYING THE PROHIBITION AGAINST SIGNS ON PUBLIC RIGHTS-OF-WAY OR PUBLIC LANDS; REPEALING THE REQUIREMENT TO PROVIDE PROOF OF OWNERSHIP OR A LEASE OVER SUBMERGED LANDS FOR DOCKS; AMENDING THE USE PERMISSIONS MATRIX TO MAKE CHILD CARE FACILITIES A PERMITTED USE IN THE IC-R/OG ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 84-H

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTIONS 27-3 (k) (1) AND (2), 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), AND SUBSECTIONS 27-284 (a) AND 27-284 (e) OF THE ST. PETERSBURG CITY CODE; CHANGING TERM "SEWER" TO "WASTEWATER"; AMENDING WATER AND WASTEWATER DEPOSIT AMOUNTS; AMENDING BASE CHARGES AND VOLUME CHARGES FOR WATER SERVICE; AMENDING WHOLESALE WATER SERVICE CHARGES FOR THE CITY OF GULFPORT; ADDING LANGUAGE TO CLARIFY INCLUSION OF TAMPA BAY WATER CHARGES; AMENDING BASE AND VOLUME CHARGES AND CONSUMPTION RANGES FOR IRRIGATION ONLY ACCOUNTS; AMENDING RECLAIMED WATER RATES AND CHARGES; AMENDING BASE AND VOLUME CHARGES FOR WASTEWATER SERVICE; AMENDING WASTEWATER SERVICE CHARGES FOR WHOLESALE CUSTOMERS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTAB-

LISHING A DATE TO BEGIN CALCULATING NEW RATES FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 85-H

AN ORDINANCE RELATING TO STORMWATER UTILITY RATES; AMENDING CHAPTER 27, SUBSECTION 27-405(b) RELATING TO STORMWATER SYSTEM UTILITY FEES; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 86-H

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE TO PROVIDE FOR THE REGULATION OF NEIGHBORHOOD CRIME WATCH PROGRAMS AND SIGNS; AUTHORIZING NEIGHBORHOOD VIDEO WATCH SIGNS IN NEIGHBORHOOD WATCH PROGRAM AREAS WHICH MAY HAVE PRIVATE VIDEO SURVEILLANCE CAMERAS; AND PROVIDING AN EFFECTIVE DATE.

Date: September 19, 2013

Time: 6:00 p.m.

City Council Chamber

City Hall, 175 5th Street North

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

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

Eva Andujar, City Clerk

Attached documents for item Open Forum

OPEN FORUM SIGN-UP

Council Meeting Date: 9-19-13

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

Please Print

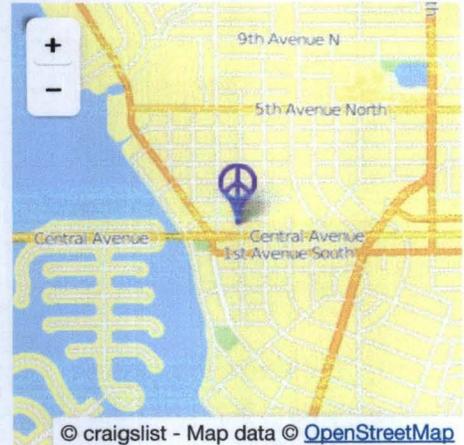
<u>Name</u>	<u>Address</u>	<u>Subject</u>
1.	✓ Monica Abbott, 74 Annex 1 St.	Foreclosure Registry
2.	✓ DAN HARVEY TR	CAC Edge UCT
3.
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13.

Reply 5nbwn-4049947193@hous.craigslist.org [2]

flag [2]: [miscategorized](#) [prohibited](#) [spam](#) [best of](#)

Posted: 2013-09-06, 11:10AM EDT

- \$900 / 4br - 4000ft² - Sober Living for Men (South Pasadena)



4BR /4Ba 4000ft² house
w/d in unit, detached garage



Sober living for men available. Beautifully remodeled single family house. Must be working or looking for employment, school, or volunteer, but must be busy. Mandatory daily meetings. Sponsor. Home is close to bus lines, grocery store, meetings and beach. Must be serious about your recovery. We practice ZERO tolerance. Rent is \$900 per month with a \$250 security deposit. Three month minimum stay. Call Tammy 727-463-5079 for more information.

- Location: South Pasadena
- it's NOT ok to contact this poster with services or other commercial interests

Posting ID: 4049947193 Posted: 2013-09-06, 11:10AM EDT

[email to a friend](#)

[Stating a discriminatory preference in a housing post is illegal](#) - please flag such posts as prohibited [More info](#)

[Avoid scams, deal locally!](#) **DO NOT wire money (Western Union, Moneygram)**, or rent a unit sight unseen [More info](#)

FORMAT: [mobile](#) [regular](#)

*open 9/19/13
forum
Mmika Abbott*

Attached documents for item Awards

CITY COUNCIL AGENDA AWARDS & PRESENTATIONS

September 12, 2013

TO: The Honorable Members of City Council

SUBJECT: Presentation by Members of the City Beautiful Commission and Consultant Phil Stager

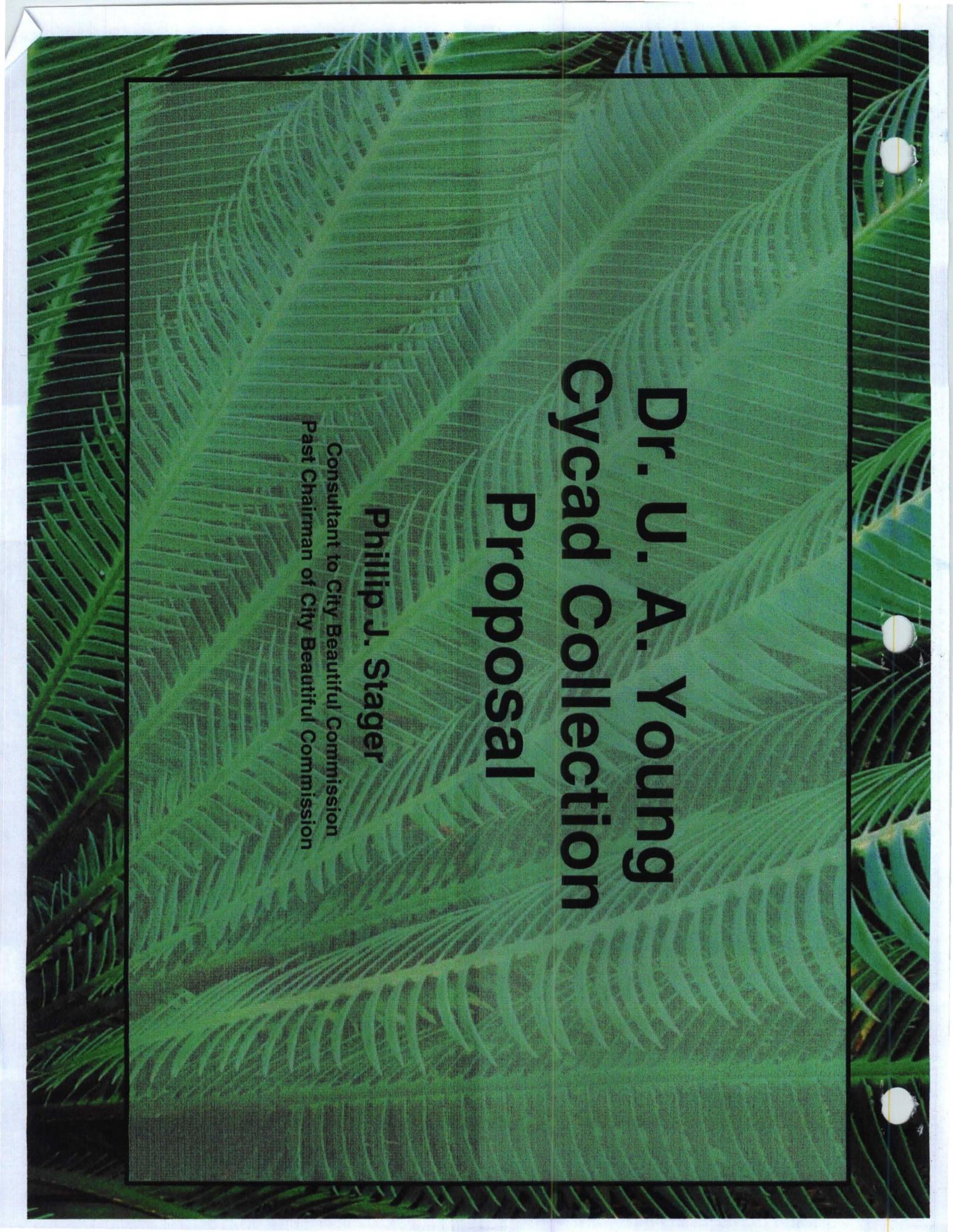
SCHEDULE FOR COUNCIL ON:

September 19, 2013

The City Beautiful Commission is trying to get some funding from the City for the purchase of a "Cycad" Palm Collection. This is a Collection from Dr. Young (Tampa) who has the largest collection in North America.

William "Bill" Dudley
District 3

*Awards
(1)*



Dr. U. A. Young
Cycad Collection
Proposal

Phillip J. Stager

Consultant to City Beautiful Commission
Past Chairman of City Beautiful Commission

Dr. U. A. Young Cycad Collection

Proposal



- **Procure the largest private, rare cycad collection in Florida**
- **From Dr. U. A. Young estate, Tampa**
- **Relocate to two premier City parks**
 - **Gizella Kopsick Palm Arboretum**
 - **Sunken Gardens**
- **Presents a unique opportunity to acquire world-class cycad collection**
- **Fleeting opportunity**

Young Cycad Collection

Photos – Cycad Garden, Young Estate



Young Cycad Collection

Photos – Cycad Garden, Young Estate





Young Cycad Collection

Photos – Cycad Garden, Young Estate



Young Cycad Collection

Photos – Cycad Garden, Young Estate



Young Cycad Collection

Photos – Cycad Garden, Young Estate



Young Cycad Collection

Photos – Cycad Garden, Lotusland



Young Cycad Collection

Photos – Cycad Garden, Kirstenbosch

Young Cycad Collection

Photos – Young Estate Cycad, white cone



Young Cycad Collection

Photos – Cycad, quad cones



Young Cycad Collection

Photos – GKPA Cycad, red cone



Young Cycad Collection

Photos - GKPA Cycad, open pattern, open garden



Young Cycad Collection

Why Cycads - Historical Value



- *Oldest seed-bearing plant on planet*
- *Trace back 300M years*
- *Cycad fossils found with dinosaur bones*
- *Survived three major extinction events*

Young Cycad Collection

Why Cycads – Horticultural Value



- **Positive impact to Parks & Rec Budget**
 - “Cheaper than turf grass”
- **Listed in UF “Florida Friendly” plant list**
 - *Low maintenance*
 - *Drought tolerant*
 - *Typically very long life spans*
 - *Resistant to*
 - Disease*
 - Pests*
 - Hurricanes*
- **Among most sought-after plants**

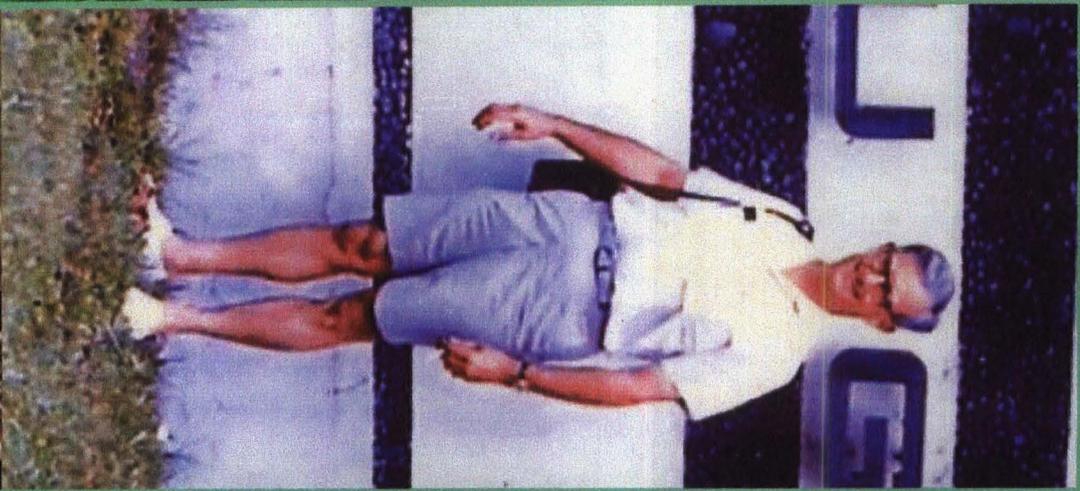
Botanical Gardens

Public Plantings

Private Collectors

Young Cycad Collection

Why Cycads – Heritage Value



- **Dr. U. A. Young**
 - 1950 - Begins experimental garden in Tampa
 - Travels world collecting rare palm/cycad seeds
 - Plants now mature, producing next generation
 - Many now endangered in their native habitat
 - No longer legally obtainable from the wild
 - An unquestionable world-class collection
 - You can help safeguard against their extinction
- **“Once in a lifetime” opportunity**
- **“Limited Time Only” opportunity**

Young Cycad Collection

A World Without Cycads

- ***Now facing a fourth global threat***

- "Cycads are the most threatened organism on the planet and the crisis is "happening before our eyes".
- "Three species of the 38 cycads found only in South Africa have gone extinct in the past two decades and... 12 species are critically endangered."

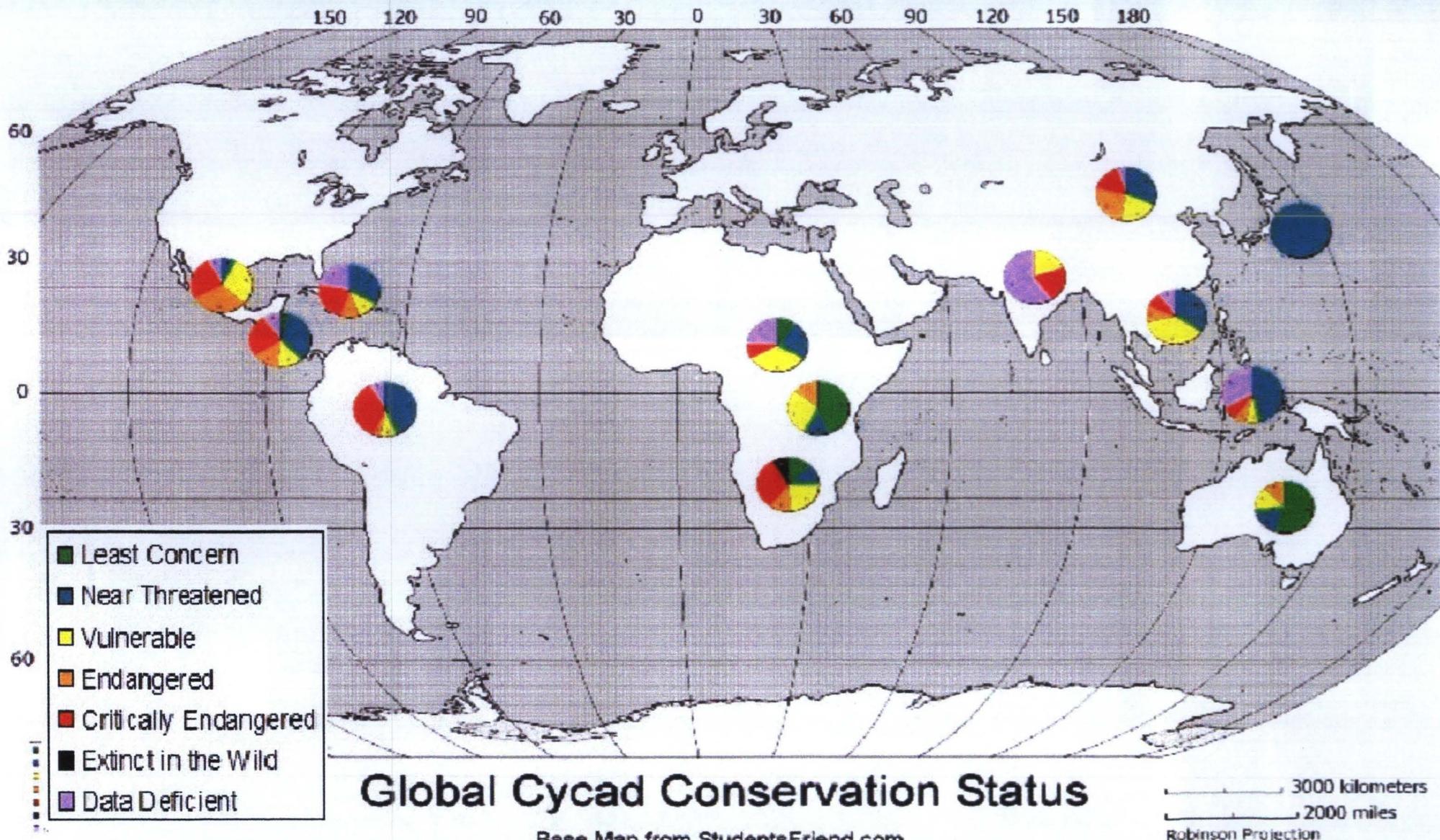
... South African National Biodiversity Institute's Michele Pfab

- ***Our potential for a leadership role***

- A growing global concern of species decline
- Opportunity for the City to be a partner of worldwide conservation / preservation initiative
- International Plant Exchange Network (IPEN)
- Botanic Gardens Conservation International (BCGI)

Young Cycad Collection

Cycad Native Habitat Threat



Young Cycad Collection

Relocation to GKPA – 1 of 2



- **Gizella Kopsick Palm Arboretum**

- Largest free palm arboretum in Western Hemisphere
- Level II Arboretum Accreditation
 - Granted Sept 3, 2013 by Morton Registry of Arboreta
- 500 palms & cycads
- 200 species of palms
- 80 species of cycads

- **Visited annually by international guests**

- Favored tour stop for numerous horticultural societies
- International Palm Society scheduled 2014 tour destination
- 2012 escorted tours from visiting countries included

Germany Canada France

Singapore Columbia Finland

South Africa Great Britain Japan

Young Cycad Collection

Relocation to GKPA – 2 of 2



- **Aesthetics are utmost consideration**
 - Cycads & Palms especially complimentary together in landscape setting
 - Professionally designed landscape plan
 - Waterfront view will be unobstructed
 - Retains majority of open areas of Elva Rouse Park
 - Significant contribution enhancing our world-class waterfront
 - Majority of collection to be planted in area adjoining North Shore Drive

Young Cycad Collection

GKPA Aerial Map

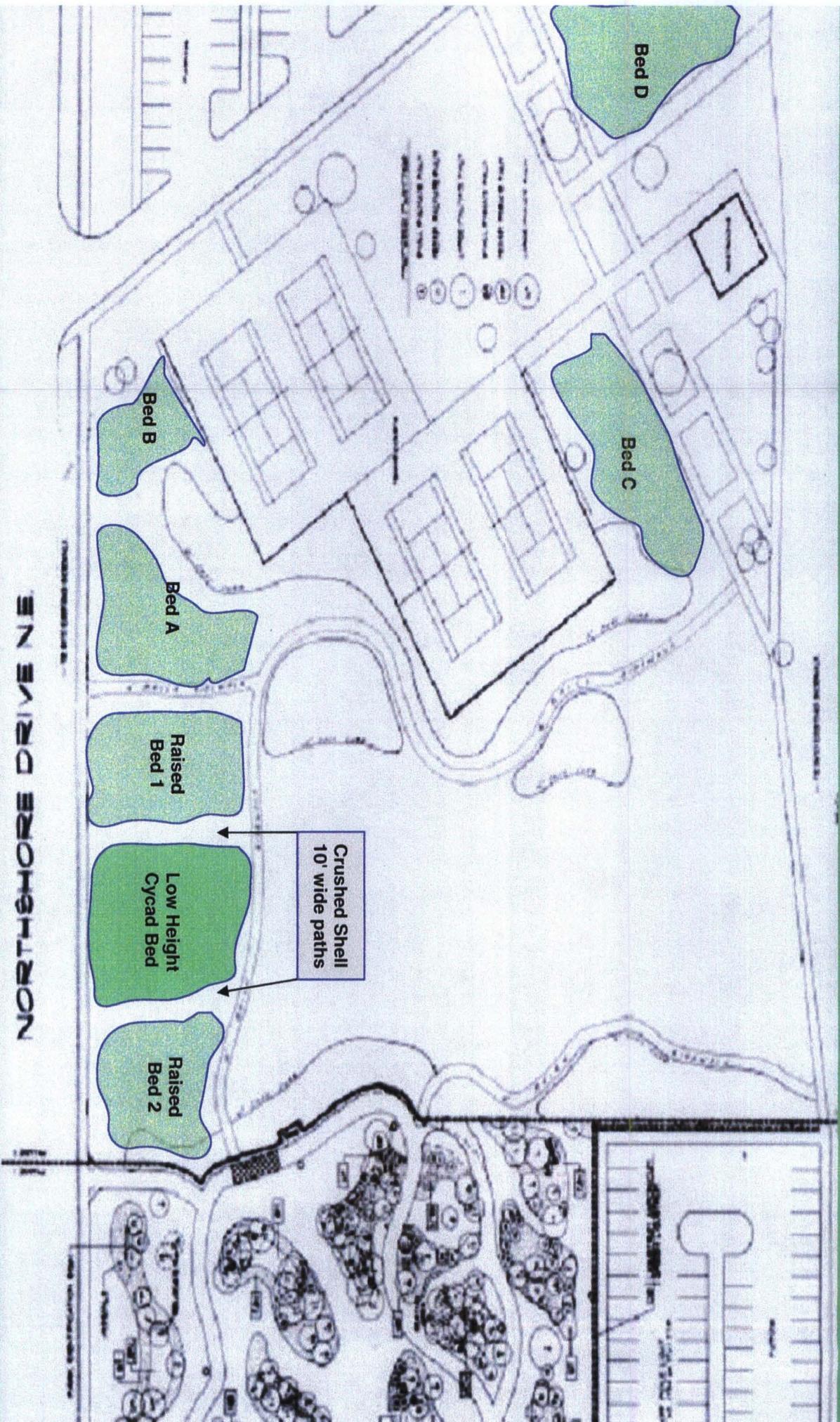


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T o m p o
B o y

Young Cycad Collection

GKPA - Concept Rendering Cycad Beds - Plat



Young Cycad Collection

GKPA – Concept Rendering Cycad Circle - Maze



Young Cycad Collection

Relocation to Sunken Gardens - 1 of 2



- Provides a secured location
- Ideal home for the rare specimens
- Well suited for the exceptionally desirable cycads
- Some plants are very valuable, highly coveted

Estate Specimens

Microcycas calocoma

\$10,000

Cycas scratchleyana (only one in N. America)

\$15,000

Encephalartos latifrons

\$18,000

Appraised

Provides dedicated landscape crew

— **On-going plant care**

Young Cycad Collection

Relocation to Sunken Gardens - 2 of 2



- **Ideal co-location for the collection**
- **Proximity to Palm Arboretum**
- **Offers horticultural programs**
 - Can provide one specific to cycads
- **Reputation of 'botanical paradise'**
 - Home to some of oldest tropical plants in region
 - Befitting new home of oldest plants on earth
- **Promotes cross-visits between sites**
 - Paying Guests → Added revenue

Young Cycad Collection

Project Considerations – 1 of 3



• **Acquire Project Support**

- **Historic Old Northeast Neighborhood Association**
- **Condominiums on North Shore Drive**
- **City Beautiful Commission**
- **Waterfront Committee**
- **Parks Department**
- **Central Florida Palm & Cycad Society**
- **Committed \$5K donation with option on another \$5K**

Young Cycad Collection

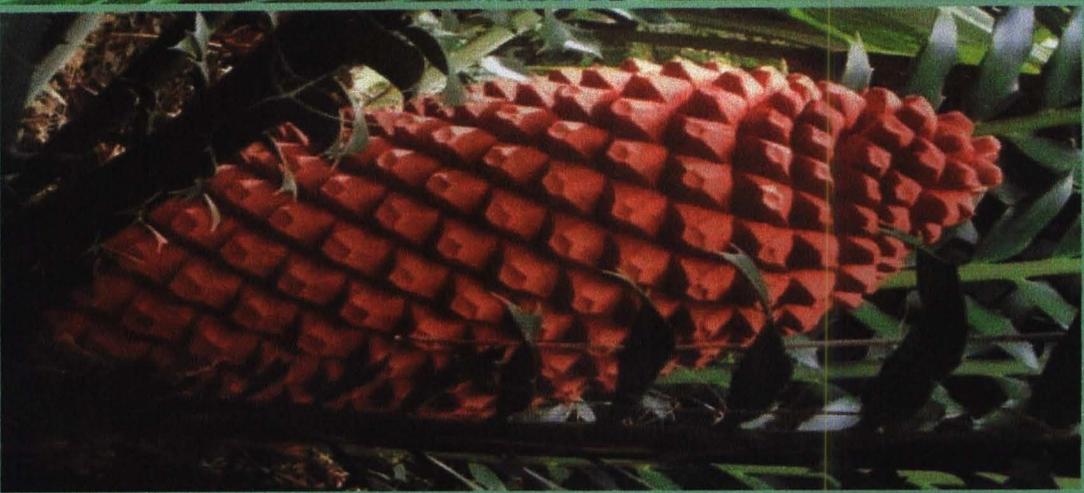
Project Considerations – 2 of 3



- **Acquire Entire Collection**
 - Vastly more economical acquisition costs
 - “The whole is greater than the sum of its parts”
 - Estate will grant us “salvage rights”
 - Honors family's desire to keep collection intact
- **A Sense of Urgency**

Young Cycad Collection

Project Considerations – 3 of 3



- **Benefit to Parks Systems**
- **Grand Prix of Horticultural Attractions**
- **Robust tourism industry**
 - Available market of 5M tourists per year
- **Enhance Quality of Life**
 - Qualitative? Yes, case studies and success stories available
 - Easily recognized, but difficult to substantiate

Young Cycad Collection

Project Financials – 1 of 2



• Project Cost

- Purchase Collection	\$125k
- Removal, transport, install *	\$137k
- Consultant fees	\$ 3k
- Maintenance 10 yrs	\$ 25k
- Security System	\$ 10k
- Total	\$300k

*includes hardscape

Young Cycad Collection

Project Financials - 2 of 2

- **Project Funding**

- Request approval for monies from Weeki Wachee Operating Fund
- Does NOT require funds from City budget
- Investigate grant opportunities
- Private contributions (tax deductible)
- Exploring additional options



Young Cycad Collection

Summary



- **Offering an unparalleled opportunity**
 - to acquire a world-class collection of some of the rarest and oldest living plants on earth.
 - to safeguard a heritage.
 - to place GKPA, Sunken Gardens and the City squarely on the world stage.
 - to foster tourism with international horticultural enthusiasts.
 - to enhance the reputation of the City's nationally recognized waterfront parks system.
- **Carpe diem !!**



Young Cycad Collection

Closing

- Questions ?

- Action Items ?

Thank You

Young Cycad Collection

Appendix 1 – Valuable Cycads

Microcycas calocoma

Cycas scratchleyana

Encephalartos manikensis



Young Cycad Collection

Appendix 1 – Valuable Cycads



Young Cycad Collection

Appendix 1 – Valuable Cycads



Young Cycad Collection

Appendix 1 – Valuable Cycads

Young Cycad Collection

Appendix 1 – Valuable Cycads





Young Cycad Collection

Appendix 1 – Valuable Cycads



Young Cycad Collection

Appendix 1 – Valuable Cycads



Young Cycad Collection

Appendix 2 – Salvage Rights

Bonsai

Stones

Rare Ferns

Rare Palms

Young Cycad Collection

Appendix 2 – Salvage Rights



Young Cycad Collection

Appendix 2 – Salvage Rights





Young Cycad Collection

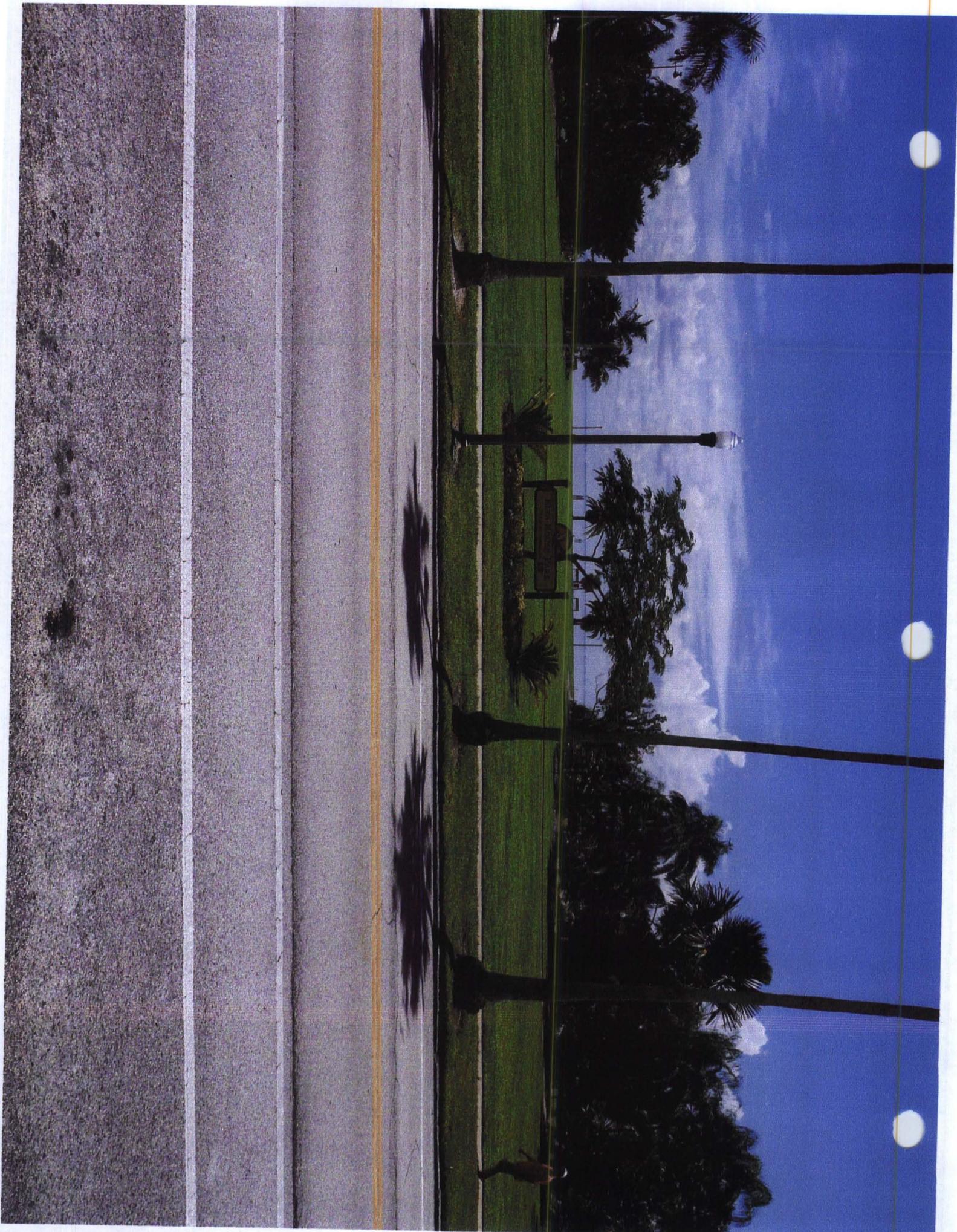
Appendix 2 – Salvage Rights

Young Cycad Collection

Appendix 2 – Salvage Rights



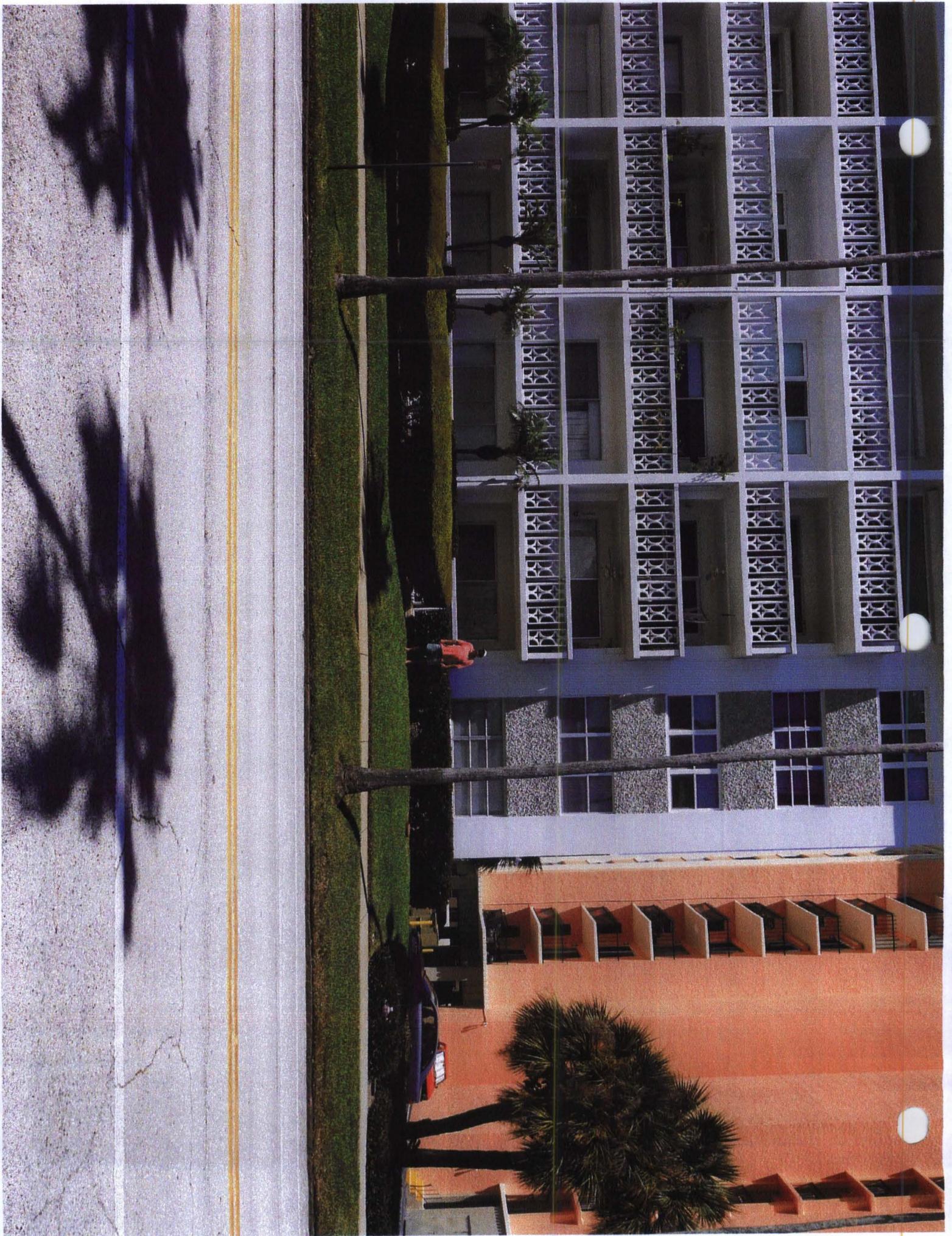














Young Garden Signific.

Cycads

GENUS	SPECIES	LOCATION	# Indiv. Plants	# of Primary Apices	# Secondary Pups/offsets	CAUDEX DIA. (IN.) M= MULTIPLE STEM DIA	CAUDEX HEIGHT (ft) (gnd to apex)	Overall Height (ft) with fronds	Overall width (ft)	price retail	SEX	Notes
Bowenia	serrulata	14 G	1	mixed sex colony	0	2	na	5	6	\$200.00	F	
	serrulata		1							\$400.00	M	
	spectabilis	3 GAL POT	1	1	0	2	na	2.5	3	\$100.00	F	moved from bed 14 B
Ceratozamia	fuscoviridis	15 G1	1	3	0	36 (M)	1	6	14	\$2,800.00	M	w.c. "Malongo"
	fuscoviridis	15 G2	1	1	0	12	1	6	14	\$800.00	M	w.c. "Malongo"
	fuscoviridis	15 GAL POT	1	2	0	6	0.5	3	8	\$1,200.00	M	from 15 G1 division; w.c. "Malongo"
	fuscoviridis	23 J1	1	multi	na	32 (M)	0.5	8	10	\$2,400.00	M	w.c. L.B. 5/87 "Red Back Malongo" beautiful red emergent frond:
	fuscoviridis	23 J2	1	2	0	14	1.2 & .5	7	22	\$1,700.00	M	w.c. L.B. 5/87 "Red Back Malongo"
	fuscoviridis	23 J3	1	1	2	14	0.5	7	14	\$500.00	M	w.c. L.B. 5/87 "Red Back Malongo"
	hildae	3-L	1	multi	na	24 (M)	gn	8	12	\$250.00	F	
	hildae	21 FF	1	3	0	18 (M)	gn	6	8	\$250.00		
	hildae	22 J1	1	multi	na	48 (M)	1	9	14	\$2,500.00	F	large multi head female plus recruits
	hildae	22 J2	1	1	2	8	gn	9 Jan	10	\$175.00	M	
	hildae	25-F	1	1	4	9 (22 M)	0 Jan	4 Jan	14	\$400.00	F	large female with pups
	hildae	27-A	1	multi	na	5 to 36 (M)	0 Jan	9 Jan	14	\$75.00		1969 Loeffler collection mixed sex colony plus seedling:
	hildae	27 A	1							\$250.00		
	hildae	27 A	1							\$175.00		
	hildae	27-A	1							\$200.00		
	hildae	38-E	1	2	0	15	0.5	4	6	\$150.00		L.B. 1993, single leaflet form from division
	kuesteriana	3-I	1	2	0	12 (M)	gn	3	6	\$600.00	M	
	kuesteriana	3-I	1	2	0	14 (M)	gn	2	6	\$700.00	M	
	kuesteriana	7-G	1	8	0	30 (M)	1	5	9	\$1,800.00	F	
	kuesteriana	7 GAL POT	1	1	0	8	0.7	3	5	\$400.00	F	from bed 7-G
	kuesteriana	3 GAL POT	1	1	0	4	gn	2	3	\$175.00		
	kuesteriana	14-I	1	multi	na	18	1	3	7	\$1,000.00	F	
	latifolia	36-B1	1	multi	na	28	0.7	5	5	\$150.00	F	UAY- from a nursery in the keys
	latifolia	36-B2	1	multi	na	18	0.5	5	4	\$500.00	F	UAY- from a nursery in the keys
	mexicana	28-J	1	1	1	12	1.6	5	12	\$1,600.00	M	narrow leaflet form, green emergent, recumbent, Loeffler collection Leesburg 1971
	mexicana	29-N1	1	1	0	9	0.4	2	8	\$400.00		reg. form
	mexicana	29-N2	1	1	0	9	0.5	2	9	\$500.00		reg. form
	mexicana	39-G	1	1	0	11	0.7	3.5	10	\$300.00	M	reg. form
	microstrobila	4-Q	2	1	0	gn	gn	2	2	\$100.00	M (2)	two males
	microstrobila									\$100.00		
	microstrobila	8-B	4	6	na	6-24 (M)	gn	3	8	\$800.00	F(3),M(1)	mixed sex colony
	microstrobila	9-S	3	3	na	gn	gn	2	3	\$100.00		three shaded plants
	microstrobila	17-O	3	multi	na	30 (M)	0.5	2	5	\$900.00	F(3)	colony with large original plant
	microstrobila	3 GAL POT	1	2	0	4	gn	2	2	\$200.00	F	from 17-O colony
	microstrobila	21-J	2	multi(2)	na	12 (M) & 24 (M)	gn	2.5	5.5	\$275.00	M	two male multiheaded plants
	microstrobila									\$150.00		
	miguelliana	3 GAL POT	1	1	0	6	0.4	4	4	\$400.00		from bed 11-L, resprouted from and growing well from damaged caudex after transplan
	miguelliana	13-I	1	2	0	11 & 11	1 & 1.4	8	13	\$2,200.00	F	large double caudex
	mirandae	14-N	1	multi	na	40 (M)	1.5	7.5	14	\$600.00	F	
	mirandae	42-H	1	1	0	7	0.3	4.5	7	\$350.00	M	L.B.
	norstogii	14-M1	1	1	0	10	1	5	8	\$650.00	F	w.c. L.B. and M.R.
	norstogii	14-M2	1	1	0	10	0.5	5	8	\$450.00	F	w.c.
	norstogii	14-M3	1	multi	na	36	0.5	7	10	\$700.00	M	w.c.
	norstogii	14-M4	1	1	0	10	gn	5	8	\$400.00	M	w.c.
	norstogii	24-B	1	1	3	13	0.8	6.5	9	\$1,000.00	M	large male with pups
	robusta	7-K	1	1	0	16	1.6	1	13	\$600.00	F	Santiago Tuxla, L.B. 1977, green emergent, green conical cone, upright frond:
	robusta	14-O	1	2	3	14 & 14	1.5 & 3	11	14	\$2,200.00	M	"Santiago Tuxla", w.c.
	robusta	8-A1	1	1	0	15	2.5	11	17	\$3,000.00	F	w.c. Cobon Guatemala UAY "Guatemalan Giant" red emergent, brown, cylindrical cone
	robusta	8-A2	1	1	0	9	0.5	8	12	\$600.00	M	w.c. Cobon Guatemala UAY "Guatemalan Giant" red emergent

Young Garden Signifir
Cycads

GENUS	SPECIES	LOCATION	# Indiv. Plants	# of Primary Apices	# Secondary Pups/offsets	CAUDEX DIA, (IN.) M= MULTIPLE STEM DIA	CAUDEX HEIGHT (ft) (gnd to apex)	Overall Height (ft) with fronds	Overall width (ft)	price retail	SEX	Notes
	robusta	8 A3	1	2	0	14	1 & 3	13	22	\$5,000.00	F	w.c. Cobon Guatemala UAY "Guatemalan Giant" red emergent, brown, cylindrical cone
	robusta	15 E	1	1	0	12	1.8	10	14	\$800.00	F	FTG
	robusta	30 B1	1	1	0	12	1.2	9.5	16	\$1,200.00	F	w.c. Belize, Bob Rapp (via FTG)
	robusta	30 B2	1	1	0	10	0.8	7.5	14	\$800.00	M	w.c. Belize, Bob Rapp (via FTG)
	sp. "Red Back C. fuscovirens"	22 S	1	multi	na	35(M)	0.8	6.5	13	\$3,000.00	F	w.c., different "red back" type but hardy with spectacular emergent foliage, 3' wide multistem base
	sp. "Presa Alaman"	15-U	1	2	5	17	1	6.5	10	\$2,500.00	F	from a nursery in the Keys, gold/yellow emergent
	sp. "Presa Alaman"	25-M1	1	1	0	6	0.5	3	4.5	\$700.00	M	w.c. M.R. 12/80, beautiful gold emergent fronds
	sp. "Presa Alaman"	25-M2	1	2	0	6	gn	2.5	4.5	\$1,200.00	F	w.c. M.R. 12/80
	sp. robusta type (green emergent)	11 A1	1	1	0	9	1	8	11	\$500.00	F	w.c L.B. Tamaschale area; fronds held horizontal, green emergent fronds, brown cylindrical seed cone:
	sp. robusta type (green emergent)	11 A2	1	1	0	10	1.7	9	18	\$900.00	F	w.c L.B. Tamaschale area; fronds held horizontal, green emergent fronds, brown cylindrical seed cone:
	sp. robusta type (green emergent)	11 A3	1	2	0	9 & 10	1.2 & 1.7	8	14	\$1,500.00	M	w.c L.B. Tamaschale area; fronds held horizontal, green emergent fronds, brown cylindrical seed cone:
	sp. "Tamaschale"	14-L	1	multi	na	9	1.3	4	8	\$2,500.00	M	
	sp. "Tamaschale"	17-M	2	multi	na	27 (M)	1.3	5	6	\$800.00	F	w.c. "Tomason Lake LB 6/79" two plants close together
	sp. "Tamaschale"	21-M	1	multi	na	16 (M)	gn	5	12	\$600.00	F	from own seed
	sp.	3 A								\$400.00		
	sp. "Tamaschale 'variety' "	22-CC	1	multi	na	36 (M)	1.7	6	8	\$3,000.00	F	w.c. , different form
										\$63,825.00		

Cycads

GENUS	SPECIES	LOCATION	# Indiv. Plants	# of Primary Apices	# Secondary Pups/offsets	CAUDEX DIA (in')	CAUDEX HEIGHT (ft) (gnd to apex)	Overall Height (ft) with fronds	Overall width (ft)	retail price	SEX	Notes
Cycas												
	angulata	16-L	1	1	5	11	3.8	8		\$2,000.00	M	beautiful snowy emergent fronds
	campestris	9-U	1	1	0	7	1.9	3.5	6		M	w.c BEY 1977 Papua New Guinea-dead?
	media	16-E	1	1	0	5	1.5	df	df	\$500.00		defoliated
	media	16-F	1	1	0	6	2.5	3	4	\$700.00		
	revoluta	21-PP	1	1								
	revoluta	23-U	1	1								trash pile rescue
	riuminiana	15-K	1	1	0	9	4.8	10	13	\$1,000.00	F	w.c. KF Philipines
	rumphii	3-K	1	3	2	6	2	7	8	\$300.00	M	Listed as C. rumphii from Loeffler/Leesburg collection, 1970
	scratchleyana	21-S	1	1	0	10	6.5	12	20	\$15,000.00	F	w.c. BEY 1977 from Milne Bay Peninsula, PNG
	scratchleyana X rumphii	38-I	1	1						\$300.00		
	sp.	23-P,T,V,L, 7 gallon	4	1						\$100.00		unid., (C. rumphii x circinalis, seemanii, thouarsii, ?)
	sp.									\$250.00		
	sp.									\$200.00		
	sp.									\$400.00		
	sp.	16-K	1	multi	na	17 (M)	1-Jan	6-Jan	11	\$1,600.00	M	
	taitungensis	15-D	1	1	0	11	4	8	11	\$300.00	F	
	taitungensis	15-O	1	3	1	11	4.5	6	8	\$300.00	M	
	taitungensis	15-N	1	1	0	11	4.5	6	7	\$300.00		
	taitungensis	21-F	1	2	0	11	4	7	8	\$300.00	F	
										\$23,550.00		

Cycads

GENUS	SPECIES	LOCATION	# Individ. Plants	# of Primary Apices	# Secondary Pups/offsets	CAUDEX DIA (in.)	CAUDEX HEIGHT (ft) (gnd to apex)	Overall Height (ft) with fronds	Overall width (ft)	retail price	SEX	Notes
Dioon												
	califanoi	16-M1	1	1	0	10	0.8	3.6	6	\$1,200.00		
	califanoi	16-M2	1	1	2	10	0.6	4	6.5	\$1,000.00	F	
	califanoi	16-M3	1	1	0	10	0.6	3.7	6	\$1,000.00		
	edule "palma sola"	4-L	1	1	0	5	0.4	2.8	4.5	\$150.00		"palma sola" w.c. L.B.
	edule	18-B1	1	multi	na	13	1.4	5	7	\$300.00	F	
	edule var. angustifolia	9-X	1	multi	na	36 (M)	0.7	4	7	\$600.00	F	
	edule var. angustifolia	18-C1	1	1	0	12	3	7	8	\$200.00	F	
	edule var. angustifolia	18-C2	1	2	2	12	1.5 & 1	6	10	\$500.00	F	
	edule var. limbricata	26-I1	1	1	1	10	1.2	4	6	\$300.00		M.R., new growth blue green
	edule var. limbricata	26-I2	1	1	3	11	1.3	4	6	\$300.00		M.R., new growth blue green
	edule var. limbricata	26-I3	1	1	1	9	1.7	4	7	\$250.00	F	M.R., new growth blue green
	edule var. edule	18-F1	1	multi	na	15	2 to 3	7 to 8	8	\$1,000.00	F(5)	
	"		1							\$1,000.00		
	"		1							\$1,000.00		
	"		1							\$1,000.00		
	"		1							\$1,000.00		
	edule	44-H	1	1	0	8	1	3	4	\$200.00		
	edule	44-F1	1	1	0	7	gn	1.5	3	\$150.00		
	mejiae	4-B1	1	1	0	10	1.5	9	13	\$750.00	M	L. B. seed
	mejiae	7 GALLON	1	1	2	8	1.7	7	9	\$750.00		from bed 4-B2
	mejiae	4-B3	1	1	0	6	1.8	5.5	8	\$750.00		
	mejiae	6-A	1	1	4	13	2.8	9	15	\$1,400.00	F	
	mejiae	7-D1	1	1	0	11	1.9	7	13	\$900.00	F	
	mejiae	7-D2	1	1	0	10	1.2	6.5	12	\$500.00	M	
	mejiae	9-R1	1	1	0	11	2.4	8	14	\$1,200.00	M	
	mejiae	9-R2	1	1	0	11	1.5	7	10	\$750.00		
	mejiae	3 GALLON	1			3				\$40.00		
	mejiae	3 GALLON	1			4				\$45.00		
	mejiae	3 GALLON	1			6				\$60.00		
	mejiae	12-A	1	1	0	11	2.4	9	16	\$1,200.00	F	
	mejiae	13-F	1	1	0	9	0.8	5.5	10	\$450.00		moved from bed 14
	mejiae	15-A	1	1	0	13	3	9	14	\$1,500.00	F	
	mejiae	15-S	1	1	4	11	4.4	10	12	\$2,000.00	M	
	mejiae	16-H	1	1	0	11	2.8	8.5	14	\$1,400.00	M	
	mejiae	22-I1	2	2	1	14 & 11	3.2	10	18	\$1,500.00	F & M	two plants close together
	mejiae	22-I2	1	1	2	11	1	6	12	\$500.00		
	merolae	13-B	1	1	0	8	0.5	2	7	\$400.00		
	merolae	13-H1	1	1	0	10	2.2*	6	8	\$1,800.00	M	*recumbant caudex
	merolae	13-K	1	1	2	10	3.8	7.5	9	\$3,800.00	F	
	merolae	17-Q	1	1	0	11	2.7*	6	9	\$3,000.00	F	*w.c., 4' long recumbant caudex
	merolae	18-G	1	1	0	10	2*	4.5	8	\$2,500.00	F	3' long recumbant caudex
	merolae	22-K	1	1	0	9	1.8*	6	8	\$1,500.00	F	*M.R. 1981, recumbant caudex

Cycads

GENUS	SPECIES	LOCATION	# Indiv. Plants	# of Primary Apices	# Secondary Pups/offsets	CAUDEX DIA (in.)	CAUDEX HEIGHT (ft) (gnd to apex)	Overall Height (ft) with fronds	Overall width (ft)	retail price	SEX	Notes
	merolae	24-C	1	1	9	10	3.8	8.5	9	\$4,200.00	M	multiple pups
	merolae	25-A1	1	1	0	10	1.5	3.5	7	\$1,500.00	M	M.R., horizontal caudex
	merolae	25-A2	1	1	0	9	1.7	5	6.5	\$1,400.00	M	M.R., recumbant caudex
	merolae	38-H	1	1	0	9	1.4	6	9	\$1,300.00		recumbant caudex
	purpusii	14-A2	1	1	0	12	1.6	6	9	\$3,600.00	F	w.c. Loran Whitelock (trade)
	purpusii	14-A1	1	1	0	12	0.5	5.5	9	\$1,200.00	M	w.c. Loran Whitelock (trade)
	spinulosum	2-B	1	1	2	10	4.5	9	9	\$1,350.00	M	
	spinulosum	2-B	1	1	1	10	3	9	9	\$900.00	M	
	spinulosum	2-B	1	1	0	10	5	11	9.5	\$1,500.00	F	
	spinulosum	22-U	1	4	0	10	1.5, 2.0, 3.5, 5.0	10	16	\$3,500.00	M	Salvaged from Holmes Nursery Trashpile, 1984
										\$60,295.00		

Cycads

GENUS	SPECIES	LOCATION	# Indiv. Plants	# of Primary Apices	# Secondary Pups/offsets	CAUDEX DIA (in.)	CAUDEX HEIGHT (ft.) (gnd to apex)	Overall Height (ft.) with fronds	Overall width (ft.)	price retail	SEX	Notes
Encephalartos												
	altensteinii	9-C	1	1	0	16	4.5	10	14	\$4,500.00		
	altensteinii	9-E	1	1	0	16	4	10	13	\$4,000.00	F	
	altensteinii	23-E	1	1	7	17	4	11	17	\$4,000.00		C.G. seedling 7/77, tp 10/87
	altensteinii X trispinosus	21-D	1	1	0	7	gn	4	5	\$600.00		4/83(?)
	arenarius	17-G	1	1	2	6.5	0.5	3	7.5	\$700.00		
	arenarius	17-A	1	1	2	11	1.4	5.5	11	\$2,400.00		
	arenarius	17-T	1	1	0	13	0.4	3.5	8	\$1,400.00		
	arenarius	17-U	1	1	4	11	gn	2.2	5	\$1,400.00		id by CG as E. arenarius "Blue form"
	arenarius	21-Z	1	1	0	9	gn	2.8	5.5	\$850.00		4/83?
	arenarius	38-G	1	1	0	6	gn	1.5	3	\$500.00		sucker from 17-T
	bubalinus	9-H	1	1	0	10	gn	4	6	\$700.00		
	bubalinus	9-N	1	1	0	9	gn	4	6	\$700.00		
	caffer	23-H1	1	1	0	7	gn	3.2	4	\$600.00		B.R. 9/78
	caffer	23-H2	1	1	0	gn	gn	2.6	2.5	\$200.00		B.R. 9/78
	concinus	14-F	1	1	0	12	1	5.5	10	\$1,200.00		John Hendrix
	cupidus	23-M	1	1	0	9	0.5	4	5	\$2,250.00		
	eugene-maraisii	17-G	1	1	1	9.5	gn	44	4	\$1,500.00		Waterburg form
	ferox	4-A1	1	1	0	14	0.8	6.5	11	\$650.00	M	
	ferox	4-A2	1	1	0	17	1	9	12	\$750.00	F	
	ferox	15-R1	1	2	0	14 & 14	1 & 1	7	14	\$1,500.00	M	
	ferox	15-R2	1	1	0	14	1	6	10	\$850.00	F	
	ferox	17-B	1	1	0	14	1.7	8.5	15	\$2,400.00	F	tubular form
	ferox	21-A	1	2	0	14 & 14	2.0 & 0.5	8	13	\$2,600.00	F	seedling 4/83, tubular form, both caudex apices have coned, red cone
	ferox	23-Y	1	2	0	13 & 13	2.2 & 1.2	7	13	\$3,500.00	M	tubular form, BB 7/80, orange pollen cones
	ferox	23-I	1	1	0	14	1.8	6	11	\$2,400.00	F	Flat, broad pinnae, bright red cone
	ferox	25-B	1	1	0	15	1.5	6	13	\$2,400.00	M	yellow pollen cones, semi-tubular pinnae
	ferox	26-J1	1	1	0	17	1.6	8	14	\$2,400.00	F	B.B. seedling 1979, red cone
	ferox	26-J2	1	2	0	14 & 14	0.5	6	13	\$850.00	M	B.B. seedling 1979
	gratus	2-F	1	1	0	17	3.2	12	15	\$3,300.00	F	
	gratus	17-J	1	1	4	18	6	13	17	\$4,800.00	M	pups large enough to cone
	gratus	21-OO	1	1	0	12	0.5	6.5	13	\$250.00		"from Mike 2/91"
	gratus	23-W	1	1	0	16	3.3	7.5	6	\$3,000.00	M	seedling 5/87
	hildebrandtii	9-F	1	1	0	16	2.5	8	16	\$3,000.00	M	
	hildebrandtii	11-I1	1	1	0	15	2.5	10.5	19	\$3,000.00	M	
	hildebrandtii	11-I2	1	1	0	14	1*	8	15	\$1,000.00	F	* not including recumbant caudex
	hildebrandtii	24-D	1	1	0	18	1.8	8.5	12	\$1,800.00	M	L.B.
	hildebrandtii	42-D	1	1	0	15	1.5	8.5	12	\$1,800.00	F	
	horridus	21-CC	1	3	0	10	gn	2.7	3.2	\$700.00		

Cycads

GENUS	SPECIES	LOCATION	# Indiv. Plants	# of Primary Apices	# Secondary Pups/offsets	CAUDEX DIA (in.)	CAUDEX HEIGHT (ft.) (gnd to apex)	Overall Height (ft.) with fronds	Overall width (ft.)	price retail	SEX	Notes
	kisambo	14-H	1	1	0	21	3.2	12	16	\$3,200.00	F	
	latifrons	17-P	1	1	0	13.5	1*	4.8	7.5	\$18,000.00		* not including 1.7' recumbant caudex
	lebomboensis	9-I	1	4	0	17	2.4	5	10	\$2,400.00	M	
	lebomboensis	15-Q	1	1	2	15	3.1	9	14	\$3,200.00	F	FTG 1971, planted out 1977
	lebomboensis	21-Y	1	1	0	13.5	1.7	5	13	\$1,700.00	F	
	lehmannii	23-G1	1	1	3	14.5	1.5	6.5	9	\$2,000.00	M	
	lehmannii	23-G3	1	1	0	10	0.5	3.5	5	\$800.00		
	longifolius	21-DD	1	1	0	8	gn	1.5	3.5	\$300.00		
	longifolius	21-R	1	1	0	14	1.7*	5.5	10	\$2,600.00		D.H. 4/83 - green form - * not including recumbant caudex
	manikensis	3 GALLON	1	1	0	6	gn	5	7	\$150.00		from bed 2-I. BB 1981
	manikensis	3 GALLON	1	1	0	4	gn	2.5	3	\$175.00		from bed 3-R
	manikensis	15-J	1	1	0	14	1.2	5	4	\$1,400.00		
	manikensis	21-B	1	1	0	14.5	2	5.5	10.5	\$2,100.00	F	4/83(?)
	manikensis	21-I	1	1	0	13.5	1.1	4	13	\$1,400.00		
	manikensis	21-J	1	1	0	6	gn	2	8	\$150.00		
	manikensis	39-C	1	1	0	14	1.2	8	14	\$1,400.00	M	
	manikensis	39-F	1	1	0	4	gn	1	3	\$100.00		
	middelburgensis	8-E	1	2	0	5 & 8	gn	3.4	5.5	\$2,000.00		B.B. 6/77
	natalensis	3 GALLON	1	1	0	4	gn	3	5	\$125.00		from Bed 3-P
	natalensis	7-J	1	1	0	10	gn	5.5	8	\$600.00		B.B. 6/81
	natalensis	7 GALLON	1	1	0	9	gn	3.5	7	\$400.00		from bed 8-F, B.B. 6/81 seedling
	natalensis	17-N	1	1	0	12.5	3.4	8.5	13	\$4,000.00		
	natalensis	23-D	1	1	0	16.5	3	9	14	\$4,000.00		Vryheid form, C.G. seedling 7/77, tp 10/87
	natalensis	23-BB	1	1	0	14	1.6	8	12	\$2,000.00	M	
	natalensis	26-F	1	1	0	7	gn	4	5	\$500.00		
	natalensis	26-E	1	1	0	10	gn	5	8	\$650.00		B.B.
	natalensis X woodii	21-U	1	1	0	9	1.4	6	11	\$1,800.00		C.G 4/83
	natalensis X woodii	21-V	1	1	0	16	3	9	14	\$3,500.00		"C.G. 4/83 better form" Larger plant due to more space and light
	ngoyanus	21-X	1	1	0	5	gn	0.5	3	\$500.00		
	paucidentatus	6-G	1	1	0	8	0.5*	5.2	9	\$700.00		*not including recumbant caudex
	paucidentatus	7-B	1	1	0	10	0.4	7	11	\$800.00		
	paucidentatus	11-C	1	1	0	9	gn	5.2	9	\$800.00		De Hull
	paucidentatus	17-I	1	1	0	16	3.5	11	17	\$4,200.00		B.R.
	paucidentatus	23-S	1	1	0	15	1.2	9	13	\$1,500.00		B.B. seedling 4/79
	princeps	21-C	1	1	1	12	2*	6	8.5	\$3,800.00		*not including recumbant caudex
	princeps	23-G2	1	1	5	17	1.6	5.4	8	\$2,600.00		
	princeps	23-C	1	1	0	13.5	2.7	7	9	\$4,400.00		
	sp. natalensis type	21-BB	1	1	0	13.5	gn	3.5	6.5	\$400.00		
	septentrionalis.	21-E	1	1	0	7	gn	1	4	\$700.00		

Cycads

GENUS	SPECIES	LOCATION	# Individ. Plants	# of Primary Apices	# Secondary Pups/offsets	CAUDEX DIA (in.)	CAUDEX HEIGHT (ft.) (gnd to apex)	Overall Height (ft.) with fronds	Overall width (ft.)	price retail	SEX	Notes
	tegulaneus	21-G	1	1	0	16	2	8.5	15	\$2,600.00		
	transvenosus	3 GALLON	1	1	0	4	gn	2.5	4	\$150.00		from Bed 3-0
	transvenosus	9-G	1	1	0	15	2.3	7.5	11	\$2,400.00		
	trispinosus	21-HH	1	1	0	7	gn	2.7	3.7	\$500.00		
	trispinosus	21-EE	1	1	0	8	gn	3	4.5	\$550.00		
	trispinosus	23-B1	1	1	3	12	0.8	4	6	\$900.00		
	trispinosus	23-B2	1	1	3	11	0.5	3.5	6	\$850.00		
	villosus	6-I	1	1	0	15	gn	7	15	\$800.00	M	De Hull
	villosus	9-D	1	multi	na	38 (M)	gn	8	18	\$2,500.00	F	
	whitelockii	17-H	1	2	0	24 & 26	4.0 & 3.7	16	23	\$11,000.00	F	"Lake George Uganda Giant", double headed giant
										\$173,750.00		

Cycads

GENUS	SPECIES	LOCATION	# Indiv. Plants	# of Primary Apices	# Secondary Pups/offsets	CAUDEX DIA (in.)	CAUDEX HEIGHT (ft) (gnd to apex)	Overall Height (ft) with fronds	Overall width (ft)	price retail	SEX	Notes
Lepidozamia												
	peroffskyana	7 GALLON	1	2	0	14 (M)	gn	4	5	\$500.00		
	hopei	39-B	1	1	0	8	2	9	12	\$2,500.00	M	Bob Rapp, CFPCS sale, recumbant caudex
Stangeria												
	eriosus	11-D	1			gn	gn	3	3	\$450.00	F	
		11-D	1							\$150.00		
		11-D	1							\$200.00		
		11-D	1							\$500.00	M	
		11-D	1							\$300.00		
	eriosus	21-W	1			gn	gn	3	3	\$250.00	M	(additional recruited seedlings in colony)
		21-W	1							\$300.00	M	
		21-W	1							\$400.00	F	
Macrozamia												
	lucida	22-H1	1	1	0	14	0.6	5.5	9	\$300.00		w.c. plant. 4/78
	lucida	22-H2	1	1	0	10	0.4	4	7.5	\$500.00	F	w.c. plant. 4/78
	communis	22-H3	2	1	0	10	gn	3	7	\$500.00	M	w.c. plant. 4/78
	miguellii	3-B	1	1	0	9	0.9	5	5.5	\$350.00		seedling 1997
	moorei	22-A	1	1	0	16	0.8	8	11	\$700.00		D.H. 6/81
	johnsonii	4-C	1	1	0	11	1	6	9	\$600.00		w.c. Aust.
	johnsonii	17-R	1	1	0	28	2	5.5	8	\$1,200.00	M	w.c. Aust. Recovering from defoliation
Microcycas												
	calocoma	3-C	1	1	0	4	1.4	3.5	3.5	\$3,000.00		FTG
	calocoma	21-Q	1	3	0	4, 4, and 5	2	4.9	6	\$10,000.00		FTG 4/83, plant has frozen and resprouted before
	calocoma	3 GALLON	1	2	0	3 and 3	gn	2	3	\$700.00		from Bed 38-L

\$23,400.00

Cycads

GENUS	SPECIES	LOCATION	# Individ. Plants	# of Primary Apices (1 or ___)	# Secondary P offsets	CAUDEX DIA	CAUDEX HEIGHT (gnd to apex)	Overall Height with fronds	Overall width	price retail	SEX	Notes
Zamia												
	amplyphyllidia	7-I								\$500.00	F	w.c. U.A.Y. , Negril, Jamaica
	amplyphyllidia	22-T								\$400.00		
	amplyphyllidia	25-P								\$100.00	F	narrow leaflet form
	amplyphyllidia	25-P								\$200.00	F	
	amplyphyllidia	25-P								\$300.00	M	
	amplyphyllidia	43-D								\$100.00		hybrids?
	amplyphyllidia	43-D								\$100.00		
	amplyphyllidia	43-D								\$50.00		
	amplyphyllidia	43-D								\$50.00		
	cremnophila(?)	26-A								\$300.00		Bart Schutzman
	furfuracea	17-C									M	w.c.
	furfuracea	17-D									sterile	w.c.
	furfuracea	23-X										w.c. M.R. 1979
	furfuracea	bonsai pot								\$1,400.00		Faciated leaflets
	furfuracea	bonsai pot								\$600.00		Faciated leaflets
	furfuracea	bonsai pot								\$500.00		minature leaflets
	furfuracea	44-D								\$500.00		Faciated leaflets
	lindenii	14-Q								\$200.00	M	w.c. Ecuador M.R. 2/77
	lindenii	14-Q								\$200.00	M	
	lindenii	14-Q								\$150.00		
	lindenii	14-Q								\$150.00		
	loddigesii	14-S								\$250.00		w.c. plants
	loddigesii	14-S								\$250.00		
	muricata	9-B								\$50.00		
	muricata	9A								\$250.00		
	muricata	14-K								\$150.00		
	muricata	14-K								\$150.00		
	muricata	26-C								\$125.00	F	
	muricata	26-C								\$150.00	F	
	muricata	29-P								\$125.00	F	w.c. UAY Venezuela

Young Garden Significant Plants

Cycads

GENUS	SPECIES	LOCATION	# Individ. Plants	# of Primary Apices (1 or ___)	# Secondary P offsets	CAUDEX DIA	CAUDEX HEIGHT (gnd to apex)	Overall Height with fronds	Overall width	price retail	SEX	Notes
Zamia												
	muricata	29-P								\$125.00	M	
	muricata	29-P								\$125.00		
	neurophyllidia	pot								\$150.00	M	from bed 12-F
	poepigiana (?)	31-L								\$150.00	M	w.c. B.B.
	poepigiana (?)	31-L								\$250.00		w.c. B.B.
	pumila	7-O								\$100.00		w.c. B.B.
	pumila	8-I								\$200.00	F	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$125.00	F	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$125.00	F	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$100.00	F	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$100.00	F	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$80.00	F	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$80.00	F	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$125.00	F	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$80.00	M	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$70.00	M	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$100.00	F	w.c. M.R. 4/78 Puerto Rico
	pumila	8-I								\$100.00	M	w.c. M.R. 4/78 Puerto Rico
	pumila	25-P?								\$100.00		w.c. Dominican Republic
	neurophyllidia	38-K								\$125.00		B.B. (hybrid seeds?)
	soconscens	4-O								\$600.00		
	standleyi	5-B								\$150.00	F	Hondurus M. R. 1978
	standleyi	5-B								\$150.00	M	Hondurus M. R. 1978
	standleyi	5-B								\$100.00	F	Hondurus M. R. 1978
	standleyi	5-B								\$100.00	M	Hondurus M. R. 1978
	standleyi	5-B								\$100.00	F	Hondurus M. R. 1978
	standleyi	5-B								\$100.00	M	Hondurus M. R. 1978
	standleyi	5-B								\$100.00	M	Hondurus M. R. 1978
	standleyi	5-B								\$75.00	F	Hondurus M. R. 1978
	standleyi	5-B								\$75.00		Hondurus M. R. 1978

Cycads

GENUS	SPECIES	LOCATION	# Indiv. Plants	# of Primary Apices (1 or ___)	# Secondary offsets	CAUDEX DIA	CAUDEX HEIGHT (gnd to apex)	Overall Height with fronds	Overall width	price retail	SEX	Notes
Zamia												
	standleyi	5-B								\$75.00		Hondurus M. R. 1978
	standleyi	5-B								\$50.00		Hondurus M. R. 1978
	standleyi	5-B								\$50.00		Hondurus M. R. 1978
	standleyi	14-J								\$75.00		
	standleyi	14-J								\$75.00		
	splendens	9-Q								\$60.00	M	w.c.
	splendens	9-Q								\$60.00	F	w.c.
	splendens	9-Q								\$60.00	F	w.c.
	splendens	14-C								\$60.00		
	splendens	26-L								\$60.00		
	sp. nov. (tikalensis)	6-F								\$2,000.00	M	FTG # 584055
	sylvatica (loddigesii?)	14-J?								\$100.00		John Hendrix
	tuerckeimii	7 gal pot								\$1,500.00		from bed 12-B
	tuerckeimii	7 gal pot								\$1,500.00		from bed 12-B
	tuerckeimii	3 gal pot								\$600.00		from bed 12-B
	tuerckeimii	3 gal pot								\$600.00		
	tuerckeimii	26-K								\$650.00		"w.c." UAY 1977 -guatemalan nursery
	variegata	17-D								\$300.00	F	w.c.
	variegata	17-D								\$300.00	F	
	variegata x furfuracea	4-M								\$300.00	M	
	variegata x furfuracea	4-M								\$200.00	M	
	variegata x furfuracea	4-M								\$200.00	M	
	variegata x furfuracea	4-M								\$200.00	F	
	variegata x furfuracea	38-J								\$200.00		
	variegata x furfuracea	39-A								\$200.00	F	
	variegata x furfuracea	39-A								\$200.00	F	
	variegata x furfuracea	39-A								\$200.00	F	
	vazquezii	various	25							\$750.00		25 plants adverage \$30.00

\$21,885.00

Cycads

GENUS	SPECIES	LOCATION	# Indiv. Plants	# of Primary Apices (1 or ___)	# Secondary P offsets	CAUDEX DIA	CAUDEX HEIGHT (gnd to apex)	Overall Height with fronds	Overall width	price retail	SEX	Notes
Zamia												

TOTAL

TOTAL: pg 1 \$63,825.00
 pg2 \$23,550.00
 pg3 \$60,295.00
 pg4 \$173,350.00
 pg5 \$23,400.00
 pg6 \$21,885.00
\$366,305.00

Attached documents for item Resolution of Memorial Tribune

Resolution of Memorial Tribute

to the Family of

David T. Welch, Ed.D.

September 19, 2013

- Whereas,** our Lord in His infinite wisdom has called home **David T. Welch**, a pioneer of the community, public servant, devoted husband, father, grandfather and good friend; and
- Whereas,** we are profoundly grieved at the passing of a friend and a loss to this city of a United States Army veteran, educator, and mentor; and
- Whereas,** **David T. Welch** served his country in the Army Airborne Division during the Korean War, his community for three terms on City Council as the second African-American council member in the city's history, and served as a longtime teacher and administrator at Pinellas Technical Education Centers; and
- Whereas,** **David T. Welch** was a man of strong faith, teaching Sunday school for decades at his church, Prayer Tower Church of God in Christ; and
- Whereas,** **David T. Welch** was as man of firm convictions who loved his family, a devoted husband to his wife of 49 years Alletha; a father to four extraordinary children, Ken, Janice, Katrina, and Cassandra and loving grandfather to six grandchildren; and
- Whereas,** **David Welch's** impact on this community will leave an indelible mark on the hearts and minds of many for years to come; and
- Whereas,** Mayor Bill Foster has requested to join with City Council in this resolution;

Now, Therefore, Be It Resolved by the Mayor and City Council of the City of St. Petersburg, Florida, that we, for ourselves and for the citizens he served so well, in sorrow publicly acknowledge the debt of gratitude this city owes to **David T. Welch** for his untiring and steadfast devotion to making St. Petersburg a better place to live, work and play;

Be It Further Resolved that we express to the family of **David T. Welch** our heartfelt condolences in this deep hour of grief, with the hope that they will take some measure of consolation in the knowledge that he gave himself wholeheartedly to the service of this community and that he earned in full measure the respect and admiration of his fellow citizens.

Be It Further Resolved that a copy of this resolution, will be maintained in the permanent records of the City of St. Petersburg, and a copy thereof, properly embossed, inscribed and transmitted to the family of **David T. Welch**

Bill Foster
Mayor

Karl Nurse
Chair of City Council

Attest: _____
Clerk of City Council

Adwards
(2)

Attached documents for item Approving the purchase of replacement flatbed trucks, dump trucks, and water tankers for the Fleet Management Department from Navistar, Inc at a total cost of \$1,460,116.

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 19, 2013

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

Subject: Approving the purchase of replacement flatbed trucks, dump trucks, and water tankers for the Fleet Management Department from Navistar, Inc at a total cost of \$1,460,116.00.

Explanation: This purchase is being made from Florida Sheriffs Association Bid No. 12-10-0905. The vendor will furnish and deliver nine single axle trucks with 33,000 lb GVWR cab and chassis, two with 230 HP engines and Allison 3500 rugged duty series (RDS) automatic transmission; five with 240 HP engines and Allison 2500 RDS automatic transmission; two with 245 HP engines and Allison 3500 RDS automatic transmission. The vendor will also furnish one tandem axle truck with 430 HP engine and Allison 3500 RDS automatic transmission.

The new trucks have life expectancies of 8 to 10 years and will be assigned to the Parks and Recreation; Stormwater, Pavement and Traffic Operations and Water Resources departments. The tandem axle truck will haul the mud pumps and tow the directional boring machine for Water Resources. It replaces an 18-year-old unit and has a life expectancy of 10 years. The single axle trucks include five trucks with mounted cranes with a life expectancy of 10 years, two 5 yard dump trucks with a life expectancy of 8 years, and two water tankers with a life expectancy of 8 years. They will replace 13, 15, and 18 year-old units, respectively, that have reached the end of their useful life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing Florida Sheriffs Association Bid No. 12-10-0905:

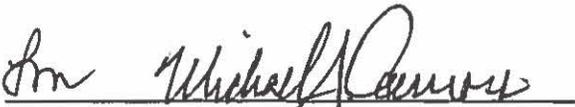
Navistar, Inc. (Lisle, IL).....				\$1,460,116.00
Cab & Chassis, International Dura Star 4300	9	@	\$56,802.00	\$511,218.00
Additional Equipment Package International Dura Star 4300	1	@	820,053.00	820,053.00
Cab & Chassis, International Dura Star 4300	1	@	89,415.00	89,415.00
Additional Equipment Package International Dura Star 7600	1	@	<u>39,430.00</u>	<u>39,430.00</u>
			<u>\$1,064,103.00</u>	<u>\$1,460,116.00</u>

The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Bid No. 12-10-0905 effective through September 30, 2013. This purchase is made in accordance with Section 2-241 (f) of the City Code which authorizes the Mayor or his designee to purchase from the Sheriffs Association, Florida Association of Counties and Florida Fire Chiefs' Association negotiated purchase programs for vehicles.

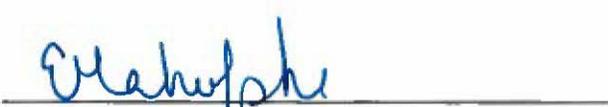
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Management, Fleet Mechanical Cost (8002527).

Attachments: Resolution

Approvals:



 Administrative



 Budget

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO NAVISTAR, INC. FOR THE PURCHASE OF NINE REPLACEMENT VEHICLES FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$1,460,116 UTILIZING FLORIDA SHERIFFS ASSOCIATION BID NO. 12-10-0905; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, pursuant to Section 2-243(e) of the City Code the City is permitted to utilize competitively bid proposals or contracts secured by State, County or municipal government when it is in the best interest of the City; and

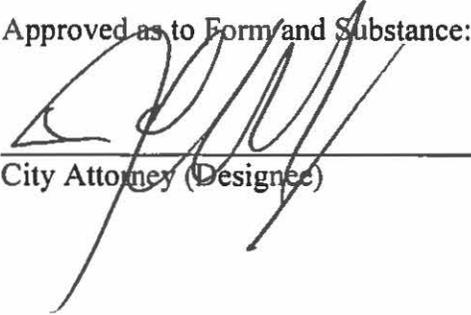
WHEREAS, Navistar, Inc. has met the specifications, terms and conditions of Florida Sheriffs Association Bid No. 12-10-0905; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Navistar, Inc. for the purchase of nine replacement vehicles for the Fleet Management Department at a total cost not to exceed \$1,460,116 utilizing Florida Sheriffs Association Bid No. 12-10-0905 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

NO. 2013-353

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO NAVISTAR, INC. FOR THE PURCHASE OF NINE REPLACEMENT VEHICLES FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$1,460,116 UTILIZING FLORIDA SHERIFFS ASSOCIATION BID NO 12-10-0905; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, pursuant to Section 2-243(e) of the City Code the City is permitted to utilize competitively bid proposals or contracts secured by State, County or municipal government when it is in the best interest of the City; and

WHEREAS, Navistar, Inc. has met the specifications, terms and conditions of Florida Sheriffs Association Bid No. 12-10-0905; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Navistar, Inc. for the purchase of nine replacement vehicles for the Fleet Management Department at a total cost not to exceed \$1,460,116 utilizing Florida Sheriffs Association Bid No. 12-10-0905 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Adopted at a regular session of the City Council held on the 19th day of September, 2013.



Karl Nurse Chair-Councilmember
Presiding Officer of the City Council



ATTEST:


Eva Andujar City Clerk

CA-1

Attached documents for item Approving the purchase of replacement tractors from Alamo Sales Corp. for the Fleet Management Department at a total cost of \$583,632.

**SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 19, 2013**

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

Subject: Approving the purchase of replacement tractors from Alamo Sales Corp. for the Fleet Management Department at a total cost of \$583,632.00.

Explanation: This purchase is being made from Florida Sheriffs Association Bid No. 12-10-0905. The vendor will furnish and deliver four tractors with liquid cooled diesel engine, transmission with 16 forward and 16 reverse speeds, 38 gallon fuel tank capacity, oil cooled hydraulic brakes, 30 foot boom mower, 60 inch rotary with swivel capability, radio and rear wipers beacon. These vehicles will be assigned to the Stormwater Pavement & Traffic Operations Department, Mowing Division. They will be used to mow slopes and ditch banks.

The new tractors with mower have a life expectancy of 8 years, and are replacing 8-year-old units with original base purchase prices of \$120,827.00. The old tractors have reached the end of their economic useful life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing Florida Sheriffs Association Bid No. 12-10-0905:

Alamo Sales Corp. (Seguin, TX).....\$583,632.00

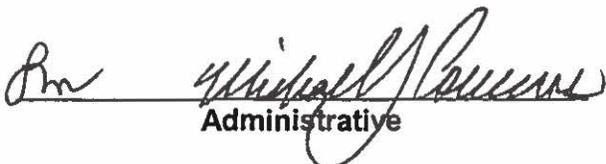
Tractor, 4-wheel drive,				
John Deere Model 6430 Versa Boom (base)	4	@	\$83,830.00	\$335,320.00
Upgrade, John Deere Model 6125M	4	@	27,124.00	108,496.00
Options:				
30' Maverick boom	4	@	33,528.00	134,112.00
Rear Wipers Beacon	4	@	990.00	3,960.00
AM/FM Radio	4	@	<u>436.00</u>	<u>1,744.00</u>
			\$145,908.00	\$583,632.00

The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Bid No. 12-10-0905 effective through September 30, 2013. This purchase is made in accordance with Section 2-241 (f) of the City Code which authorizes the Mayor or his designee to purchase from the Sheriffs Association, Florida Association of Counties and Florida Fire Chiefs' Association negotiated purchase programs for vehicles.

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

Attachments: Resolution

Approvals:


Administrative


Budget

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO ALAMO SALES CORP. FOR THE PURCHASE OF FOUR REPLACEMENT TRACTORS FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$583,632 UTILIZING FLORIDA SHERIFFS ASSOCIATION BID NO. 12-10-0905; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace four tractors that have reached the end of their economic useful life; and

WHEREAS, pursuant to Section 2-243(e) of the City Code the City is permitted to utilize competitively bid proposals or contracts secured by State, County or municipal government when it is in the best interest of the City; and

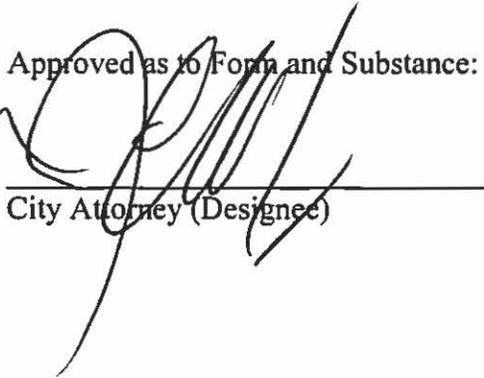
WHEREAS, Alamo Sales Corp. has met the specifications, terms and conditions of Florida Sheriffs Association Bid No. 12-10-0905; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Alamo Sales Corp. for the purchase of four replacement tractors for the Fleet Management Department at a total cost not to exceed \$583,632 utilizing Florida Sheriffs Association Bid No. 12-10-0905 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Approving the purchase of two street sweepers from Environmental Products of Florida Corporation for the Fleet Management Department at a total cost of \$333,717.75.

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 19, 2013

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

Subject: Approving the purchase of two street sweepers from Environmental Products of Florida Corporation for the Fleet Management Department at a total cost of \$333,717.75.

Explanation: This purchase is being made from National Joint Powers Alliance Contract 031710-FSC. The vendor will furnish and deliver two street sweepers with dual side brooms. One sweeper will be equipped with a 115 HP turbocharged auxiliary diesel engine, 8.0 cubic yard hopper and will use one of the city's existing chassis, while the other will have a 49 HP 4 cylinder auxiliary engine, 4.5 cubic yard hopper and a new chassis. These street sweepers will be assigned to the Stormwater, Pavement and Traffic Operations Department and will be used to sweep the streets. The street sweepers have a life expectancy of six years. They are replacing seven year-old units with original purchase prices of \$89,137 and \$161,304.00 respectively. The old vehicles have reached the end of their economic useful life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing National Joint Powers Alliance Contract 031710-FSC:

Environmental Products of Florida Corporation (Apopka, FL).....\$333,717.75

Street Sweeper, 2014 Crosswind Dual, Tier 3 with John Deere 4045 Engine (base)	1	@	\$99,105.00	\$99,105.00
Options:				
Auto Lube Truck Sweeper	1	@	6,695.00	6,695.00
Centerbroom	1	@	4,135.00	4,135.00
17" Work Platform Sterling SC-8000	1	@	2,500.00	2,500.00
Rear Beacon/Arrow Board	1	@	1,860.00	1,860.00
US T3 Transmissions	1	@	1,250.00	1,250.00
Auxiliary Hydraulic Pump	1	@	1,090.00	1,090.00
Left Hand Sidebroom Tilt (M2 &IH)	1	@	1,015.00	1,015.00
Right Hand Sidebroom Tilt (M2 &IH)	1	@	1,015.00	1,015.00
Right Hand Inspection Door & Step	1	@	645.00	645.00
Quick Disconnect Water Fill	1	@	455.00	455.00
Turbo II Precleaner	1	@	450.00	450.00
Crosswind Service Manual	1	@	120.00	120.00
Crosswind Parts Book	1	@	120.00	120.00
Crosswind J+ T3 Diagnostic Manual	1	@	80.00	80.00
Crosswind Operators Manual	1	@	65.00	65.00
John Deere 4045 HF Tier3 Parts Book	1	@	60.00	60.00
15% Discount	1	@	(18,099.00)	(18,099.00)
Mounting Charge	1	@	2,135.00	2,135.00
Customer Supplied Chassis Mods	1	@	3,500.00	3,500.00
Freight, FL	1	@	<u>3,995.00</u>	<u>3,995.00</u>
			<u>\$112,191.00</u>	<u>\$112,191.00</u>

Street Sweeper, 2014 Eagle Dual with John Deere 4024 Engine and Freightliner M2 Chassis (base)	1	@	\$222,610.00	\$222,610.00
Options:				
Auto Lube Truck Sweeper	1	@	7,000.00	7,000.00
Extended SB Reach – Right Hand	1	@	1,285.00	1,285.00
Extended SB Reach – Left Hand	1	@	1,285.00	1,285.00
Sidebroom Tilt - Right	1	@	1,090.00	1,090.00
Sidebroom Tilt - Left	1	@	1,090.00	1,090.00
Water Fill Gauge	1	@	750.00	750.00
Carbide Dirt Shoes (ILO STD)	1	@	740.00	740.00
Conveyor Stall Alarm	1	@	645.00	645.00
SY-Klone Pre Cleaner	1	@	605.00	605.00
In-Cab Air Restriction Gauge	1	@	575.00	575.00
Low oil Pressure, High Coolant	1	@	565.00	565.00
Side Broom Pressure Gauge (Single Broom)	1	@	465.00	465.00
High Speed Conveyor Motor	1	@	430.00	430.00
Amber Beacon Light	1	@	205.00	205.00
Beacon Strobe Protector	1	@	150.00	150.00
Eagle Service Manual	1	@	120.00	120.00
Eagle Parts Book	1	@	120.00	120.00
Eagle Operators Manual	1	@	65.00	65.00
John Deere Parts Manual	1	@	60.00	60.00
15% Discount	1	@	(24,458.25)	(24,458.25)
Mounting Charge	1	@	2,135.00	2,135.00
Freight, FL	1	@	<u>3,995.00</u>	<u>3,995.00</u>
			\$221,526.75	\$221,526.75

The vendor has met the specifications, terms and conditions of the National Joint Powers Alliance Contract 031710-FSC effective through May 27, 2014. This purchase is made in accordance with Section 2-243 (e) of the City Code which authorizes the Mayor or his designee to purchase supplies from a competitively bid proposal or contract secured by state, county or municipal government.

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

Attachments: Resolution

Approvals:


 Administrative


 Budget

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO ENVIRONMENTAL PRODUCTS OF FLORIDA CORPORATION FOR THE PURCHASE OF TWO REPLACEMENT STREET SWEEPERS FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$333,717.75 UTILIZING NATIONAL JOINT POWERS ALLIANCE CONTRACT 031710-FSC; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace two street sweepers that have reached the end of their economic useful life; and

WHEREAS, pursuant to Section 2-243(e) of the City Code the City is permitted to utilize competitively bid proposals or contracts secured by State, County or municipal government when it is in the best interest of the City; and

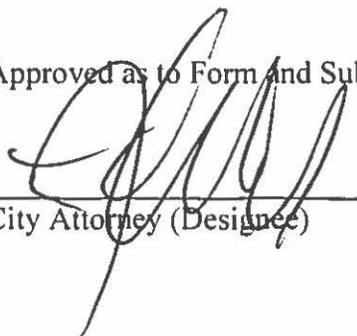
WHEREAS, Environmental Products of Florida Corporation has met the specifications, terms and conditions of National Joint Powers Alliance Contract 031710; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Environmental Products of Florida Corporation for the purchase of two replacement street sweepers for the Fleet Management Department at a total cost not to exceed \$333,717.75 utilizing National Joint Powers Alliance Contract 031710 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Approving the purchase of two front end wheel loaders from Nortrax, Inc. for the Fleet Management Department at a total cost of \$296,624.50.

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 19, 2013

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

Subject: Approving the purchase of two front end wheel loaders from Nortrax, Inc. for the Fleet Management Department at a total cost of \$296,624.50.

Explanation: This purchase is being made from Florida Sheriffs Association Bid No. 12-10-0905. The vendor will furnish and deliver two front end wheel loaders with 140 HP, 6 cylinder, diesel engine, multi-purpose bucket, radial tires, power-shift transmission with torque converter, guards, Z-bar linkage and warning lights. These equipment will be assigned to the Parks and Recreation and Stormwater, Pavement and Traffic Operations departments and will be used to move and load materials. The new front end loaders have life expectancies of ten years. They are replacing ten and thirteen year-old units with original purchase prices of \$109,488.00 and \$75,373.00 respectively. The old vehicles have reached the end of their economic useful lives and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing Florida Sheriff's Association Bid 12-10-0905:

Nortrax, Inc. (Tampa, FL).....\$296,624.50

Wheel Loader, Front End John Deere 544K (base)	2	@	\$117,635.00	\$235,270.00
Options:				
Bucket, Multi Purpose	2	@	13,444.00	26,888.00
Coupler Forks with 60" Tines	2	@	4,680.00	9,360.00
Hi-Lift Loader	2	@	4,261.00	8,522.00
Coupler System	2	@	3,216.00	6,432.00
Ride Control	2	@	2,880.00	5,760.00
3 rd Function Valve	2	@	1,871.00	3,742.00
Transmission and Bottom Guards	2	@	1,300.00	2,600.00
Rear Counterweight	2	@	493.00	986.00
Jumper Hoses for Multi Purpose Bucket	2	@	317.00	634.00
Radio, AM/FM/WB	2	@	269.00	538.00
10 AM Converter	2	@	198.00	396.00
130 Amp Alternator	2	@	44.00	88.00
Never Grease Steering Cylinders	2	@	No Charge	No Charge
25% Discount	2	@	<u>(2,295.75)</u>	<u>(4,591.50)</u>
			\$148,312.25	\$296,624.50

The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Bid No. 12-10-0905 effective through September 30, 2013. This purchase is made in accordance with Section 2-241 (f) of the City Code which authorizes the Mayor or his designee to purchase from the Sheriffs Association, Florida Association of Counties and Florida Fire Chiefs' Association negotiated purchase programs for vehicles.

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

Attachments: Resolution

Approvals:



 Administrative



 Budget

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO NORTRAX, INC. FOR THE PURCHASE OF TWO FRONT END WHEEL LOADERS FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$296,624.50 UTILIZING FLORIDA SHERIFFS ASSOCIATION BID NO. 12-10-0905; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace two front end wheel loaders that have reached the end of their economic useful life; and

WHEREAS, pursuant to Section 2-243(e) of the City Code the City is permitted to utilize competitively bid proposals or contracts secured by State, County or municipal government when it is in the best interest of the City; and

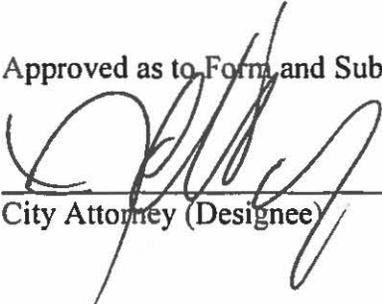
WHEREAS, Nortrax, Inc. has met the specifications, terms and conditions of Florida Sheriffs Association Bid No. 12-10-0905; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Nortrax, Inc. for the purchase of two replacement front end wheel loaders for the Fleet Management Department at a total cost not to exceed \$296,624.50 utilizing Florida Sheriffs Association Bid No. 12-10-0905 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Approving the purchase of four replacement tractors from Deere & Company for the Fleet Management Department at a total cost of \$159,572.36.

**SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 19, 2013**

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

Subject: Approving the purchase of replacement tractors from Deere & Company for the Fleet Management Department at a total cost of \$159,572.36.

Explanation: This purchase is being made from Florida State Contract No. 760-000-10-1. The vendor will furnish and deliver four tractors with liquid cooled diesel engine, transmission with 16 forward and 16 reverse speeds, 38 gallon fuel tank capacity, and oil cooled hydraulic brakes. Two will have canopy covers and two will have enclosed air conditioned cabs. These vehicles will be assigned to the Parks and Recreation Department. They will be used to maintain athletic fields.

The new tractors with mower have a life expectancy of 8 years, and are replacing 10-year-old units with original base purchase prices of \$16,390 with canopy and \$20,602 with enclosed cab. The old lawn mowers have reached the end of their economic useful life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing Florida State Contract No. 760-000-10-1:

Deere & Company (Moline, IL).....\$159,572.36

Tractor, 2-wheel drive, John Deere Model 5075M 60 PTO HP, 16 speed trans, ROPS and canopy	2	@	\$35,413.32	\$70,826.64
John Deere Model 5075M 60 PYO HP, 16 speed trans, ROPS and enclosed cab with air conditioning	2	@	<u>44,372.86</u> \$79,786.18	<u>88,745.72</u> \$159,572.36

The vendor has met the specifications, terms and conditions of the Florida State Contract No. 760-000-01-1 effective through December 31, 2013. This purchase is made in accordance with Section 2-243 (e) of the City Code which authorizes the Mayor or his designee to participate in a cooperative bid process with other governmental entities.

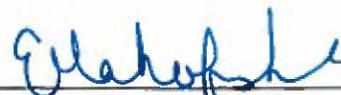
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Management Department, Fleet Mechanical Costs (8002527).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO DEERE & COMPANY FOR THE PURCHASE OF FOUR REPLACEMENT TRACTORS FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$159,572.36 UTILIZING FLORIDA STATE CONTRACT NO. 750-000-10-1; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace four tractors that have reached the end of their economic useful life; and

WHEREAS, pursuant to Section 2-243(e) of the City Code the City is permitted to utilize competitively bid proposals or contracts secured by State, County or municipal government when it is in the best interest of the City; and

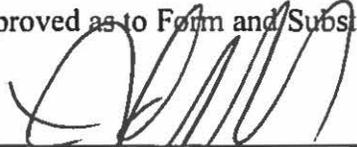
WHEREAS, Navistar, Inc. has met the specifications, terms and conditions of Florida State Contract No.760-000-10-1; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Deere & Company for the purchase of four replacement tractors for the Fleet Management Department at a total cost not to exceed \$159,572.36 utilizing Florida State Contract No. 12-10-0905 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

NO. 2013-357

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO DEERE & COMPANY FOR THE PURCHASE OF FOUR REPLACEMENT TRACTORS FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$159,572.36 UTILIZING FLORIDA STATE CONTRACT NO. 760-000-10-1; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace four tractors that have reached the end of their economic useful life; and

WHEREAS, pursuant to Section 2-243(e) of the City Code the City is permitted to utilize competitively bid proposals or contracts secured by State, County or municipal government when it is in the best interest of the City; and

WHEREAS, Deere & Company has met the specifications, terms and conditions of Florida State Contract No.760-000-10-1; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Deere & Company for the purchase of four replacement tractors for the Fleet Management Department at a total cost not to exceed \$159,572.36 utilizing Florida State Contract No. 760-000-10-1 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

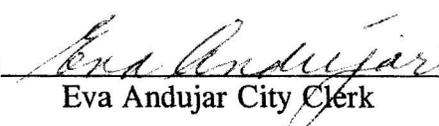
Adopted at a regular session of the City Council held on the 19th day of September, 2013.



Karl Nurse Chair-Councilmember
Presiding Officer of the City Council



ATTEST:



Eva Andujar City Clerk

CB-3

Attached documents for item Renewing a blanket purchase agreement with Hach Company for laboratory equipment repair and replacement and related supplies for the Water Resources Department at an estimated annual cost of \$125,000.

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

Subject: Renewing a blanket purchase agreement with Hach Company for laboratory equipment repair and replacement and related supplies for the Water Resources Department at an estimated annual cost of \$125,000.

Explanation: On November 19, 2012 City Council approved a one year agreement with Hach Company. There are three renewals on the agreement. Under the renewal of contract clause, the City reserves the right to extend the contract for a period of one year if mutually agreeable. This is the first of three renewals.

The vendor will provide repair and replacement, technical support, and parts for analytical laboratory equipment. They will also furnish and deliver related supplies and chemicals such as reagents, buffers, filters, electrodes, calibration kits and sensors. This equipment is used for analyzing and testing reclaimed and potable water.

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

Hach Company..... \$125,000

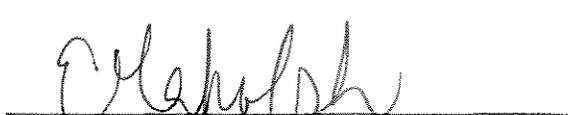
The vendor has agreed to hold prices firm under the terms and conditions of BPA No. 173180. Administration recommends renewal of the agreement based upon the vendor's past satisfactory performance, demonstrated ability to comply with the terms and conditions of the contract, and no requested increase in unit price. The renewal will be effective from date of approval through October 31, 2014.

Cost/Funding/Assessment Information: Funds have been appropriated in the Water Resources Operating Fund (4001), Water Resources Department, COSME W T P Operations & Maintenance (420-2077), Environmental Compliance Laboratory (420-2153), Environmental Compliance Field Services (420-2161), Albert Whitted WRF (420-2169), Northeast WRF (420-2173), Northwest WRF (420-2177), and Southwest WRF (420-2181).

Attachments: Resolution

Approvals:


Administrative


Budget

A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OF AN AGREEMENT (BLANKET AGREEMENT) WITH HACH COMPANY FOR LABORATORY EQUIPMENT REPAIR, AND REPLACEMENT AND RELATED SUPPLIES WITH AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$125,000 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 November 19, 2012, City Council approved the award of a one-year agreement (Blanket Agreement) with three one-year renewal options to Hach Company for laboratory equipment repair and replacement and related supplies for the Water Resources Department as a sole source supplier; and

WHEREAS, the City desires to exercise the first one-year renewal option of the Agreement; and

WHEREAS, Hach Company has agreed to hold its pricing firm under the terms and conditions of BPA No. 173180; and

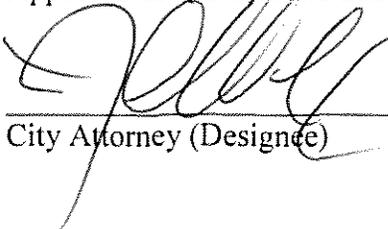
WHEREAS, the Purchasing Department, in cooperation with the Water Resources Department, recommends approval of this renewal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the first one-year renewal of the agreement with Hach Company for laboratory equipment repair and replacement and related supplies at an estimated annual cost not to exceed \$125,000 for the Water Resources Department is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this renewal will be effective from the date of approval through October 31, 2014.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Renewing a blanket purchase agreement with Swift Security, Inc. for security guard services for the Sanitation and Fleet Management departments at an estimated annual cost of \$125,000.

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

Subject: Renewing a blanket purchase agreement with Swift Security, Inc. for security guard services for the Sanitation and Fleet Management departments at an estimated annual cost of \$125,000.

Explanation: On September 16, 2010, City Council approved a two year agreement with Swift Security, Inc. There are three renewals on the agreement. On June 7, 2012, City Council approved a renewal through September 30, 2013. Under the renewal of contract clause, the city reserves the right to extend the contract for the second one-year period if mutually agreeable.

The vendor provides un-armed uniformed security guard services at the Sanitation and Fleet complexes. Coverage for the Sanitation complex is from 3:00 p.m. to 7:00 a.m. Monday through Friday and 24 hour coverage for weekends and holidays. Coverage for the Fleet complex is from 12:00 a.m. to 7:00 a.m. Monday through Friday, weekends from 3:30 p.m. Saturday to 7:00 a.m. Monday and 24 hour coverage for some holidays. The guards oversee buildings and vehicles parked at the facility. There is one guard at each location.

The Procurement Department, in cooperation with the Sanitation and Fleet Management departments, recommends renewal utilizing Pinellas County Bid No. 090-0258-B:

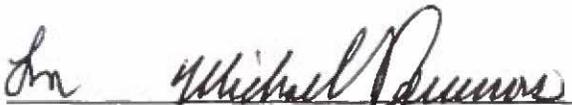
Swift Security, Inc (Tampa, FL).....\$125,000
11,221 hrs. @ \$11.14/hr

The contractor has agreed to hold pricing firm under the terms and conditions of Pinellas County Bid No. 090-0258-B dated May 28, 2010. 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. The renewal will be effective from date of approval through September 30, 2014.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Sanitation Operating Fund (4021) [\$76,000], Sanitation Administration account (4502237) and Fleet Management Fund (5001) [\$49,000] Fleet Services account (8002521).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION APPROVING THE SECOND ONE-YEAR RENEWAL OF AN AGREEMENT (BLANKET AGREEMENT) FOR SECURITY GUARD SERVICES FROM SWIFT SECURITY, INC. AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$125,000 FOR THE SANITATION AND FLEET MANAGEMENT DEPARTMENTS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 16, 2010, City Council approved the award of an agreement (Blanket Agreement) with three one-year renewal options to Swift Security, Inc. for security guard services utilizing Pinellas County Bid No. 090-0258-B; and

WHEREAS, on June 7, 2012 City Council approved the first one-year renewal option of the agreement (Blanket Agreement); and

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

WHEREAS, Swift Security, Inc. has agreed to hold its pricing firm under the terms and conditions of Pinellas County Bid No. 090-0258-B; and

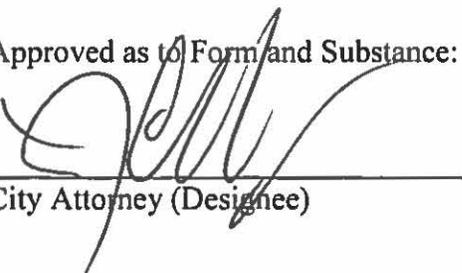
WHEREAS, the Purchasing Department, in cooperation with the Sanitation and Fleet Management Departments, recommends approval of this renewal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the renewal of the agreement for security guard services from Swift Security, Inc. at an estimated annual cost not to exceed \$125,000 for the Sanitation and Fleet Management Department is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that the agreement will be effective through September 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 Blanket Purchase Agreement to Ameron International Corporation, a sole source supplier, for street lighting poles for the Public Works Administration in an amount not to exceed \$125,000.

**SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 19, 2013**

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

Subject: Awarding a Blanket Purchase Agreement to Ameron International Corporation, a sole source supplier, for street lighting poles for the Public Works Administration in an amount not to exceed \$125,000.

Explanation: The vendor will furnish and deliver a variety of concrete aggregate poles ranging from 15' to 42'. These poles will be used for new city facilities and street lighting installations and repairs to existing fixtures on roadways and city facilities. These poles will be stocked at the Consolidated Warehouse.

Compatibility with the existing 1,900 poles in place throughout the city is paramount, therefore a sole-source procurement is recommended. The city has tested other manufacturer's products and found them to be inferior to those specified due to rapid fading and chalking of surface coating when exposed to the elements.

The Procurement Department, in cooperation with the Public Works Administration, recommends approval:

Ameron International Corporation.....	\$125,000
Poles, Ameron 42'8"	\$2,308.75/ea
Poles, Ameron 35'	1,629.75/ea
Poles, Ameron 19'3"	1,554.95/ea
Poles, Ameron 17'3"	1,579.80/ea
Poles, Ameron 15'	1,673.50/ea
Poles, Ameron 22'	1,774.80/ea

This purchase is made in accordance with Section 2-241 (d) of the Sole Source Procurement of the Procurement Code, which authorizes City Council to approve the purchase of a supply or service over \$100,000 without competitive bidding if it has been determined that the supply or service is available from only one source. A blanket purchase agreement will be issued and will be binding only for the actual quantities ordered. This agreement will be effective from date of award through October 31, 2014.

Cost/Funding/Assessment Information: Funds have been previously appropriated in various capital projects in the Recreation and Culture Capital Improvement Fund (3029) and in the General Fund (0001), Public Works Administration Department, Street Lighting & Support (040-1027).

Attachments: Resolution

Approvals:

  
_____ Administrative Budget

A RESOLUTION DECLARING AMERON INTERNATIONAL CORPORATION TO BE A SOLE SOURCE SUPPLIER; ACCEPTING THE PROPOSAL AND AWARDING A ONE-YEAR AGREEMENT (BLANKET AGREEMENT) TO AMERON INTERNATIONAL CORPORATION FOR STREET LIGHTING POLES FOR THE PUBLIC WORKS ADMINISTRATION AT AN ESTIMATED COST NOT TO EXCEED \$125,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to have compatibility with the exiting street lighting poles throughout the City; and

WHEREAS, the City has tested other manufacturer's products and found them to be inferior to those specified due to rapid fading and chalking of surface coating when exposed to the elements; and

WHEREAS, the City received a proposal from Ameron International Corporation to supply street lighting poles; and

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

WHEREAS, the Purchasing Department, in cooperation with the Public Works Administration recommends acceptance of the proposal from Ameron International Corporation as a sole source supplier; and

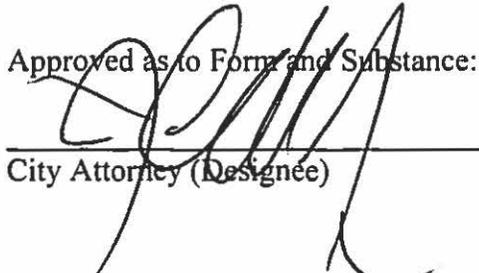
WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances for this sole source purchase.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Ameron International Corporation is a sole source supplier; and

BE IT FURTHER RESOLVED that the proposal and award of a one-year agreement (Blanket Agreement) to Ameron International Corporation for street lighting poles for the Public Works Administration at an estimated annual cost not to exceed \$125,000 is hereby approved and the Mayor or the Mayor's designee is authorized to execute all necessary documents to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

Attached documents for item Renewing blanket purchase agreements with Great Bay Distributors, Inc., Van Snax Distributors, Inc. and three other suppliers for food and beverages for resale at an estimated annual amount of \$105,000.

**SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 19, 2013**

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

Subject: Renewing blanket purchase agreements with Great Bay Distributors, Inc., Van Snax Distributors, Inc. and three other suppliers for food and beverages for resale at an estimated annual amount of \$105,000.

Explanation: On October 7, 2010 City Council approved a one-year agreement for food and beverages for resale effective through November 30, 2011. There are three renewals on the agreement. On November 3, 2011 and August 16, 2012, City Council approved renewals through November 30, 2012 and November 30, 2013 respectively. Under the renewal of contract clause, the city reserves the right to extend the contract for a third and final period of one year if mutually agreeable.

The vendors provide alcoholic beverages and food such as candy, snacks, ice, hot dogs, deli meats and bread for resale at city concessions. The primary users are Golf Courses, Parks and Recreation and Downtown Enterprise Facilities departments.

The Procurement Department recommends renewal:

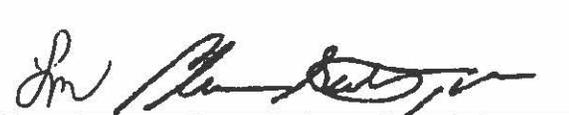
Food for Resale	\$105,000
Great Bay Distributors, Inc.	40,000
J.J. Taylor Distributing Florida, Inc.	30,000
Van Snax Distributors, Inc.	15,000
Hamilton Distribution, Inc.	10,000
Freeman's Independent Ice Co, Inc.	10,000

The vendors have agreed to hold prices firm under the terms and conditions of BPA No.'s 162049, 162995, and 162997 through 162999. Administration recommends renewal of the agreements based upon the vendor's past satisfactory performance, demonstrated ability to comply with the terms and conditions of the contract, and no requested increase in unit prices. The renewal will be effective from date of award through November 30, 2014.

Cost/Funding/Assessment Information: Funds have been appropriated in the Golf Course Operating Fund (4061) [\$88,000] within various account numbers, General Fund (0001) Parks and Recreation Department (190) [\$10,000] within various account numbers and the Marina Operating Fund (4041) [\$7,000], Downtown Enterprise Facilities Department, Marina (282-1885).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION APPROVING THE THIRD AND FINAL ONE-YEAR RENEWAL OPTION OF AGREEMENTS WITH GREAT BAY DISTRIBUTORS, INC. IN AN AMOUNT NOT TO EXCEED \$40,000, J.J. TAYLOR DISTRIBUTING FLORIDA, INC. IN AN AMOUNT NOT TO EXCEED \$30,000, VANSNAX DISTRIBUTORS, INC., IN AN AMOUNT NOT TO EXCEED \$15,000, HAMILTON DISTRIBUTION, INC. IN AN AMOUNT NOT TO EXCEED \$10,000 AND FREEMAN'S INDEPENDENT ICE CO., INC. IN AN AMOUNT NOT TO EXCEED \$10,000 FOR A TOTAL AMOUNT NOT TO EXCEED \$105,000 FOR FOOD AND BEVERAGES FOR RESALE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On October 7, 2010 City Council approved the award of one-year agreements with three one-year renewal options to U.S. Food Service, Inc., Great Bay Distributors, Inc., Vansnax Distributors, Inc., J.J. Taylor Distributing Florida, Inc., Hamilton Distributors, Inc. and Freeman's Independent Ice Co., Inc. for food and beverages for resale pursuant to Section 2-226 of the City Code; and

WHEREAS, On November 3, 2011 City Council approved the first one-year renewal options of the agreements with U.S. Food Service, Inc., Great Bay Distributors, Inc., Vansnax Distributors, Inc., J.J. Taylor Distributing Florida, Inc., Hamilton Distributors, Inc. and Freeman's Independent Ice Co., Inc. for food and beverages for resale pursuant to Section 2-226 of the City Code; and

WHEREAS, On August 16, 2012 City Council approved the second -year renewal options of the agreements with U.S. Food Service, Inc., Great Bay Distributors, Inc., Vansnax Distributors, Inc., J.J. Taylor Distributing Florida, Inc., Hamilton Distributors, Inc. and Freeman's Independent Ice Co., Inc. for food and beverages for resale pursuant to Section 2-226 of the City Code; and

WHEREAS, the City desires to exercise the third and final one-year renewal options of the Agreements with Great Bay Distributors, Inc., Vansnax Distributors, Inc., J.J. Taylor Distributing Florida, Inc., Hamilton Distributors, Inc. and Freeman's Independent Ice Co., Inc.; and

WHEREAS, the Procurement & Supply Management Department recommends approval of the renewal options of the Agreements.

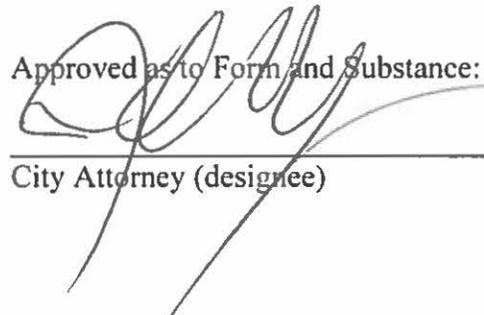
NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the third and final one-year renewal options of Agreements with

Great Bay Distributors, Inc. in an amount not to exceed \$40,000, J.J. Taylor Distributing Florida, Inc. in an amount not to exceed \$30,000, Vansnax Distributors, Inc., in an amount not to exceed \$15,000, Hamilton Distribution, Inc. in an amount not to exceed \$10,000 and Freeman's Independent Ice Co., Inc. in an amount not to exceed \$10,000 for a total amount not to exceed \$105,000 for food and beverages for resale are hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate these transactions; and

BE IT FURTHER RESOLVED that these renewals will be effective through November 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 three-year blanket purchase agreement to Allied Electronics, Inc. for electronic parts at an estimated annual amount of \$35,000.

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

Subject: Awarding a three-year blanket purchase agreement to Allied Electronics, Inc. for electronic parts at an estimated annual amount of \$35,000.

Explanation: The vendor furnishes original equipment manufacturer (OEM) and general electronic parts used to repair radio and communication equipment, public address systems and various types of testing equipment. The vendor also offer discounts from their manufacturers' price lists. The primary users are the Water Resources, Police, and Fire Departments.

The Procurement Department recommends for award:

Allied Electronics, Inc.....\$105,000

The vendor has met the requirements of IFB No. 7531 dated July 22, 2013. A Blanket purchase agreement will be issued to the vendor and will be binding only for actual quantities purchased. This agreement will be effective through December 31, 2017.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001) [\$60,000], Water Resources Administration (4202045), and in various capital projects in the Public Safety Capital Improvement Fund (3025) [\$45,000].

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF A THREE-YEAR AGREEMENT (BLANKET AGREEMENT) TO ALLIED ELECTRONICS, INC. AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$35,000 FOR ELECTRONIC PARTS; 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 six bids for electronic parts pursuant to IFB No. 7531 dated July 22, 2013; and

WHEREAS, Allied Electronics, Inc. has met the requirements of IFB No. 7531; and

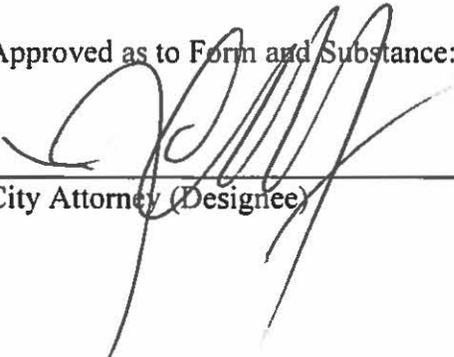
WHEREAS, the Procurement & Supply Management Department recommends approval of this award.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, the bid and award of a three year agreement (Blanket Agreement) to Allied Electronics, Inc. at an annual cost not to exceed \$35,000 for electronic parts is hereby approved and the Mayor or Mayor's designee is hereby 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 award through December 31, 2017.

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 one (1) year agreement with the Pinellas Suncoast Transit Authority in an amount not to exceed \$75,000 to operate a daily fixed route trolley service program from St. Pete Beach to the eastern terminus of

SAINT PETERSBURG CITY COUNCIL

Meeting of September 19, 2013

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

SUBJECT: A Resolution authorizing the Mayor, or his designee, to execute a one (1) year agreement with the Pinellas Suncoast Transit Authority in an amount not to exceed \$75,000 to operate a daily fixed route trolley service program from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Dolphin and Pelican Parking Lots; and providing an effective date.

EXPLANATION: In October, 2009 the “Central Avenue Shuttle” was created in partnership with the Pinellas Suncoast Transit Authority (PSTA), the St. Petersburg Downtown Partnership and the City of St. Petersburg. The Central Avenue Shuttle was created as a second themed service as an expansion of the St. Petersburg Trolley system which previously only included the Downtown Looper. The Central Avenue Shuttle provided service between The Pier and Grand Central Station at Central Avenue and 31st Street. These trolley services augment regular bus service, provide enhanced public transit, operate inexpensive and frequent service, reduce pollution, enhance citizen and visitor transportation options and support local businesses. The number of riders on the Central Avenue Shuttle exceeded expectations. In fact, in combination with the existing Looper service, over 20,000 riders boarded the St. Pete Trolley System each month.

In October, 2011 the City and PSTA partnered to expand the popular Central Avenue Shuttle and renamed it the Central Avenue Trolley. Service frequency was increased in part due to a three year federal grant. The expanded service allowed riders to board at Pass-A-Grille and ride all the way to the Pier via St. Pete Beach and Central Avenue without having to make a transfer. The Central Avenue Trolley has been in operation for almost two years and ridership has continued to exceeded expectations. Although The Pier building is closed at this time, the Central Avenue Trolley provides valuable service to the waterfront and serves both the Pelican and Dolphin surface lots and links these parking assets to other downtown destinations.

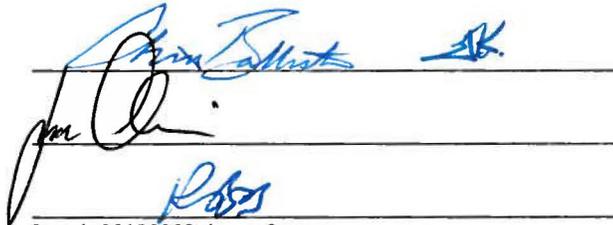
The City’s commitment of \$75,000 was required in order to provide a “Reduced Fare Zone” and a “Free Fare Zone” upon the initial implementation of the Central Avenue Trolley. These zones were critical to enhance ridership on the shorter rides within the greater downtown area. The City and PSTA desire to continue these reduced fare zones in the proposed renewal. Because PSTA normally receives \$2 per passenger and needs to maintain revenue to meet the expenses of running the operation, the City would be responsible for continuing to buy down the rate at a cost of \$0.50 per rider. However, the \$0.50 per rider only applies to those who do not have daily or monthly transit passes and do not ride outside the free fare zone as those riders would pay the normal rate once they exit the free fare zone or would have already paid the full fare before entering the reduced fare zone. PSTA has agreed to again place a \$75,000 cap on the City’s fare buy-down contribution.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a one (1) year agreement with the Pinellas Suncoast Transit Authority in an amount not to exceed \$75,000 to operate a daily fixed route trolley service program from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Dolphin and Pelican Parking Lots;; and providing an effective date.

COST/FUNDING ASSESSEMENT INFORMATION: Funding for the City's responsibility to buy down fares will be appropriated in the FY 14 Operating Budget (pending Council adoption), General Fund (0001), Transportation & Parking Management Department, Administration (281-1797).

ATTACHMENTS: Resolution Agreement

APPROVALS: Administration:
Budget:
Legal:

Three horizontal lines with handwritten signatures in blue ink. The top line has a signature that appears to be 'John F. ...'. The middle line has a signature that appears to be 'John ...'. The bottom line has a signature that appears to be 'R. ...'.

Resolution No. 2013- _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A ONE (1) YEAR AGREEMENT WITH THE PINELLAS SUNCOAST TRANSIT AUTHORITY IN AN AMOUNT NOT TO EXCEED \$75,000 TO OPERATE A DAILY FIXED ROUTE TROLLEY SERVICE FROM ST. PETE BEACH TO THE EASTERN TERMINUS OF SECOND AVENUE N.E. IN DOWNTOWN ST. PETERSBURG INCLUDING SERVICE TO THE DOLPHIN AND PELICAN PARKING LOTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg ("City") is undertaking certain measures to stimulate economic activity through transportation initiatives; and

WHEREAS, the Pinellas Suncoast Transit Authority ("PSTA") has been providing trolley service from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Dolphin and Pelican Parking Lots ("Service") since October of 2011; and

WHEREAS, the City and PSTA desire to continue this partnership and have negotiated an agreement whereby PSTA will continue to implement the Service; and

WHEREAS, the City has included \$75,000 in the FY 14 City Development Administration budget for the Central Avenue Trolley; and

WHEREAS, the City wishes to contribute up to \$75,000 to support the Central Avenue Trolley for the portion of the Service which will shuttle passengers between The Shops at St. Pete and the Dolphin and Pelican Parking Lots for free as well as provide discounted (\$0.50) rides between Grand Central Station and The Shops at St. Pete.

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 one (1) year agreement with the Pinellas Suncoast Transit Authority in an amount not to exceed \$75,000 to operate a daily fixed route trolley service from St. Pete Beach to the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Dolphin and Pelican Parking Lots.

This Resolution shall become effective immediately upon its adoption.

APPROVALS:

Legal: 
Legal: 00180897.doc v. 2

Administration  
Joseph Kubički, Director,
Department of Transportation and
Parking Management

Budget: 

CENTRAL AVENUE TROLLEY AGREEMENT

THIS AGREEMENT (**Agreement**) is entered into on this ____ day of _____, 2013, by and between PINELLAS SUNCOAST TRANSIT AUTHORITY ("**PSTA**"), an independent special district, with its principal place of business located at 3201 Scherer Drive, St. Petersburg, Florida, 33716, and the CITY OF ST. PETERSBURG ("**City**"), a Florida municipal corporation with its principal place of business located at 175 Fifth Street North, St. Petersburg, FL 33701 (collectively, "**Parties**").

WHEREAS, PSTA has been providing trolley services for the Central Avenue Shuttle from St. Pete Beach to The Pier ("**Central Avenue Trolley**") since October of 2011; and

WHEREAS, the City and PSTA desire to continue the Central Avenue Trolley services; and

WHEREAS, the City and PSTA desire to provide public transportation in the downtown area of St. Petersburg, Florida;

NOW THEREFORE, the Parties, in consideration of the covenants, conditions and mutual obligations contained herein, the receipt and adequacy of which are hereby acknowledged, agree as follows:

1. RECITALS. The above recitals are true and correct and incorporated herein.
2. CENTRAL AVENUE TROLLEY. PSTA shall operate the Central Avenue Trolley in accordance with the expanded route map, which is attached hereto as Exhibit "A" and incorporated by reference.
3. REDUCED FARE ZONES. The passenger fares charged for Central Avenue Trolley routes between Grand Central Station and The Shops at St. Pete ("**Reduced Rate Zone**") shall be at a reduced rate of Zero U.S. Dollars and 50/100 (\$0.50) per passenger, per ride. PSTA shall not charge passengers any fare for routes between The Shops at St. Pete and the eastern terminus of Second Avenue N.E. in downtown St. Petersburg including service to the Dolphin and Pelican Parking Lots ("**Free Fare Zone**"). Any passengers utilizing daily, monthly, or other pre-paid passes will not be charged a fare.
4. SUBSIDY. The City shall pay PSTA Zero U.S. Dollars and 50/100 (\$0.50) per passenger, not to exceed an annual maximum of Seventy-five Thousand U.S. Dollars and NO/100 (\$75,000.00), on a monthly basis. The subsidy paid to PSTA of \$0.50 is a match for each passenger boarding in the Free Fare Zone and for cash paying passengers boarding in the Reduced Fare Zone, except no match will be paid for passengers who utilize a pre-paid pass or those who ride any portion of the route outside the Free and Reduced Fare Zones. PSTA shall submit a monthly invoice to the City within thirty (30) days after the completion of each calendar month and

payment shall be remitted no later than thirty (30) days after the receipt of each invoice.

5. TERM. This Agreement shall be effective for a one (1) year period commencing October 1, 2013 and expiring on September 30, 2014. The Parties may only extend or renew the term of this Agreement by mutual written agreement.

6. TERMINATION.

a. WITHOUT CAUSE. This Agreement may be terminated without cause by either party by upon ninety (90) days' written notice of its intent to terminate.

b. WITH CAUSE. In the event the City fails to comply with any provision of this Agreement, including failure to make timely payment of undisputed invoices, PSTA may, in its sole discretion, terminate this Agreement upon thirty (30) days' written notice to the City.

7. NOTICES.

a. All notices, requests, demands or deliveries, and other communications which are required or permitted under this Agreement shall be in writing and sent to the respective addresses below:

If to PSTA:
Chief Executive Officer
Pinellas Suncoast Transit Authority
3201 Scherer Drive
St. Petersburg, Florida 33716
Fax No. 727-540-1913

If to the City:
Director, Transportation & Parking Mgt.
City of St. Petersburg
One 4th Street N.
St. Petersburg, FL 33701
Fax No. 727-551-3326

With required copy to:
Alan S. Zimmet, General Counsel
Bryant Miller Olive, P.A.
One Tampa City Center, Suite 2700
Tampa, FL 33602
Fax: (813) 223-2705

b. Either party may change its above contact information by providing written notice to the other party.

8. RESPONSIBILITY FOR NEGLIGENCE. Each party shall be fully responsible for the negligence of its respective agents, officers and employees, when such person is acting within the scope of his or her employment, and shall be liable for any damages alleged or claimed to have resulted or arisen from said negligence. Nothing herein is intended to serve as a waiver of sovereign immunity by the City or the PSTA, or to extend the liability of the City or the PSTA beyond the limits set forth in Section

768.28, Florida Statutes. Nothing herein shall be construed as consent by either party to be sued by third parties in any matter arising out of this Agreement. Each party's liability and obligations to the other shall be limited to those liabilities expressly set forth herein, otherwise each party shall assume responsibility of costs and expenses incurred by it. The obligations contained in this Paragraph shall survive the expiration or termination of this Agreement, however terminated.

9. MISCELLANEOUS.

- a. **Jurisdiction.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. The City and PSTA consent to jurisdiction over them and agree that venue for any state action shall lie solely in the Sixth Judicial Circuit in and for Pinellas County, Florida, and for any federal action shall lie solely in the U.S. District Court, Middle District of Florida, Tampa Division.
- b. **Entire Agreement.** This Agreement, together with any exhibits attached hereto, constitutes the entire agreement among the Parties and supersedes any and all prior negotiations, oral agreements or representations made or relating to the subject matter of this Agreement.
- c. **Assignment.** This Agreement may not be assigned without the prior written consent of the other party. Such consent shall not be unreasonably withheld or delayed.
- d. **Third Party Rights.** This Agreement shall not be construed to create any rights, claims, or benefits to any person other than the Parties
- e. **Severability.** If any of the provisions of this Agreement are held to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such provisions shall be deemed separate, severable, and the validity, legality, and enforceability of the remaining provisions shall not in any way be affected thereby.
- f. **Headings and Paragraph References.** The headings and paragraph references in this Agreement are inserted only for the purpose of convenience and shall not be construed to expand or limit the provisions contained in such paragraphs.
- g. **Authorization.** Both parties to this Agreement represent and warrant that they are authorized to enter into this Agreement without the consent and joinder of any other party and that the individuals executing this Agreement have full power and authority to bind their respective entities to the terms hereof.
- h. **Modification.** This Agreement may not be amended or altered except by mutual written agreement of the Parties. No waiver shall be valid unless set

forth in writing and signed by the party waiving its rights, claims, or remedies available at law. In the event either party elects to waive its remedies for breach of this Agreement, such a waiver shall not limit that party's remedies for any subsequent breach of that or any other term of this Agreement.

- i. **Non-Appropriation.** The obligations of the Parties as to any funding required pursuant to this Agreement shall be limited to an obligation in any given year to budget and appropriate from legally available funds, after monies for essential services have been budgeted and appropriated, sufficient monies for the funding that is required during that year. Notwithstanding the foregoing, a party shall not be prohibited from pledging any legally available non-ad valorem revenues for any obligations heretofore or hereafter incurred, which pledge shall be prior and superior to any obligation of the party pursuant to this Agreement.

IN WITNESS WHEREOF, the Parties have hereto made an executed this Agreement on the date first above written.

Witness:

Pinellas Suncoast Transit Authority

Print Name: _____

Brad Miller, Chief Executive Officer

Approved as to form:

Alan S. Zimmet, General Counsel

Witness:

Print Name: _____

Approved as to Content and Form *RBS*

City Attorney (Designee)

By: _____
Assistant City Attorney

Legal: 00180980.doc v. 2

City of St. Petersburg, Florida

By: _____

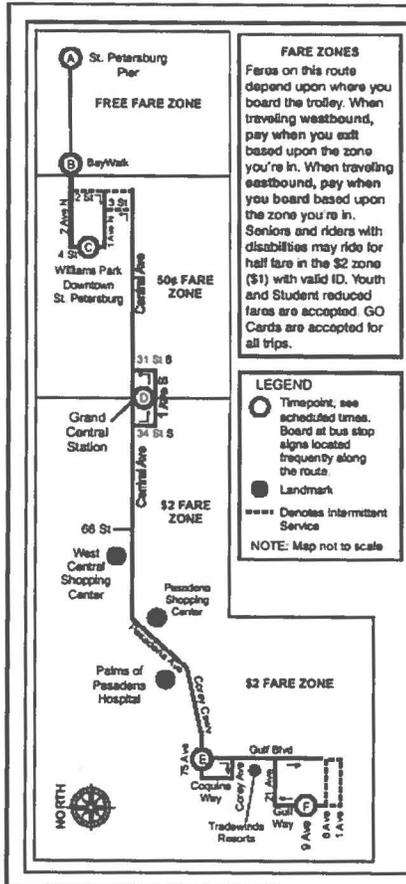
Print Name: _____

As its: _____

Attest: _____

Eva A. Andujar, City Clerk

EXHIBIT A



Central Avenue Trolley

ST. PETERSBURG PIER TO ST. PETE BEACH/PASS-A-GRILLE
ST. PETE BEACH/PASS-A-GRILLE TO ST. PETERSBURG PIER

MONDAY - THURSDAY

(A)	(B)	(C)	(C)	(D)	(E)	(F)	(F)	(E)	(D)	(C)	(A)
Depart The Pier	Arrive BayWalk	Depart Willams Park	Arrive Willams Park	Grand Central Station	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Grand Central Station	Willams Park	Arrive The Pier
-	-	-	-	6:10	6:30	6:45	6:50	7:10	6:55	7:10	-
-	-	-	-	6:20	6:35	7:00	7:15	7:30	7:55	8:10	-
-	-	-	-	6:35	6:50	7:10	7:25	7:30	7:50	8:15	-
-	-	-	-	6:50	7:05	7:25	7:40	7:45	8:05	8:30	-
-	-	-	-	7:05	7:20	7:40	7:55	8:00	8:20	8:45	-
-	-	-	-	7:20	7:35	7:55	8:10	8:15	8:35	9:00	-
-	-	-	-	7:35	7:50	8:10	8:25	8:30	8:50	9:15	-
-	-	-	-	8:00	8:15	8:35	8:50	9:00	9:20	9:45	10:00
-	-	-	-	8:25	8:40	9:00	9:15	9:25	9:45	10:10	10:25
-	-	-	-	8:55	9:10	9:30	9:45	9:50	10:10	10:35	10:50
-	-	-	-	9:25	9:40	10:00	10:15	10:25	10:45	11:10	11:25
-	-	-	-	9:55	10:10	10:30	10:45	11:00	11:15	11:40	11:55
-	-	-	-	-	-	-	-	11:25	11:45	12:10	12:25
10:05	10:05	10:20	10:25	10:40	11:00	11:15	-	-	-	-	12:40
-	-	-	-	-	-	-	-	-	-	-	12:41
10:30	10:33	10:45	10:55	11:10	11:30	11:45	11:55	12:15	12:40	12:55	1:00
11:00	11:03	11:15	11:25	11:40	12:00	12:20	12:30	12:50	1:15	1:30	1:35
11:30	11:33	11:45	11:55	12:10	12:30	12:50	1:00	1:20	1:45	2:00	2:01
11:45	11:48	12:05	12:15	12:30	12:50	1:10	1:20	1:40	2:05	2:20	-
12:00	12:03	12:15	12:25	12:40	1:00	1:20	1:30	1:50	2:15	2:30	2:31
12:15	12:18	12:30	12:40	12:55	1:15	1:35	1:50	2:10	2:35	2:50	-
12:30	12:33	12:45	12:55	1:10	1:30	1:50	2:00	2:20	2:45	3:00	3:01
12:45	12:48	1:00	1:10	1:25	1:45	2:05	2:15	2:35	3:00	3:15	3:16
1:00	1:03	1:15	1:25	1:40	2:00	2:20	2:30	2:50	3:15	3:30	3:31
1:35	1:38	1:50	2:00	2:15	2:35	2:55	3:05	3:25	3:50	4:05	4:06
2:05	2:08	2:20	2:30	2:45	3:05	3:25	3:35	3:55	4:20	4:35	4:36
2:35	2:38	2:50	3:00	3:15	3:35	3:55	4:00	4:20	4:45	5:00	5:01
3:05	3:08	3:20	3:25	3:40	4:00	4:20	4:25	4:45	5:10	5:30	-
3:20	3:23	3:35	3:45	4:00	4:20	4:40	4:50	5:10	5:35	5:50	-
3:35	3:38	3:50	4:00	4:15	4:35	4:55	5:05	5:20	5:45	6:00	-
3:50	3:53	4:05	4:15	4:30	4:50	5:10	5:20	5:40	6:05	6:20	-
4:10	4:13	4:25	4:35	4:50	5:10	5:30	5:40	6:00	6:25	6:40	-
4:25	4:28	4:40	4:50	5:05	5:25	5:45	5:55	6:10	6:35	6:50	-
4:40	4:43	4:55	5:05	5:20	5:40	6:00	6:10	6:30	6:55	7:10	-
5:05	5:08	5:20	5:30	5:45	6:05	6:25	6:35	6:55	7:20	7:35	-
-	-	6:50	6:00	6:15	6:35	6:50	7:00	7:15	7:35	7:50	-
-	-	6:00	6:10	6:25	6:45	7:05	7:15	7:35	8:00	8:15	-
-	-	7:15	7:25	7:40	8:00	8:15	8:25	8:45	9:05	9:20	-
-	-	7:35	7:45	8:00	8:20	8:40	8:50	9:10	9:30	9:45	-
-	-	7:50	8:05	8:20	8:40	9:00	9:05	9:25	9:45	10:00	-
-	-	8:05	8:45	9:00	9:40	9:50	10:10	10:30	10:45	11:05	-
-	-	9:20	9:25	9:40	10:05	10:25	10:25	10:45	11:05	11:20	-
-	-	9:45	9:45	10:00	10:35	10:50	10:50	11:05	11:25	-	-
-	-	10:05	10:10	10:25	11:00	-	-	-	-	-	-

FRIDAY

(A)	(B)	(C)	(C)	(D)	(E)	(F)	(F)	(E)	(D)	(C)	(B)	(A)
Depart The Pier	Arrive BayWalk	Depart Willams Park	Arrive Willams Park	Grand Central Station	75 Ave & Gulf Blvd	9 Ave & Gulf Way	9 Ave & Gulf Way	75 Ave & Gulf Blvd	Grand Central Station	Willams Park	Arrive The Pier	
-	-	-	-	6:10	6:30	6:45	6:50	7:10	6:55	7:10	-	
-	-	-	-	6:20	6:35	7:00	7:15	7:15	7:30	7:55	-	
-	-	-	-	6:35	6:50	7:10	7:25	7:30	7:50	8:15	-	
-	-	-	-	6:50	7:05	7:25	7:40	7:45	8:05	8:30	-	
-	-	-	-	7:05	7:20	7:40	7:55	8:00	8:20	8:45	-	
-	-	-	-	7:20	7:35	7:55	8:10	8:15	8:35	9:00	-	
-	-	-	-	7:35	7:50	8:10	8:25	8:30	8:50	9:15	-	
-	-	-	-	8:00	8:15	8:35	8:50	9:00	9:20	9:45	10:00	
-	-	-	-	8:25	8:40	9:00	9:15	9:25	9:45	10:10	10:25	
-	-	-	-	8:55	9:10	9:30	9:45	9:50	10:10	10:35	10:50	
-	-	-	-	9:25	9:40	10:00	10:15	10:25	10:45	11:10	11:25	
-	-	-	-	9:55	10:10	10:30	10:45	10:55	11:15	11:40	11:55	
-	-	-	-	-	-	-	-	11:30	11:55	12:10	12:15	
10:05	10:05	10:20	10:25	10:40	11:00	11:15	11:25	11:45	12:10	12:25	12:30	
-	-	-	-	-	-	-	-	-	-	-	12:40	
10:30	10:33	10:45	10:55	11:10	11:30	11:45	11:55	12:15	12:40	12:55	1:00	
11:00	11:03	11:15	11:25	11:40	12:00	12:20	12:30	12:50	1:15	1:30	1:31	
11:30	11:33	11:45	11:55	12:10	12:30	12:50	1:00	1:20	1:45	2:00	2:01	
11:45	11:48	12:05	12:15	12:30	12:50	1:10	1:20	1:40	2:05	2:20	-	
12:00	12:03	12:15	12:25	12:40	1:00	1:20	1:30	1:50	2:15	2:30	2:31	
12:15	12:18	12:30	12:40	12:55	1:15	1:35	1:50	2:10	2:35	2:50	-	
12:30	12:33	12:45	12:55	1:10	1:30	1:50	2:00	2:20	2:45	3:00	3:01	
12:45	12:48	1:00	1:10	1:25	1:45	2:05	2:15	2:35	3:00	3:15	3:16	
1:00	1:03	1:15	1:25	1:40	2:00	2:20	2:30	2:50	3:15	3:30	3:31	
1:35	1:38	1:50	2:00	2:15	2:35	2:55	3:05	3:25	3:50	4:05	4:06	
2:05	2:08	2:20	2:30	2:45	3:05	3:25	3:35	3:55	4:20	4:35	4:36	
2:35	2:38	2:50	3:00	3:15	3:35	3:55	4:00	4:20	4:45	5:00	5:01	
3:05	3:08	3:20	3:25	3:40	4:00	4:20	4:25	4:45	5:10	5:30	5:31	
3:20	3:23	3:35	3:45	4:00	4:20	4:40	4:50	5:10	5:35	5:50	-	
3:35	3:38	3:50	4:00	4:15	4:35	4:55	5:05	5:20	5:45	6:00	6:01	
3:50	3:53	4:05	4:15	4:30	4:50	5:10	5:20	5:40	6:05	6:20	-	
4:10	4:13	4:25	4:35	4:50	5:10	5:30	5:40	6:00	6:25	6:40	-	
4:25	4:28	4:40	4:50	5:05	5:25	5:45	5:55	6:10	6:35	6:50	-	
4:40	4:43	4:55	5:05	5:20	5:40	6:00	6:10	6:30	6:55	7:10	-	
5:05	5:08	5:20	5:30	5:45	6:05	6:25	6:35	6:55	7:20	7:35	-	
5:35	5:38	5:50	6:00	6:15	6:35	6:50	7:00	7:15	7:35	7:50	7:51	
6:05	6:08	6:20	6:30	6:45	7:05	7:15	7:35	8:00	8:15	8:30	8:31	
6:55	6:58	7:10	7:20	7:35	7:55	8:15	8:25	8:45	9:05	9:20	9:21	
7:20	7:23	7:35	7:45	8:00	8:20	8:40	8:50	9:10	9:30	9:45	9:46	
7:55	7:58	8:10	8:15	8:30	8:50	9:10	9:10	9:25	9:45	10:05	10:10	
8:30	8:33	8:45	8:55	9:00	9:20	9:40	9:50	10:10	10:30	10:45	10:50	
8:40	8:43	8:55	9:05	9:20	9:40	10:00	10:10	10:30	10:50	11:05	11:10	
9:25	9:28	9:40	9:45	10:00	10:25	10:45	10:45	11:05	11:25	11:40	-	
9:50	9:53	10:05	10:10	10:25	10:45	11:05	11:00	11:15	11:35	-	-	
10:10	10:13	10:25	10:30	10:45	11:05	11:20	11:20	11:35	-	-	-	
10:50	10:53	11:05	11:10	11:25	-	-	-	-	-	-	-	
11:10	11:13	11:25	11:25	11:40	-	-	-	-	-	-	-	

Wheelchair Service Provided On All Trips
X - These trips serve 1 Ave
TIMES SHOWN ARE SCHEDULED BUT MAY VARY DUE TO TRAFFIC CONDITIONS, WEATHER OR UNFORSEEN EVENTS

Attached documents for item Approving disbursement of up to \$50,000 from the Capital Repair, Renewal and Replacement Sinking Fund Account for Tropicana Field Capital Projects; approving a supplemental appropriation in the amount of \$50,000 from the unappropriated balance of the Trop

St. Petersburg City Council
Meeting of September 19, 2013

Consent Agenda B

To: The Honorable Karl Nurse and Members of City Council

Subject: Approving disbursement of up to \$50,000 from the Capital Repair, Renewal and Replacement Sinking Fund Account for Tropicana Field Capital Projects; approving a supplemental appropriation in the amount of \$50,000 from the unappropriated balance of the Tropicana Field Capital Projects Fund (3081) to the Tropicana Field FY13 Improvements Project (13845); and providing an effective date.

BACKGROUND: Section 5.01 of the Use Agreement with the Tampa Bay Rays (the "Team" or "Club") established an escrowed sinking fund called the Capital Repair, Renewal and Replacement Sinking Fund Account (the "Capital Account"). This Capital Account is funded by naming rights revenue and ticket fees. The Use Agreement specifies that this Capital Account is to be used by the Team in making capital repairs, renewals and replacements to Tropicana Field. This section further requires that the Team consult with and receive approval from the City regarding expenditures from the Capital Account.

The Club is requesting that various repair, renewal and/or replacement projects be approved for funding from the Tropicana Field Capital Account:

Elevator Modernization: A continuation of the recent upgrade project to 6 of Tropicana Field's elevator systems, including changes required under the applicable Fire Code. Estimated cost = \$25,000.

Water Main Repairs: Repairs needed to Water Mains serving the A/C System (Chiller #3) and the Visitor Clubhouse. Est. Cost = \$22,000.

Contingency: A general contingency for the above projects is requested in the amount of \$3,000 (approximately 6% of the total estimates).

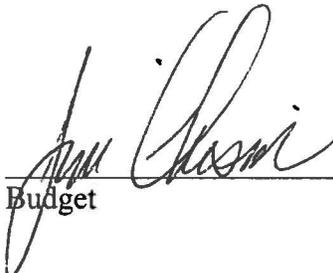
Total cost for the above items, including the Contingency, is \$50,000. City administration has reviewed these items and concurs with the Club that they meet the requirements established for use of the Capital Account.

RECOMMENDATION: City Administration recommends approval of the attached Resolution.

COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in the Capital Repair, Renewal & Replacement Sinking Fund Account. The Capital Account has a current balance of approximately \$2.5 Million. A supplemental appropriation in the amount of \$50,000 from the Tropicana Field Capital Projects Fund (3081) to the Tropicana Field FY13 Improvements Project (13845) is required.

Approvals:

 8-30-13 
City Development Administration


Budget

A RESOLUTION APPROVING DISBURSEMENT OF UP TO \$50,000 FROM THE TROPICANA FIELD CAPITAL REPAIR, RENEWAL AND REPLACEMENT SINKING FUND FOR QUALIFYING CAPITAL ITEMS TO TROPICANA FIELD; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$50,000 FROM THE UNAPPROPRIATED BALANCE OF THE TROPICANA FIELD CAPITAL PROJECTS FUND (3081) TO THE TROPICANA FIELD FY13 IMPROVEMENTS PROJECT (13845); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 5.01 of the Use Agreement with the Tampa Bay Rays established an escrowed sinking fund called the Capital Repair, Renewal and Replacement Sinking Fund Account (the Capital Account) to be used by the Club in making capital repairs, renewals, and replacements to Tropicana Field; and

WHEREAS, the Club has brought forward for City approval a series of capital projects for Tropicana Field totaling approximately \$50,000; and

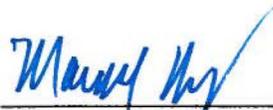
WHEREAS, City Administration has reviewed these items and finds them acceptable for reimbursement from the Capital Account per the established guidelines.

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of St. Petersburg, Florida, that disbursement of up to \$50,000 for capital items from the Capital Account, subject to receipt by the City of appropriate supporting documentation, is hereby approved.

BE IT FURTHER RESOLVED, that there is hereby approved from the unappropriated fund balance of the Tropicana Field Capital Projects Fund (3081), the following supplemental appropriation for FY13:

<u>Tropicana Field Capital Projects Fund (3081)</u>	
Tropicana Field FY13 Improvements Project (13845)	\$50,000

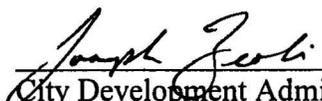
This resolution shall become effective upon adoption.



City Attorney (Designee)



Budget & Management



City Development Administration

Attached documents for item Authorizing the Mayor or his designee to execute a License Agreement with the Police Athletic League of St. Petersburg, Inc., a not-for-profit corporation, for the use of the Main Building at 1450 - 16th Street North located within a portion of the City-o

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a License Agreement with the Police Athletic League of St. Petersburg, Inc., a not-for-profit corporation, for the use of the Main Building at 1450 - 16th Street North located within a portion of the City-owned Woodlawn Park for a period of three (3) years at an aggregate rent of \$36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same; and providing an effective date. *(Requires an affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate and Property Management received a request from Police Athletic League of St. Petersburg, Inc. ("PAL") to enter into a new license agreement for another three (3) year term for use of the Main Building at 1450 - 16th Street North located within a portion of City-owned Woodlawn Park that PAL has utilized since 1995.

PAL has executed a new License Agreement ("License"), for a term of thirty-six months (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 Licensee 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 Licensee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate in addition to all risks property insurance on the Premises, in an amount not less than assessed value of the improvements as determined by the Pinellas County Property Appraiser's office. The License 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 non-profit, private organization "... the organization pays operating costs plus a reserve for replacement." Due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs. These terms and conditions are consistent with prior Licenses with this and other non-profit organizations. Under the terms of the License, "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 Neighborhood Suburban Estate (NS-E).

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a License Agreement with the Police Athletic League of St. Petersburg, Inc., a not-for-profit corporation, for the use of the Main Building at 1450 - 16th Street North located within a portion of the City-owned Woodlawn Park 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

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

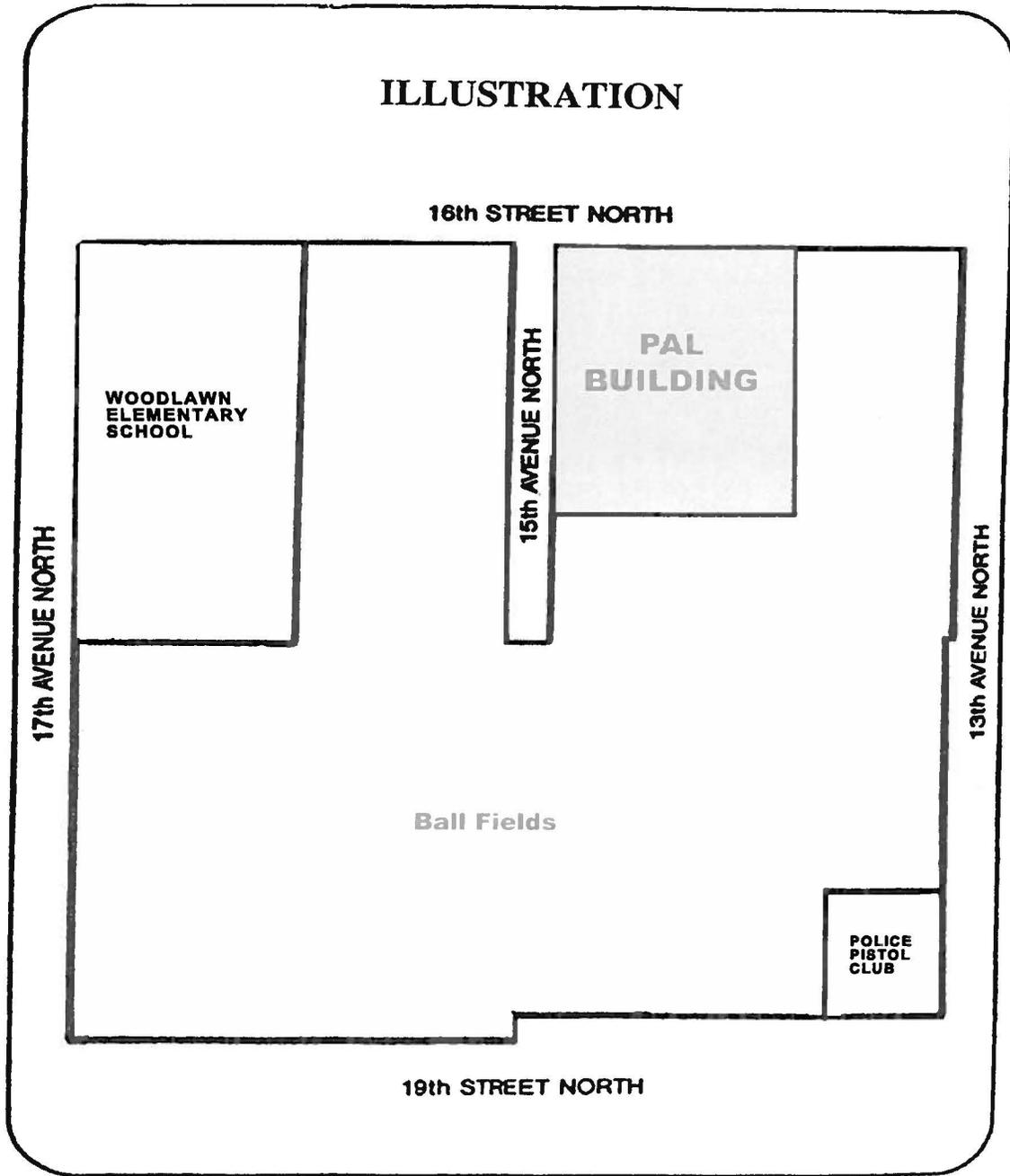
APPROVALS: Administration: R. Mussett 9-3-13 *RM*

Budget: N/A

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

Legal: 00180745.doc v.3

ILLUSTRATION



Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH THE POLICE ATHLETIC LEAGUE OF ST. PETERSBURG, INC., A NOT-FOR-PROFIT CORPORATION, FOR THE USE OF THE MAIN BUILDING AT 1450 - 16TH STREET NORTH LOCATED WITHIN A PORTION OF THE CITY-OWNED WOODLAWN PARK 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, the Police Athletic League of St. Petersburg, Inc. ("Licensee") desires to continue to use the main building located at 1450 - 16th Street North, within a portion of City-owned Woodlawn Park, which is classified as Parkland; and

WHEREAS, the proposed License Agreement ("License") 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 License; and

WHEREAS, the License 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 Licensee 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 Licensee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate; and

WHEREAS, the Licensee will maintain all risks property insurance on the Premises, in an amount not less than assessed value of the improvements as determined by the Pinellas County Property Appraiser's office; and

WHEREAS, the License is in accordance with the policies established in Resolution No. 79-740A with the exception that the reserve for replacement requirement is being waived to reduce the organization's operating costs; and

WHEREAS, due to the limited financial resources of the Licensee, 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 licenses with this and other non-profit organizations; and

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

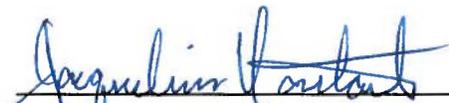
WHEREAS, Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council; and

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

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 the Police Athletic League of St. Petersburg, Inc., a not-for-profit corporation, for the use of the Main Building at 1450 - 16th Street North located within a portion of the City-owned Woodlawn Park 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.

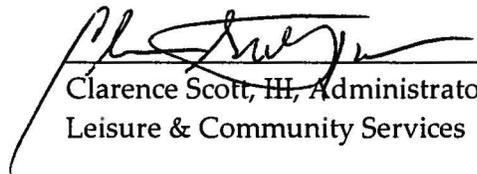
LEGAL:



City Attorney (Designee)

Legal: 00180745.doc v.3

APPROVED BY:



Clarence Scott, III, Administrator
Leisure & Community Services

APPROVED BY:



Bruce E. Grimes, Director
Real Estate & Property Management

Attached documents for item Authorizing the Mayor or his designee to execute a License Agreement with Family Resources, Inc., a not-for-profit corporation, for the use of the Arts Wing within a portion of the City-owned Wildwood Recreation Center, located at 1000 - 28th Street South

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a License Agreement with Family Resources, Inc., a not-for-profit corporation, for the use of the Arts Wing within a portion of the City-owned Wildwood Recreation Center, located at 1000 - 28th Street South, for a period of three (3) years at an aggregate rent of \$36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same; and providing an effective date. *(Requires an affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate and Property Management received a request from Family Resources, Inc. to enter into a new license agreement for another three (3) year term for use of the Arts Wing at Wildwood Recreation Center that it has utilized for the operation of the Youth Arts Corps program since the completion of the facility on October 1, 2004.

Family Resources, Inc. ("Licensee") has executed a License Agreement ("Agreement"), for a term of thirty-six months (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 Licensee will provide educational programs in the areas of art, photography, clay sculpture, percussion, web-site design, poetry, theater and printmaking, in addition to providing development services for youth. The rental rate is one dollar (\$1.00) per month or thirty-six (\$36.00) for the entire term. The Licensee is responsible for Arts Wing staffing, programming, daily cleaning and removal of all trash and debris in association with its use of the Premises, in addition to long distance charges for use of the telephone line provided by the City and applicable taxes and insurance. Additionally, the Licensee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate. The Agreement 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 non-profit, private organization "... the organization pays operating costs plus a reserve for replacement." Due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs. These terms and conditions are consistent with prior leases with this and other non-profit organizations. Under the terms of the lease, "the City is under no obligation to provide a replacement facility under any circumstances."

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 Neighborhood Suburban Estate (NS-E).

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a License Agreement with Family Resources, Inc., a not-for-profit corporation, for the use of the Arts Wing within a portion of the City-owned Wildwood Recreation Center, located at 1000 - 28th Street South, 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 9-3-13 BB

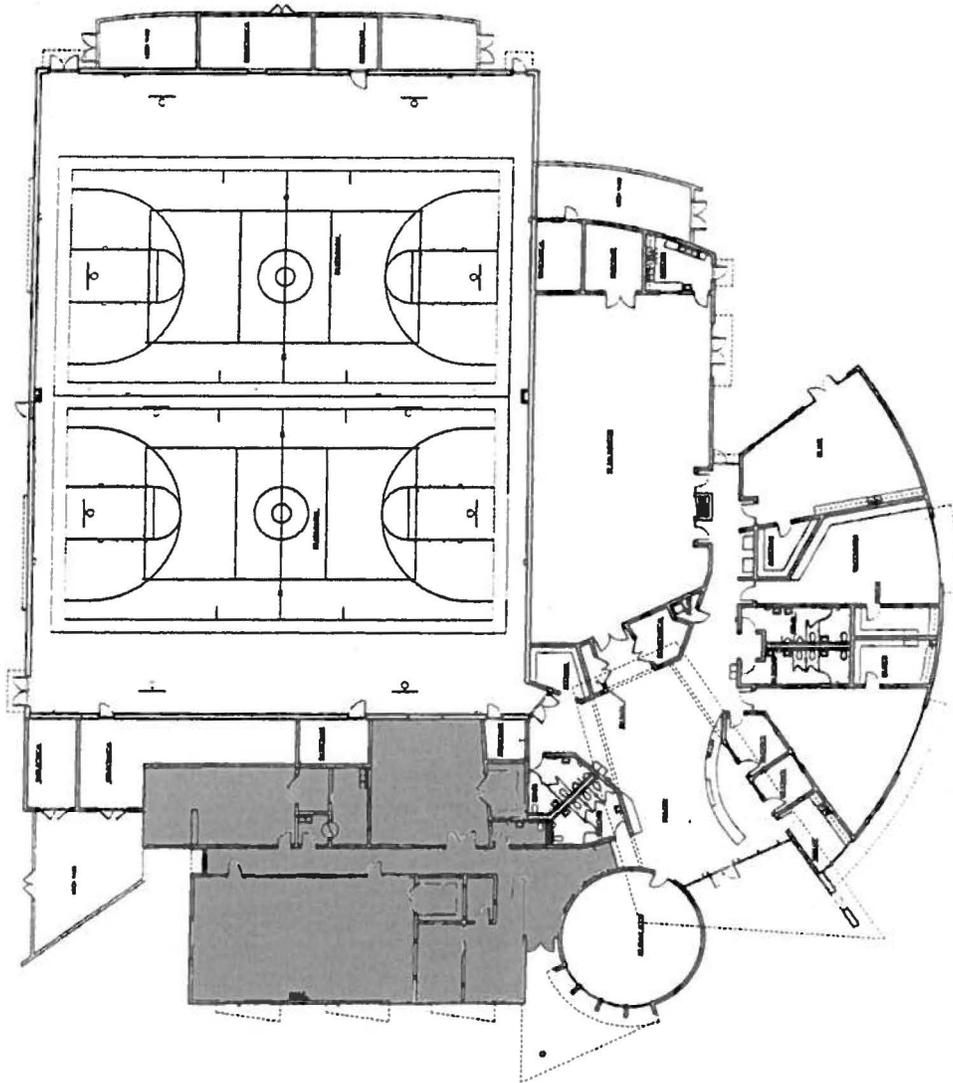
Budget: N/A

Legal: Jaqueline [Signature]

(As to consistency w/attached legal documents)

Legal: 00180729.doc v.2

ILLUSTRATION Wildwood Recreation Center



**AREA TO BE USED BY FAMILY RESOURCES
FOR YOUTH ART CORPS PROGRAM**

Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH FAMILY RESOURCES, INC., A NOT-FOR-PROFIT CORPORATION, FOR THE USE OF THE ARTS WING WITHIN A PORTION OF THE CITY-OWNED WILDWOOD RECREATION CENTER, LOCATED AT 1000 - 28TH STREET SOUTH, 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, Family Resources, Inc. ("Licensee") desires to lease the Arts Wing for the operation of the Youth Arts Corps program that the Licensee will be operating within a portion of the City-owned Wildwood Recreation Center, located at 1000 - 28th Street South, which is classified as Parkland; and

WHEREAS, the proposed License Agreement ("License") 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 License; and

WHEREAS, the License 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 Licensee is responsible for Arts Wing staffing, programming, daily cleaning and removal of all trash and debris in association with its use of the Premises, in addition to long distance charges for use of the telephone line provided by the City and applicable taxes and insurance; and

WHEREAS, the Licensee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate; and

WHEREAS, this License is in accordance with the policies established in Resolution No. 79-740A with the exception that the reserve for replacement requirement is being waived to reduce the organization's operating costs; 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 non-profit organizations; and

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

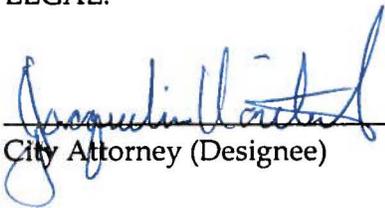
WHEREAS, Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council; and

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

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 Family Resources, Inc., a not-for-profit corporation, for the use of the Arts Wing within a portion of the City-owned Wildwood Recreation Center, located at 1000 - 28th Street South, 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.

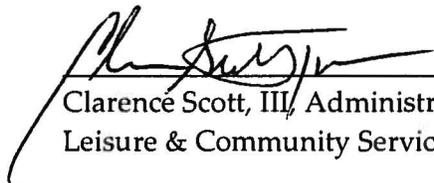
LEGAL:



City Attorney (Designee)

Legal: 00180729.doc v.2

APPROVED BY:



Clarence Scott, III, Administrator
Leisure & Community Services

APPROVED BY:



Bruce E. Grimes, Director
Real Estate & Property Management

Attached documents for item Authorizing the Mayor or his designee to execute a Second Amendment to the Employee Parking License Agreement with Salvador Dalí Museum, Inc. for the non-exclusive use of twenty (20) parking spaces located within the Albert Whitted Airport overflow parkin

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a Second Amendment to the Employee Parking License Agreement with Salvador Dalí Museum, Inc. for the non-exclusive use of twenty (20) parking spaces located within the Albert Whitted Airport overflow parking area for a period of one (1) year for \$530.45 per month, with the right to request extensions for two (2) additional one (1) year terms; and to execute all documents necessary to effectuate same; and providing an effective date. *(Requires affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate & Property Management received a request from the Salvador Dalí Museum, Inc. ("Dalí") asking the City to extend its license providing use of up to twenty (20) non-exclusive parking spaces ("Premises"), identified in the attached illustration, located within the Albert Whitted Airport overflow parking area. Through the adoption of Resolution No. 2011-352 on September 8, 2011, City Council approved a one-year Employee Parking License Agreement with the Dalí ("Agreement"), with extensions for up to four (4) successive one (1) year terms, that provided the Dalí use of the Premises for employee parking. This will be the second (2nd) of the four (4) allowed extensions following the First Amendment to the Agreement through the adoption of Resolution No. 2012-431, approved by City Council on September 20, 2012.

Under the Agreement, Dalí pays the City a fee, which commenced at the beginning of the First Renewal Term, at a rate of \$515.00 per month, plus applicable taxes ("Fee"). Effective October 1, 2013, the Fee will be increased by 3% to \$530.45 per month, plus any applicable taxes, upon approval by City Council. The City, with reasonable notice to Dalí, shall have the right to temporarily suspend Dalí's use and access to the Premises from time to time for City events including, but not limited to: (i) any sponsored or co-sponsored City-event, (ii) the Grand Prix, and/or (iii) boat and air shows. Any such suspension shall provide for a credit of any prepaid Fee. The City shall continue to appropriately maintain the Premises with Dalí's cooperation. Dalí will maintain a commercial general liability insurance policy in an amount of at least \$1,000,000 per occurrence and \$2,000,000 in the aggregate. The City has no obligation to provide replacement parking under any circumstances.

The Agreement may be terminated without cause by either party by providing the other party with thirty (30) days written notice of its intent to terminate prior to the scheduled date of expiration.

This Agreement is in compliance with Section 1.02(c)(4) of the City Charter, which permits the licensing 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 Second Amendment to the Employee Parking License Agreement with Salvador Dalí Museum, Inc. for the non-exclusive use of twenty (20) parking spaces located within the Albert Whitted Airport overflow parking area for a period of one (1) year for \$530.45 per month, with the right to request extensions for two (2) additional one (1) year terms; and to execute all documents necessary to effectuate same; and providing a effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration: R. Mussett 8-29-13 *SR*

Budget: N/A

Legal: Jacqueline D. ...
(As to consistency w/attached legal documents)

Legal: 00180735.doc v.2

ILLUSTRATION



Resolution No. 2013 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A SECOND AMENDMENT TO THE EMPLOYEE PARKING LICENSE AGREEMENT WITH SALVADOR DALÍ MUSEUM, INC. FOR THE NON-EXCLUSIVE USE OF TWENTY (20) PARKING SPACES LOCATED WITHIN THE ALBERT WHITTED MUNICIPAL AIRPORT OVERFLOW PARKING AREA FOR A PERIOD OF ONE (1) YEAR FOR \$530.45 PER MONTH, WITH THE RIGHT TO REQUEST EXTENSIONS FOR TWO (2) ADDITIONAL ONE (1) YEAR TERMS; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management received a request from the Salvador Dalí Museum, Inc. ("Dalí") asking the City to extend its license providing use of up to twenty (20) non-exclusive parking spaces ("Premises") located within the Albert Whitted Airport overflow parking area; and

WHEREAS, through the adoption of Resolution No. 2011-352 on September 8, 2011, City Council approved a one-year Employee Parking License Agreement with the Dalí ("Agreement"), with extensions for up to four (4) successive one (1) year terms, that provided the Dalí use of the Premises for employee parking; and

WHEREAS, this will be the second (2nd) of the allowed extensions following the First Amendment to the Agreement through the adoption of Resolution No. 2012-431, approved by City Council on September 20, 2012; and

WHEREAS, under the existing Agreement, Dalí pays the City a fee, which commenced at the beginning of the First Renewal Term, at a rate of \$515.00 per month, plus applicable taxes ("Fee"); and

WHEREAS, the proposed Second Amendment to the Agreement ("Second Amendment") will be for a term of one (1) year, with the right to request extensions for two (2) additional one (1) year terms, subject to approval by City Council; and

WHEREAS, under the terms and conditions of the proposed Second Amendment, Dalí's monthly Fee will be increased by 3% to \$530.45 per month, plus any applicable taxes, upon approval by City Council; and

WHEREAS, the City, with reasonable notice to Dalí, shall have the right to temporarily suspend Dalí's use and access to the Premises from time to time for City events

including but not limited to: (i) any sponsored or co-sponsored City-event, (ii) the Grand Prix, and/or (iii) boat and air shows; and

WHEREAS, any such suspension shall provide for a credit of any prepaid Fee; and

WHEREAS, the City shall continue to appropriately maintain the Premises with Dalí's cooperation; and

WHEREAS, Dalí will maintain a commercial general liability insurance policy in an amount of at least \$1,000,000 per occurrence and \$2,000,000 in the aggregate; and

WHEREAS, the City has no obligation to provide replacement parking under any circumstances; and

WHEREAS, the Agreement may be terminated without cause by either party by providing the other party with thirty (30) days written notice of its intent to terminate prior to the scheduled date of expiration; and

WHEREAS, this Agreement is in compliance with Section 1.02(c)(4) of the City Charter, that permits the licensing 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 authorized to execute a Second Amendment to the Employee Parking License Agreement with Salvador Dalí Museum, Inc. for the non-exclusive use of twenty (20) parking spaces located within the Albert Whitted Airport overflow parking area for a period of one (1) year for \$530.45 per month, with the right to request extensions for two (2) additional one (1) year terms; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)
Legal 00180735.doc v.2

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 execute a License Agreement with St. Petersburg Saturday Morning Market, Inc., a Florida not-for-profit corporation, for a three (3) year term for nominal consideration, for the use of a portion of the parking lot

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a License Agreement with St. Petersburg Saturday Morning Market, Inc., a Florida not-for-profit corporation, for a three (3) year term for nominal consideration, for the use of a portion of the parking lot to the north of Al Lang Field, located on the southeast corner of 1st Street S.E. and 1st Avenue S.E., as a market place within a portion of City-owned Progress Energy Park at 201 Bayshore Drive Southeast, St. Petersburg, on Saturdays only during eight (8) month periods from October 1 through May 31 each year of the term; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management received a request from St. Petersburg Saturday Morning Market, Inc. ("Licensee") to enter into a three (3) year agreement to continue its use of a portion of the parking lot to the north of Al Lang Field ("Premises") as a market place within a portion of City-owned Progress Energy Park at 201 Bayshore Drive Southeast, St. Petersburg for nominal consideration. The Licensee will utilize the westerly two-third (2/3) portion of the parking lot, located on the southeast corner of 1st Street S.E. and 1st Avenue S.E., on Saturdays only as a market place for a three (3) year term during eight (8) month periods from October 1 through May 31 each year of the term.

A License Agreement ("Agreement") has been executed by Licensee for a term of three (3) years allowing for use of the Premises during an eight (8) month period from October 1 through May 31 of each year of the term, subject to City Council approval. The Agreement provides that the Licensee shall be responsible for all applicable costs (including installation, deposits, and usage) for utilities associated with the Licensee's use of the Premises. The Licensee shall pay a nominal use fee in the amount of \$36.00 to the City for the term and shall obtain any and all permits necessary to operate the Premises as a market place. Additionally, the Licensee shall maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate.

There are provisions to exclude the Licensee's use during conflicts with the Grand Prix Race Event and the Tampa Bay Rowdies through its agreement with the St. Petersburg Baseball Commission ("SPBC") for conducting soccer game events including, but not limited to, regular and home playoff games at Al Lang Stadium. The City will cooperatively work with the Licensee to identify alternative locations to hold the Saturday market during these exclusion periods to the Premises.

The Licensee is aware that the City has entered into an agreement for operation and maintenance of Progress Energy Park with the SPBC. The Licensee acknowledges that any use

of the concourse public restrooms and storage areas within Al Lang Stadium will require the approval, under a separate agreement, with the SPBC. The Licensee shall maintain the Premises at its own cost and expense, remove all goods and effects used during the activities, and deliver up the Premises in good condition clean and clear of trash and other debris after each use during the entire term of this Agreement.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a License Agreement with St. Petersburg Saturday Morning Market, Inc., a Florida not-for-profit corporation, for a three (3) year term for nominal consideration, for the use of a portion of the parking lot to the north of Al Lang Field, located on the southeast corner of 1st Street S.E. and 1st Avenue S.E., as a market place within a portion of City-owned Progress Energy Park at 201 Bayshore Drive Southeast, St. Petersburg, on Saturdays only during eight (8) month periods from October 1 through May 31 each year of the term; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

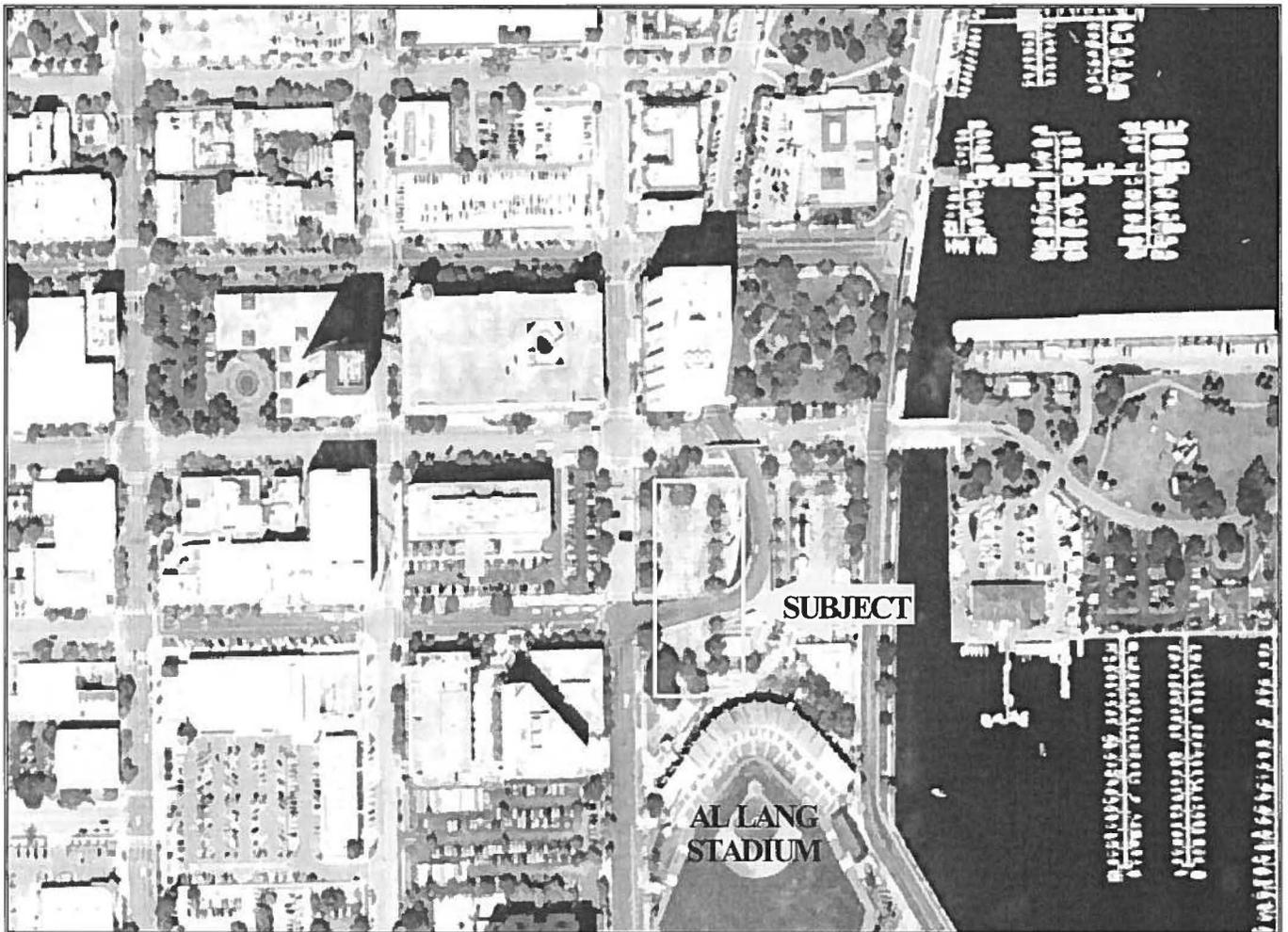
APPROVALS: Administration: Joseph F. Zeri *BT*

Budget: N/A

Legal: *Josephine ...*
(As to consistency w/attached legal documents)

Legal: 00180742.doc v.2

ILLUSTRATION



A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH ST. PETERSBURG SATURDAY MORNING MARKET, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR A THREE (3) YEAR TERM FOR NOMINAL CONSIDERATION, FOR THE USE OF A PORTION OF THE PARKING LOT TO THE NORTH OF AL LANG FIELD, LOCATED ON THE SOUTHEAST CORNER OF 1ST STREET S.E. AND 1ST AVENUE S.E., AS A MARKET PLACE WITHIN CITY-OWNED PROGRESS ENERGY PARK AT 201 BAYSHORE DRIVE SOUTHEAST, ST. PETERSBURG, ON SATURDAYS ONLY DURING EIGHT (8) MONTH PERIODS FROM OCTOBER 1 THROUGH MAY 31 EACH YEAR OF THE TERM; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management received a request from St. Petersburg Saturday Morning Market, Inc. ("Licensee") to continue its use of a portion of the parking lot to the north of Al Lang Field as a market place within a portion of City-owned Progress Energy Park at 201 Bayshore Drive Southeast, St. Petersburg ("Premises"); and

WHEREAS, the proposed License Agreement ("Agreement") is for a term of three (3) years; and

WHEREAS, the Licensee will be utilizing the westerly two-third (2/3) portion of the parking lot, located on the southeast corner of 1st Street S.E. and 1st Avenue S.E., on Saturdays only as a market place during eight (8) month periods from October 1 through May 31 each year of the term; and

WHEREAS, the Licensee is responsible for all applicable costs (including installation, deposits, and usage) for utilities associated with the Licensee's use of the Premises, subject to City Council approval; and

WHEREAS, the Licensee shall pay a nominal use fee of \$36.00 to the City for the term and shall obtain any and all permits necessary to operate the Premises as a market place; and

WHEREAS, the Licensee shall maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate; and

WHEREAS, there are provisions to exclude the Licensee's use during conflicts with the Grand Prix Race Event and the Tampa Bay Rowdies through its agreement with the St. Petersburg Baseball Commission ("SPBC") for conducting soccer game events including, but not limited to, regular and home playoff games at Al Lang Stadium; and

WHEREAS, the City will cooperatively work with the Licensee to identify alternative locations to hold the Saturday market during these exclusion periods to the Premises; and

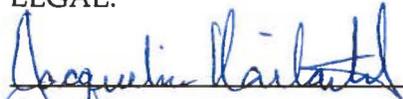
WHEREAS, the Licensee is aware that the City has entered into an agreement for operation and maintenance of Progress Energy Park with the SPBC and the Licensee acknowledges that any use of the concourse public restrooms and storage areas within Al Lang Stadium will require the approval, under a separate agreement, with the SPBC; and

WHEREAS, the Licensee shall maintain the Premises at its own cost and expense, remove all goods and effects used during the activities, and deliver up the entire Premises in good condition clean and clear of trash and other debris after each use during the entire term 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 St. Petersburg Saturday Morning Market, Inc., a Florida not-for-profit corporation, for a three (3) year term for nominal consideration, for the use of a portion of the parking lot to the north of Al Lang Field, located on the southeast corner of 1st Street S.E. and 1st Avenue S.E., as a market place within a portion of City-owned Progress Energy Park at 201 Bayshore Drive Southeast, St. Petersburg, on Saturdays only during eight (8) month periods from October 1 through May 31 each year of the term; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



City Attorney (Designee)
Legal: 00180742.doc v.2

APPROVED BY:



Joseph F. Zeoli, Managing Director
Administration & Finance
City Development Administration

APPROVED BY:



Bruce E. Grimes, Director
Real Estate & Property Management

Attached documents for item Resolution establishing the Clean Zone Time Period for the 2013 Major League Baseball Playoffs, including the World Series.

SAINT PETERSBURG CITY COUNCIL

Meeting of September 19, 2012

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

SUBJECT: Resolution establishing the Clean Zone Time Period for the 2013 Major League Baseball Playoffs, including the World Series

BACKGROUND: The Tampa Bay Rays were advised by Major League Baseball (MLB) of its desire to have any teams competing in post season play to take necessary steps to implement a “Clean Zone” during these events. The Rays have requested that the City implement a Clean Zone around Tropicana Field beginning on October 2, 2013, the start date of the post season. The Clean Zone is requested to be continued as long as the Rays are a post season participant, up to and including the 2013 World Series to be played from October 23rd through October 31st.

The concept of a “Clean Zone” has long been associated in connection with major national sporting events in order to regulate temporary commercial activities, prevent illegal activity and enhance the aesthetic qualities of the area surrounding the event. The City previously enacted a Clean Zone during the Rays participation in the 2008 World Series and in 2010 for the American League Championship Series. The geographic area governed by these regulations is generally between 8th and 19th Streets and between 1st Avenue North and 6th Avenue South (see attached aerial).

In 2010, City Council approved City Ordinance 998-G designating a portion of the Downtown as a “Clean Zone”. A provision within this Ordinance requires City Council to establish the dates that the Ordinance will be in effect by Resolution. The attached Resolution establishes the “Clean Zone Time Period” for the 2013 post season.

RECOMMENDATION: Administration recommends APPROVAL of the attached Resolution.

Attachments: Proposed Resolution
Ordinance 998-G

R. Mussett 9-5-13
City Development Administration

A RESOLUTION ESTABLISHING THE CLEAN ZONE TIME PERIOD FOR THE 2013 MAJOR LEAGUE BASEBALL PLAYOFFS, INCLUDING THE WORLD SERIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg may be the host of Major League Baseball playoffs, including the World Series, now and in the future; and

WHEREAS, these events will attract many visitors to the City and expose the City to television viewers internationally; and

WHEREAS, these events will have a positive economic impact on the City and encourage other events to come to the City; and

WHEREAS, it is in the best interest of the City of St. Petersburg and its residents to regulate the area which will be the focus of these activities to preserve the public health, safety and welfare of all citizens, visitors and participants; and

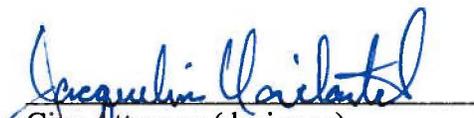
WHEREAS, the City Council adopted Ordinance 998-G on October 7, 2010 establishing a Clean Zone and regulations to be in effect during Major League Baseball playoffs, including the World Series, now and in the future; and

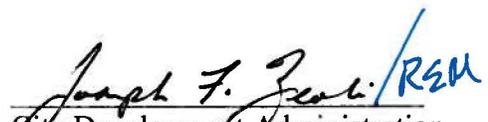
WHEREAS, the ordinance provides that City Council shall by resolution establish the dates when the ordinance shall be in effect ("Clean Zone Time Period").

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Clean Zone Time Period for the 2013 Major League Baseball playoffs, including the World Series, shall begin at 12:01 a.m. on October 2, 2013 if the Tampa Bay Rays are a participant in post-season play and end twenty four (24) hours after the conclusion of the final game of the World Series or elimination of the Tampa Bay Rays from post-season play, whichever occurs first.

This resolution shall take effect immediately upon its adoption.

Approved as to form and content:


City Attorney (designee)
00181079


City Development Administration

ORDINANCE NO. 998-G

AN ORDINANCE DESIGNATING A PORTION OF THE DOWNTOWN AS A "CLEAN ZONE" IN ORDER TO REGULATE COMMERCIAL ACTIVITIES DURING ANY MAJOR LEAGUE BASEBALL PLAYOFFS AND WORLD SERIES; DESIGNATING GEOGRAPHIC BOUNDARIES FOR THE CLEAN ZONE; REGULATING TEMPORARY OUTDOOR USES AND TEMPORARY STRUCTURES; PROHIBITING CERTAIN PORTABLE STRUCTURES OR VEHICLES AND SIGNAGE; PROVIDING FOR INSPECTIONS AND PERMITS; PROVIDING FOR INCREASED PENALTIES; PROVIDING FOR CONDITIONS AND RESTRICTIONS; PROHIBITING COMMERCIAL ACTIVITIES IN THE RIGHT OF WAY; REGULATING LOCATIONS FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES; PROVIDING ADDITIONAL REGULATIONS FOR EXISTING BUSINESSES IN THE CLEAN ZONE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg will be the host of Major League Baseball playoffs in this year and may be a host in the future; and

WHEREAS, these events will attract many visitors to the City and expose the City to television viewers internationally; and

WHEREAS, these events will have a positive economic impact on the City and encourage other events to come to the City; and

WHEREAS, it is in the best interest of the City of St. Petersburg and its residents to regulate the area which will be the focus of these activities to preserve the public health, safety and welfare of all citizens, visitors and participants; and

WHEREAS, the Tampa Bay Rays have accomplished the necessary milestones to be eligible to play in the Major League Baseball playoffs in this year and may again in the future; and

WHEREAS, this ordinance shall be effective only within the boundaries specifically set forth herein and only during the dates approved by City Council.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The portion of the City within the boundaries set forth in Section 2 is hereby designated as a "Clean Zone" in order to prepare for and host Major League Baseball playoffs, including the World Series ("Playoffs"). City Council shall by resolution establish the dates when this ordinance shall be in effect ("Clean Zone Time Period").

SECTION 2. The geographical boundaries of the Clean Zone shall consist of the area described and bounded as follows:

Starting at the corner from Central Avenue and 8th Street North; thence northerly to the corner of 8th Street and 1st Avenue North; thence westerly along 1st Avenue North to 19th Street North; thence southerly on a line continuous to 6th Avenue South; thence easterly to 16th Street South; thence southerly to 7th Avenue South; thence easterly to MLK Street South; thence northerly to 6th Avenue South; thence easterly to 8th Street South; thence northerly to Central Avenue to point of beginning.

SECTION 3. The Clean Zone shall encompass all property within the boundaries described in Section 2 including the entire right-of-way of the described boundaries and the properties abutting the north side of 1st Avenue North between 8th Street and 19th Street. A map showing the geographical boundaries of the Clean Zone is attached hereto and incorporated herein as Exhibit 1.

SECTION 4. Temporary uses shall only be allowed in the Clean Zone if, in the sole judgment of the POD, the following requirements and all other requirements provided in the City Code are fully satisfied. The POD shall have the exclusive authority to determine whether and when permits may be issued.

1. Temporary indoor or outdoor use permits may only be issued by the POD. Only one temporary use permit shall be issued for each property.
2. For the purposes of this ordinance, temporary uses are those uses identified in this paragraph. Within the Clean Zone, permits for temporary uses shall only be granted for the following uses:
 - 1) Retail Sales
 - 2) Food and Beverages including alcohol
 - 3) Merchandise Sales
 - 4) Entertainment (other than Adult Uses as defined in the City Code)
3. All temporary outdoor uses not accessory to a permitted principal use must occur within the boundaries of a tent or permanent structure, except for licensed portable open air cooking facilities. No customer lines shall extend into the right of way.
4. Any temporary uses operating from temporary or portable structures (e.g. trailers) or vehicles such as semi-trailers, step vans, R.V. style or other vehicles shall not be allowed, except for vehicles or trailers at least 20 feet in length which are specifically designed or made for the vending of merchandise. The placement of such structures and vehicles is subject to approval by the POD.

5. An application for a temporary use shall identify the specific use to be allowed and provide a site plan showing the property lines of the site, all existing structures and paved areas, sidewalks, rights of way and the location of the tent and any other facilities (e.g. port-o-lets), informational exterior signs and the tent manufacturer's specifications. The application must be filed to allow sufficient time for an adequate review by the POD.
6. Tents shall be frame, convention, self-supporting style tents with no tie downs or guy ropes which are necessary for structural support.
7. Tents shall not be located on areas landscaped with trees, shrubs or other similar vegetation and shall not damage existing vegetation.
8. Any separation of tent walls required by the Fire Code shall be barricaded to prevent its use as a walkway. Except for Fire Code requirements, tents shall not be required to meet minimum setback requirements. Tents shall meet visibility at intersection requirements and shall not hinder vehicular or pedestrian travel or access.
9. Official Major League Baseball logos, including official team logos, may be printed on tents. No other signs or logos printed on tents shall be allowed.
10. Two exterior informational signs (visible from the street right of way) shall be allowed per tent which identify the services provided. Each informational exterior sign shall not exceed six (6) square feet in area. Exterior informational signs shall not be lighted or illuminated, shall be located directly between the tent and the street right-of-way, and shall be attached to the tent. There shall be no limit on the number of signs located within the tent or interior area which are not visible from the street right of way.
11. Commercial activities of any kind shall not be allowed on the public right of way or on public property except for permitted sidewalk cafes and retail display areas and except for commercial activities in those areas with an approved street closure permit.
12. Tents that are more than 100 feet from all property lines shall not be required to comply with subsections 9 and 10.
13. The fee for permits issued under this section shall be \$100.00.

SECTION 5. No tent shall be set up within the Clean Zone unless an inspection by the POD has occurred immediately prior to the set-up. A second inspection is required immediately after set-up.

SECTION 6. No variance shall be granted to any provision of this ordinance.

SECTION 7. No alcoholic beverages shall be provided, served or sold from any temporary use unless a license has been obtained from the State of Florida and is posted within public view.

SECTION 8. As provided in City Code Section 25-8, no person shall transact any business upon the public streets or sidewalks within the Clean Zone except as allowed by this ordinance.

SECTION 9. As provided in City Code Section 20-81(d), certain activities are prohibited on private property without possessing the written permission of the property owner.

SECTION 10. No person shall sell, offer for sale or distribute merchandise that is counterfeit, infringing or otherwise illegal, including, without limitation, merchandise that bears the trademarks, service marks, copyright, rights or other intellectual property rights of an individual or entity unless such individuals and entities consented to have their rights included on such merchandise, regardless of whether that person is operating a permitted use, special exception use or temporary use.

SECTION 11. It shall be unlawful for any person or entity to sell, offer for sale or otherwise distribute any items within the Tropicana Field property controlled by the Tampa Bay Rays excluding intervening rights of way therein ("Tropicana Field Property") without the express written permission of the Tampa Bay Rays. A map showing the geographical boundaries of the Tropicana Field Property is attached hereto and incorporated herein as Exhibit 2.

SECTION 12. It shall be unlawful for any person or entity to engage in any Unauthorized Peddling within the Clean Zone. Unauthorized Peddling shall mean the sale, offer for sale or other distribution of Major League Baseball merchandise by persons or entities not affiliated with Major League Baseball or the two baseball clubs playing in the Playoffs.

SECTION 13. Regulations in Chapter 3 prohibiting the consumption of alcohol within 500 feet of the premises where such alcohol is sold and possession of open containers on public rights-of-ways are suspended on game days from two hours before the start of each game until two hours after the end of each game in all Downtown Center Zoning Districts.

SECTION 14. Any street closure permits granted during the Clean Zone Time Period shall be governed by this ordinance and the conditions set forth in the street closure permit.

SECTION 15. Because of the heavy concentration of pedestrians and to provide for pedestrian safety, it shall be unlawful for any person or entity to sell, offer for sale or otherwise distribute any items within the 16th Street right of way between 1st Avenue South and I-175 from two hours before the start of each game until one hour after the end of each game and it shall be unlawful for any person or entity place, stack or store any items in the right of way in the Clean Zone from two hours before the start of each game until one hour after the end of each game.

SECTION 16. Employees or persons associated with an existing principal use in the Clean Zone shall not stand or sit outside the business, or otherwise be located outside the business, in an effort to entice or attract customers to the business.

SECTION 17. The penalty for each violation of this ordinance shall be \$500.00 as well as such other fines, penalties and remedies as are available under the City Code and/or Florida Statutes.

SECTION 18. This ordinance shall supersede any ordinance in conflict therewith.

SECTION 19. 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, it shall not become effective unless and until the City Council overrides the veto, in which case it shall become effective immediately upon a successful vote to override the veto.

First reading conducted on the 30th day of September, 2010.

Adopted by St. Petersburg City Council on second and final reading on the 7th day of October, 2010.



Herbert E. Polson Vice Chair- Councilmember
Presiding Officer of the City Council

ATTEST: 
City Clerk, Eva Andujar



Exhibit 1 - Clean Zone Boundaries

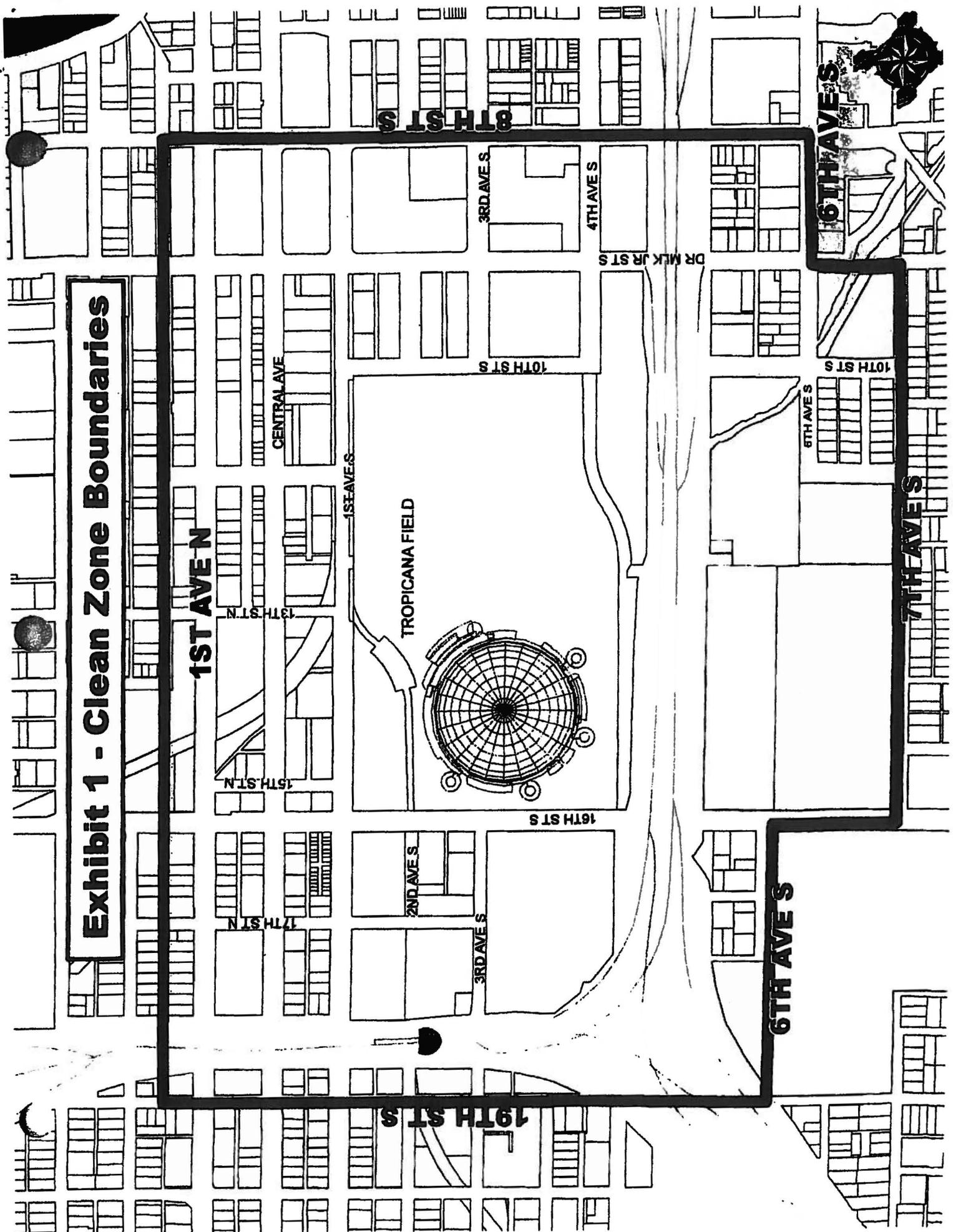
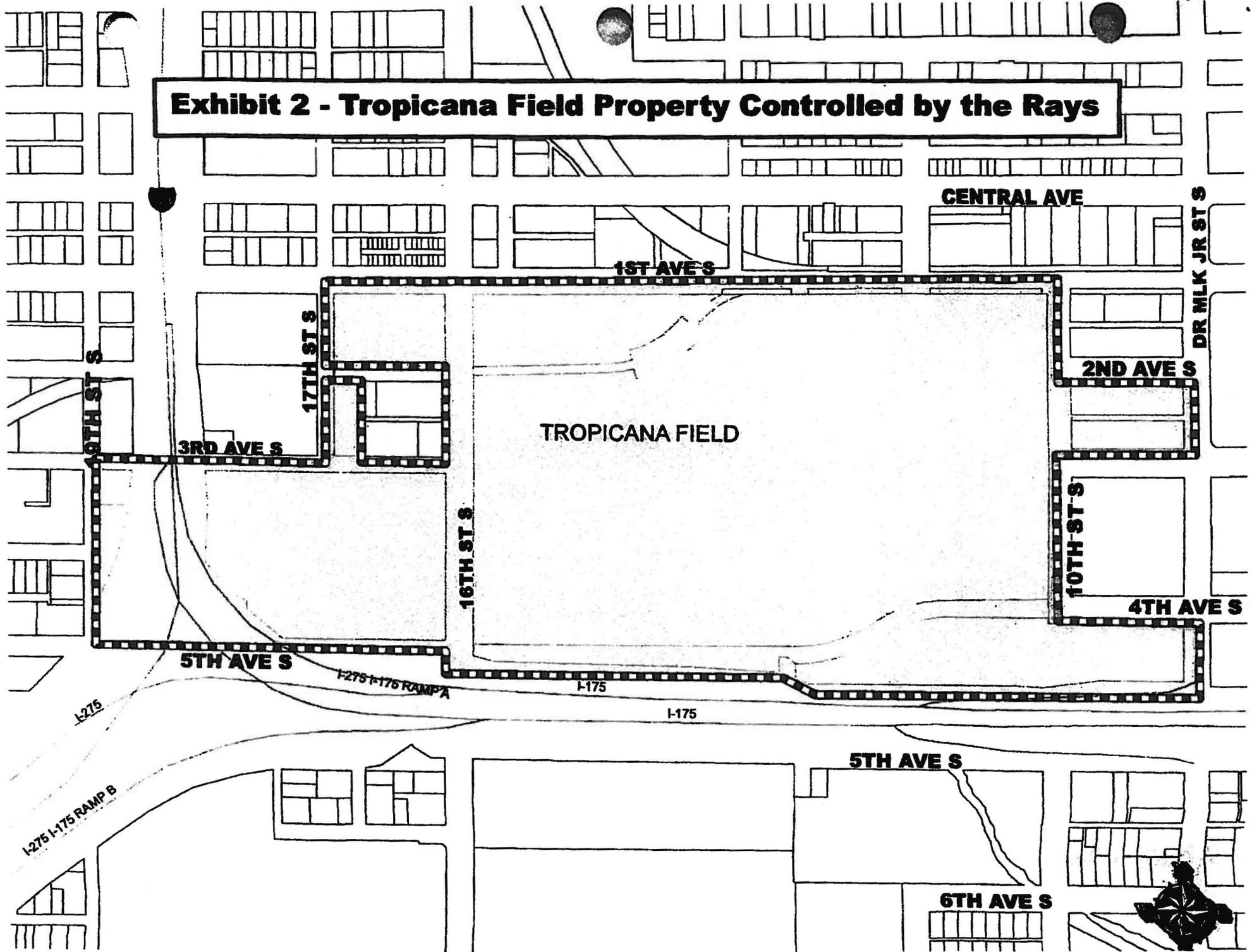


Exhibit 2 - Tropicana Field Property Controlled by the Rays



TROPICANA FIELD

Exhibit 2 - Tropicana Field Property Controlled by the Rays

CENTRAL AVE

1ST AVE S

DR MLK JR ST S

2ND AVE S

10TH ST S

4TH AVE S

3RD AVE S

17TH ST S

16TH ST S

5TH AVE S

I-275 I-175 RAMP A

I-175

I-175

5TH AVE S

6TH AVE S

I-275

I-275 I-175 RAMP B



Attached documents for item Authorizing the Mayor or his designee to accept an Historic Preservation, Community Education Project Grant ("Grant") from the Florida Department of State, Division of Historical Resources ("Department") for the St. Petersburg African American Heritage Tr

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

Subject: A resolution authorizing the Mayor or his designee to accept an Historic Preservation, Community Education Project Grant ("Grant") from the Florida Department of State, Division of Historical Resources ("Department") for the St. Petersburg African American Heritage Trail Project at a maximum reimbursement amount of \$50,000; to execute an Historic Preservation Grant Award Agreement with the Department; and to execute all other documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$50,000 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues to the Planning and Economic Development Department (370.1537), St. Petersburg African American Heritage Trail Project (TBD); and providing an effective date.

Explanation: The Florida Department of State, Division of Historical Resources ("Department") has awarded an Historic Preservation Small Matching Grant in the maximum reimbursement amount of \$50,000 to the City of St. Petersburg ("City") for the St. Petersburg African American Heritage Trail Project ("Project"). Initiated by Mayor Foster, the Project includes the design, construction, and installation of twenty, two-sided embedded fiberglass interpretive markers as well as the creation of a color walking tour brochure, a website, and a mobile website (used by mobile devices for accessing internet resources via the Mobile Web). This grant is focused on the neighborhood surrounding the 22nd Street South corridor, known commonly as "the Deuces." Two separate walking tour routes have been identified, both starting at the Dr. Carter G. Woodson African American Museum at 2240 9th Avenue South, a building that historically served as the community center for the African American Jordan Park Housing Complex. The first tour focuses on the commercial corridor of 22nd Street South, while the second tour will focus on the educational facilities, housing, and religious institutions of the neighborhood along 9th Avenue South. As the City of St. Petersburg is a Certified Local Government (CLG) approved by the Division of Historical Resources, the City was able to apply for the Grant funds allocated to CLGs, which required no match for this grant cycle.

Recommendation: Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to accept an Historic Preservation, Community Education Project Grant ("Grant") from the Florida Department of State, Division of Historical Resources ("Department") for the St. Petersburg African American Heritage Trail Project at a maximum reimbursement amount of \$50,000; to execute an Historic Preservation Grant Award Agreement with the Department; and to execute all other documents necessary to effectuate the Grant; approving a supplemental appropriation in the amount of \$50,000 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues to the Planning and Economic Development Department (370.1537), St. Petersburg African American Heritage Trail Project (TBD); and providing an effective date.

Cost/Funding/Assessment Information: Revenues of up to \$50,000 are to be received into the General Fund (0001) from this grant. Funds will be available after a supplemental appropriation in the amount of \$50,000 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues, to the Planning and Economic Development Department (370.1537), St. Petersburg African American Heritage Trail Project (TBD).

Attachment: Resolution

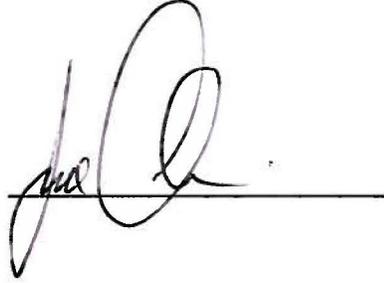
Approvals:

Administration:



DG

Budget:



Legal: 00159349.doc V. 3

Resolution No. 2013-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT AN HISTORIC PRESERVATION, COMMUNITY EDUCATION PROJECT GRANT ("GRANT") FROM THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES ("DEPARTMENT") FOR THE ST. PETERSBURG AFRICAN AMERICAN HERITAGE TRAIL PROJECT AT A MAXIMUM REIMBURSEMENT AMOUNT OF \$50,000; TO EXECUTE AN HISTORIC PRESERVATION GRANT AWARD AGREEMENT WITH THE DEPARTMENT; AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE GRANT; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$50,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND (0001) RESULTING FROM THESE ADDITIONAL REVENUES TO THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT (370.1537), ST. PETERSBURG AFRICAN AMERICAN HERITAGE TRAIL PROJECT (TBD); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg ("City") is proud of its heritage and history; and

WHEREAS, the African American Heritage Project initiated by Mayor Bill Foster is an effort to examine and recognize the rich history of, and contributions from, African Americans in the city of St. Petersburg; and

WHEREAS, the Project's Steering Committee and Friends (now known as the African American Heritage Association of St. Petersburg, Florida), which is composed of neighborhood leaders and residents, have identified sites, buildings, structures, objects, traditional cultural places, people, and districts that are significant to African American history in St. Petersburg; and

WHEREAS, the Florida Department Of State, Division Of Historical Resources ("Department") has awarded an Historic Preservation Small Matching Grant to the City in the maximum reimbursement amount of \$50,000 for the design, construction, and installation of twenty, two-sided embedded fiberglass interpretive markers, the creation of a color walking tour brochure, a website, and a mobile website (used by mobile devices for accessing internet resources via the Mobile Web) ("Project") relating the historical and cultural value of the significant properties and people associated with the 22nd Street South and 9th Avenue South neighborhood; and

WHEREAS, a supplemental appropriation of \$50,000 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues is

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to accept an Historic Preservation, Community Education Project Grant ("Grant") from the Florida Department of State, Division of Historical Resources ("Department") for the St. Petersburg African American Heritage Trail Project ("Project") at a maximum reimbursement amount of \$50,000; to execute an Historic Preservation Grant Award Agreement with the Department; and to execute all other documents necessary to effectuate the Grant; and

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues, the following supplemental appropriation for FY13:

General Fund (0001)

Planning and Economic Development Department (370.1537)

St. Petersburg African American Heritage Trail Project (TBD) \$50,000

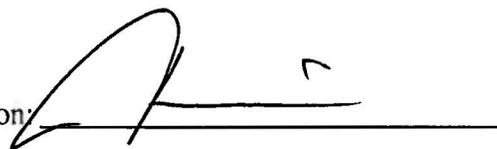
This resolution shall become effective immediately upon its adoption.

Approvals:

Legal:



Administration:



Budget:



Attached documents for item Authorizing the Mayor or his designee to accept a grant from the National Recreation and Parks Association (“NRPA”) in an amount of \$4,000 for an Arthritis Foundation Exercise Program “Implementing Arthritis Interventions in Local Park and Recreation Agen

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 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 Recreation and Parks Association ("NRPA") in an amount of \$4,000 for an Arthritis Foundation Exercise Program "Implementing Arthritis Interventions In Local Park And Recreation Agencies" and to execute a grant agreement and all other documents necessary to effectuate this transaction; and providing an effective date.

Explanation: The National Recreation and Parks Association ("NRPA") has awarded a grant to the City of St. Petersburg in the amount of \$4,000 to encourage public participation in an Arthritis Foundation exercise program titled "Implementing Arthritis Interventions in Local Park and Recreation Agencies". The exercise program has the goal of helping the participants with mobility, balance and avoiding falls. The partnership between NRPA and the Arthritis Foundation to increase the number of participants engaging in Walk with Ease and the Arthritis Foundation Exercise Program at local parks and recreation agencies made this grant possible.

Recommendation:

A resolution authorizing the Mayor or his designee to accept a grant from the National Recreation and Parks Association ("NRPA") in an amount of \$4,000 for an Arthritis Foundation Exercise Program "Implementing Arthritis Interventions In Local Park And Recreation Agencies" and to execute a grant agreement and all other documents necessary to effectuate this transaction; and providing an effective date.

Cost/Funding/Assessment Information: Funds will be available in the FY 14 Operating Budget, after its approval by City Council, in the General Fund (0001), Parks & Recreation Department (190), Sunshine Center (1661).

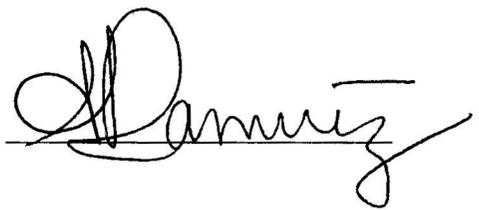
Attachment: Resolution

Approvals:

Administration: _____

Legal: 00180709.doc v.1

Budget: _____



RESOLUTION NO. 2013- _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A GRANT FROM THE NATIONAL RECREATION AND PARKS ASSOCIATION ("NRPA") IN AN AMOUNT OF \$4,000 FOR AN ARTHRITIS FOUNDATION EXERCISE PROGRAM "IMPLEMENTING ARTHRITIS INTERVENTIONS IN LOCAL PARK AND RECREATION AGENCIES" AND TO EXECUTE A GRANT AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the National Recreation and Parks Association has awarded a grant to the City of St. Petersburg Parks & Recreation Department in the amount of \$4,000 to provide funding for an Arthritis Foundation Exercise Program "Implementing Arthritis Interventions in Local Park and Recreation Agencies;" and

WHEREAS, these funds will be available in the FY 14 Operating Budget, after its approval by City Council, in the General Fund (0001), Parks & Recreation Department (190), Sunshine Center (1661).

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 Recreation and Parks Association in the amount of \$4,000 to provide funding for an Arthritis Foundation Exercise Program "Implementing Arthritis Interventions in Local Park and Recreation Agencies" and to execute a grant agreement and all other documents necessary.

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal:

Budget:

Administration:

Attached documents for item Authorizing the Mayor or his designee to execute a Local Agency Program Agreement (“Agreement”) between the City of St. Petersburg, Florida and the State of Florida Department of Transportation (“FDOT”) for construction activities of the 54th Avenue South

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

SUBJECT: Authorizing the Mayor or his designee to execute a Local Agency Program Agreement ("Agreement") between the City of St. Petersburg, Florida and the State of Florida Department of Transportation ("FDOT") for construction activities of the 54th Avenue South at 31st Street Right Turn Lane Project in an amount not to exceed \$269,700; authorizing a supplemental appropriation in the amount of \$269,700 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the 31st St / 54th Avenue S Eastbound Right Turn Lane Modifications Project (14099); and providing an effective date. (FDOT Financial Project No. 433787 1 58/68 01)

EXPLANATION: In February 2007, a 54th Avenue South Corridor Plan was completed. The purpose of the plan was to assess current and future traffic demands and identify measures to improve and sustain operations for current and future conditions. The plan was funded by the Pinellas County Metropolitan Planning Organization (MPO). In order to improve intersection operations, the addition of a dedicated right turn lane on eastbound 54th Avenue South to southbound 31st Street was recommended by the plan.

The design was completed in August 2013 and approved by the FDOT. The design work was funded with Transportation Impact Fees.

In 2012, the City applied for a Highway Safety Improvement Program (HSIP) Grant for this project. The HSIP identifies projects consistent with the Strategic Highway Safety Plan to correct or improve a hazardous road location or feature or address a highway safety problem in order to reduce the number of and potential for fatalities and serious injuries. The City was approved for the HSIP Grant to fund the construction of this project.

The proposed agreement will provide Federal Highway grant funding available through FDOT's Local Agency Program (LAP) (Safety Projects) for construction of the 54th Avenue South at 31st Street Right Turn Lane Project.

The scope of work includes, but is not limited to; reducing the 54th Avenue South intersection center median width from 21 feet to 9 feet for a distance of approximately 320 feet to construct a 12 foot wide dedicated right turn lane for east bound traffic on 54th Avenue South heading south to 31st Street. Work also includes construction of wind resistant mast arm traffic signals, asphalt resurfacing of the intersection, pavement markings, and project management and administration during construction phase.

This project will be developed under FDOT's Local Agency Program (LAP). The City received LAP certification in June 2012 to provide construction phase services for federally funded safety projects within City limits. The LAP Agreement provides for estimated construction costs of \$269,700. Project costs for design phase were borne by the City.

RECOMMENDATION: Administration recommends that City Council approve the attached resolution authorizing the Mayor or his designee to execute a Local Agency Program Agreement ("Agreement") between the City of St. Petersburg, Florida and the State of Florida Department of Transportation ("FDOT") for construction activities at the 54th Avenue South and 31st Street Right Turn Lane Project in an amount not to exceed \$269,700; authorizing a supplemental appropriation in the amount of \$269,700 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the 31st St / 54th Avenue S Eastbound Right Turn Lane Modifications Project (14099); and providing an effective date. (FDOT Financial Project No. 433787 1 58/68 01)

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available after a supplemental appropriation in the amount of \$269,700 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues to the 31st St / 54th Avenue S Eastbound Right Turn Lane Modifications Project (14099).

ATTACHMENTS: Resolution

APPROVALS:

zm

TBG

Administrative

Budget

8-29-13

RESOLUTION NO. __

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT ("AGREEMENT") BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") FOR CONSTRUCTION ACTIVITIES OF THE 54TH AVENUE SOUTH AT 31ST STREET RIGHT TURN LANE PROJECT IN AN AMOUNT NOT TO EXCEED \$269,700; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$269,700 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE 31ST ST / 54TH AVENUE S EASTBOUND RIGHT TURN LANE MODIFICATIONS PROJECT (14099); AND PROVIDING AN EFFECTIVE DATE. (FDOT FINANCIAL PROJECT NO. 433787 1 58/68 01)

WHEREAS, the City of St. Petersburg, Florida ("City") applied for a Highway Safety Improvement Program (HSIP) Grant for the 54th Avenue South at 31st Street Right Turn Lane Project ("Project") in 2012 and was approved for the HSIP grant to fund the construction of this Project; and

WHEREAS, the State of Florida Department of Transportation ("FDOT") has agreed to participate in construction activities of the Project; and

WHEREAS, as a requirement for FDOT's participation in the Project, the City must enter into a Local Agency Program (LAP) Agreement ("Agreement") setting forth the obligations of FDOT and the City; and

WHEREAS, the City received LAP certification in June 2012, to provide construction phase services for federally funded safety projects within City limits; and

WHEREAS, under this Agreement, the Federal Highway grant funding will be available through through FDOT's LAP (Safety Projects) for construction of Project.

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 Local Agency Program Agreement between the City of St. Petersburg, Florida and the State of Florida Department of Transportation ("FDOT"), for participation by FDOT in the construction activities of the 54th Avenue South at 31st Street Right Turn Lane Project ("Project") in an amount not to exceed \$269,700.

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, the following supplemental appropriation for FY13:

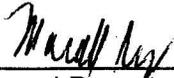
General Capital Improvement Fund (3001)

31st St / 54th Avenue S Eastbound Right Turn Lane
Modifications Project (14099)

\$269,700

This resolution shall become effective immediately upon its adoption.

Approved by:

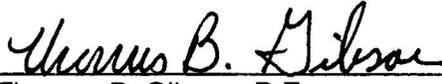


Legal Department
By: (City Attorney or Designee)



Tom Greene
Budget Director

Approved by:



Thomas B. Gibson, P.E.
Engineering Director

Attached documents for item Authorizing the Mayor or his designee to execute a Local Agency Program Agreement (“Agreement”) between the City of St. Petersburg, Florida, and the State of Florida Department of Transportation (“FDOT”) for construction activities of the 38th/40th Avenue

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

SUBJECT: Authorizing the Mayor or his designee to execute a Local Agency Program Agreement ("Agreement") between the City of St. Petersburg, Florida, and the State of Florida Department of Transportation ("FDOT") for construction activities of the 38th/40th Avenue Continuous Median Project from 1st Street North to 4th Street North, in an amount not to exceed \$438,000; authorizing a supplemental appropriation in the amount of \$438,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the 38th/40th Avenue N btw 1st & 4th Streets – HSIP Project (14098); and providing an effective date. (FDOT Financial Project No. 433786 1 58/68 01)

EXPLANATION: In September 2006, the Transportation and Parking Management Department completed a Road Safety Audit ("RSA") along the 38th/40th Avenue Corridor from 1st Street North to 4th Street North due to vehicular accidents along this corridor. The RSA recommended continuous medians along the corridor, and realignment and signalization of the 38-40th Avenue North and 39th Avenue North intersection with the Northeast Park Shopping Center driveway.

In accordance with the RSA, the design work was completed in August 2013 and approved by the FDOT. The RSA and design phase were funded with Transportation Impact Fees, and the proposed median and signal modifications were coordinated with local businesses by the Transportation and Parking Management Department.

In 2012, the City applied for a Highway Safety Improvement Program (HSIP) Grant for this project. The HSIP identifies projects consistent with the Strategic Highway Safety Plan to correct or improve a hazardous road location or feature or address a highway safety problem in order to reduce the number of and potential for fatalities and serious injuries. The City was approved for the HSIP Grant to fund the construction of this project.

The proposed agreement will provide Federal Highway grant funding through FDOT's Local Agency Program (Safety Projects) for construction of the 38-40th Avenue North medians for access control and traffic signal controls project.

The scope of work within existing rights of way along 38-40th Avenue North, from 1st to 4th Street North, includes but is not limited to, construction of medians and traffic separators to improve public safety and access, road widening at selected locations, street milling and asphalt resurfacing, realignment and signalization of the intersection of 38-40th Avenue North and 39th Avenue North with mast arm traffic signals, sidewalk

and pedestrian crosswalks, pavement markings, signage, project management and administration during the construction phase.

This project will be developed under FDOT's Local Agency Program (LAP). The City received LAP certification in June 2012 to provide construction phase services for federally funded safety projects within City limits. The LAP Agreement provides for estimated construction costs of \$438,000. Project costs for design phase were borne by the City.

Additional construction work on the Northeast Park Shopping Center property is required to modify the parking lot drive isles, on site stormwater pond, and parking lot exit to align with the new signalized intersection of 38-40th Avenue North and 39th Avenue North. The scope and funding for work outside the right of way is not included in the FDOT LAP Agreement, and funding for the necessary work to complete the safety project is available in the Transportation Impact Fees – Traffic Safety Program Fund (3071).

RECOMMENDATION: Administration recommends that City Council approve the attached resolution authorizing the Mayor or his designee to execute a Local Agency Program Agreement ("Agreement") between the City of St. Petersburg, Florida, and the State of Florida Department of Transportation ("FDOT") for construction activities of the 38th/40th Avenue Continuous Median Project from 1st Street North to 4th Street North in an amount not to exceed \$438,000; authorizing a supplemental appropriation in the amount of \$438,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the 38th/40th Avenue N btw 1st & 4th Streets – HSIP Project (14098); and providing an effective date. (FDOT Financial Project No. 433786 1 58/68 01)

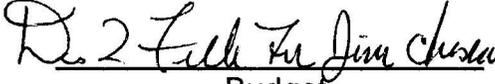
COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available after a supplemental appropriation in the amount of \$438,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the 38th/40th Avenue N btw 1st & 4th Streets – HSIP Project (14098).

ATTACHMENTS: Resolution

APPROVALS:
zm

TB6


Administrative


Budget

8-29-13

RESOLUTION NO. __

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT ("AGREEMENT") BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") FOR CONSTRUCTION ACTIVITIES OF THE 38TH/40TH AVENUE CONTINUOUS MEDIAN PROJECT FROM 1ST STREET NORTH TO 4TH STREET NORTH, IN AN AMOUNT NOT TO EXCEED \$438,000; AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$438,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE 38TH/40TH AVENUE N BTW 1ST & 4TH STREETS - HSIP PROJECT (14098); AND PROVIDING AN EFFECTIVE DATE. (FDOT FINANCIAL PROJECT NO. 433786 1 58/68 01)

WHEREAS, the City of St. Petersburg, Florida ("City") applied for a Highway Safety Improvement Program (HSIP) Grant for the 38th/40th Avenue Continuous Median Project ("Project") in 2012 and was approved for the HSIP Grant to fund the construction of this Project; and

WHEREAS, the State of Florida Department of Transportation ("FDOT") has agreed to participate in construction activities of the 38th/40th Avenue Continuous Median Project; and

WHEREAS, as a requirement for FDOT's participation in the Project, the City must enter into a Local Agency Program (LAP) Agreement ("Agreement") setting forth the obligations of FDOT and the City; and

WHEREAS, the City received LAP certification in June 2012, to provide construction phase services for federally funded safety projects within City limits; and

WHEREAS, under this Agreement, the Federal Highway grant funding will be available through FDOT's LAP (Safety Projects) for construction of the Project.

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 Local Agency Program Agreement between the City of St. Petersburg, Florida and the State of Florida Department of Transportation ("FDOT"), for participation by FDOT in the construction activities of the 38th/40th Avenue Continuous Median Project ("Project") in an amount not to exceed \$438,000.

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, the following supplemental appropriation for FY13:

<u>General Capital Improvement Fund (3001)</u> 38 th /40 th Avenue N Btw 1 st & 4 th Streets – HSIP Project (14098)	\$438,000
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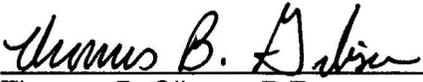
This resolution shall become effective immediately upon its adoption.

Approved by:



Legal Department
By: (City Attorney or Designee)

Approved by:



Thomas B. Gibson, P.E.
Engineering Director



Tom Greene
Budget Director

Attached documents for item Approving the negotiated agreement with the Florida Public Services Union representing the Blue Collar Bargaining Unit, for the period of October 1, 2012 through September 30, 2015; and establishing an effective date for this Resolution.

ST. PETERSBURG CITY COUNCIL

Meeting of September 19, 2013

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

SUBJECT: Ratifying the proposed labor agreement between the City of St. Petersburg and the Florida Public Services Union (FPSU) for the Blue Collar collective bargaining unit covering the job classifications within this bargaining unit effective October 1, 2012 through September 30, 2015.

The City and the Union have reached tentative agreement on the terms of a three-year collective bargaining agreement with the FPSU for the Blue Collar bargaining unit. This agreement has been ratified by the membership of the unit. If approved and ratified by Council, the proposed agreement will take effect October 1, 2012.

The agreement provides a 2% general wage increase in FY 2014 for those unit members who are at the maximum step rates of their respective labor grades. Unit members who have not reached their maximum steps shall progress to the next higher steps on their classification anniversary dates, or April 1, 2014, whichever occurs first. The agreement also provides that the parties will reopen negotiations to bargain pay increases, if any, effective for FY 2015.

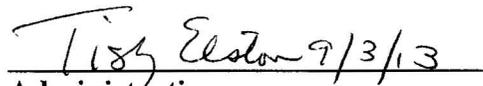
The parties further agree to reopen the agreement to negotiate pension benefit changes, if any, applicable to FY 2015.

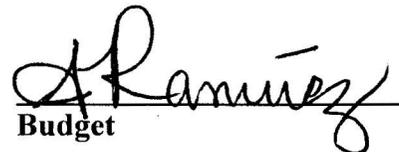
Cost/Funding Information:

Specific costs for the pay increases are within the budget provisions for FY 2014 and will come from funds within the operating budget for both the General Fund agencies and Enterprise/Internal fund agencies (such as Sanitation, Water Resources, and Fleet Maintenance).

Attachment - Resolution

Approvals:


Administration


Budget

A RESOLUTION APPROVING THE NEGOTIATED AGREEMENT WITH THE FLORIDA PUBLIC SERVICES UNION REPRESENTING THE BLUE COLLAR BARGAINING UNIT, FOR THE PERIOD OF OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2015; AND ESTABLISHING AN EFFECTIVE DATE FOR THIS RESOLUTION

WHEREAS, the City of St. Petersburg and the Florida Public Services Union, have reached a three-year agreement;

WHEREAS, the agreement provides a 2% general wage increase in FY 2014 for those unit members who are at the maximum steps of their respective labor grades;

WHEREAS, unit members who have not yet reached the maximum steps of their labor grades will progress to the next higher steps on their classification anniversary dates, or April 1, 2014, whichever occurs first;

WHEREAS, the parties will reopen the Pay article to negotiate pay increases, if any, effective for FY 2015; and

WHEREAS, the agreement also includes provisions for other terms and conditions of employment.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St Petersburg, Florida, that the Agreement with the Florida Public Services Union, for the period of October 1, 2012, through September 30, 2015, is approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:



City Legal



Administration



Budget

Attached documents for item Approving the negotiated agreement with the Florida Public Services Union representing the White Collar Bargaining Unit, for the period of October 1, 2012 through September 30, 2015; and establishing an effective date for this Resolution.

ST. PETERSBURG CITY COUNCIL

Meeting of September 19, 2013

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

SUBJECT: Ratifying the proposed labor agreement between the City of St. Petersburg and the Florida Public Services Union (FPSU) for the White Collar collective bargaining unit covering the job classifications within this bargaining unit effective October 1, 2012 through September 30, 2015.

The City and the Union have reached tentative agreement on the terms of a three-year collective bargaining agreement with the FPSU for the White Collar bargaining unit. The membership in the unit have ratified the agreement. If approved and ratified by Council, the proposed agreement will take effect October 1, 2012.

The agreement provides a 2% general wage increase in FY 2014 for those unit members who are at the maximums of their respective labor grades. Unit members who have not yet reached the maximums of their labor grades will receive merit increases on their classification anniversary dates or April 1, 2014, whichever occurs first. The agreement also provides that the parties will reopen negotiations to bargain pay increases, if any, effective for FY 2015.

The parties further agree to reopen the agreement to negotiate pension benefit changes, if any, applicable to FY 2015.

Cost/Funding Information:

Specific costs for the pay increases are within the budget provisions for FY 2014 and will come from funds within the operating budget for both the General Fund agencies and Enterprise/Internal fund agencies (such as Sanitation, Water Resources, and Fleet Maintenance).

Attachment - Resolution

Approvals:


Administration


Budget

A RESOLUTION APPROVING THE NEGOTIATED AGREEMENT WITH THE FLORIDA PUBLIC SERVICES UNION REPRESENTING THE WHITE COLLAR BARGAINING UNIT, FOR THE PERIOD OF OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2015; AND ESTABLISHING AN EFFECTIVE DATE FOR THIS RESOLUTION

WHEREAS, the City of St. Petersburg and the Florida Public Services Union, have reached a three-year agreement;

WHEREAS, the agreement provides a 2% general wage increase in FY 2014 for those unit members who are at the maximums of their respective labor grades;

WHEREAS, unit members who have not yet reached the maximums of their labor grades will receive merit increases on their classification anniversary dates or April 1, 2014, whichever occurs first; and

WHEREAS, the parties will reopen the Pay article to negotiate pay increases, if any, effective for FY 2015; and

WHEREAS, the agreement also includes provisions for other terms and conditions of employment.

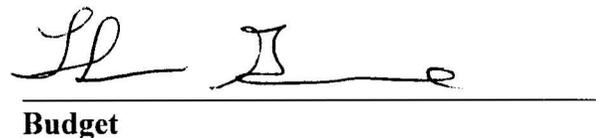
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St Petersburg, Florida, that the Agreement with the Florida Public Services Union, for the period of October 1, 2012, through September 30, 2015, is approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:


City Legal


Administration


Budget

Attached documents for item Authorizing the Mayor or his designee to execute a District Seven Highway Beautification Maintenance Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of maintaining the painted mast arm structure coat

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 19, 2013

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

SUBJECT: A resolution authorizing the Mayor or his designee to execute a District Seven Highway Beautification Maintenance Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of maintaining the painted mast arm structure coatings at the intersection of SR 682 (54th Avenue South) and Eckerd College Drive.

EXPLANATION: The Florida Department of Transportation ("FDOT") has notified the City of plans to construct three mast arm traffic signal and pedestrian crosswalk improvements at the intersection of SR 682 (54th Avenue South) and Eckerd College Drive. In accordance with established City procedures, the City has requested that the mast arm structures be galvanized and painted Federal Color 20040 (dark bronze) to match the mast arm traffic signals throughout the City.

Pursuant to current FDOT policies, the FDOT requires the City pay for the initial cost of painting, estimated at \$12,500, and to execute a District Seven Highway Beautification Maintenance Memorandum of Agreement ("Agreement") to stipulate the future maintenance responsibilities of the City for the painted mast arm structures.

The City Administration and Legal Department have negotiated a new provision with FDOT that addresses FDOT's concerns that future contractual payments under agreements with the City will be funded and the City's concerns that the City not commit to future funding except as may be permitted by the Florida Constitution, Florida Statutes and City Ordinances. This new provision will be used in this and all future agreements between the City and FDOT:

4. To the extent permitted by applicable law without causing this obligation to be subject to approval by referendum pursuant to the Florida Constitution, the City shall appropriate in its annual budget, for each Fiscal Year, non-ad valorem funds lawfully available to satisfy its maintenance responsibilities under this Agreement. This provision does not create any lien upon, or pledge of, such non-ad valorem funds, nor does it preclude the City from pledging such funds in the future, or from levying and collecting any particular non ad-valorem funds.

Under the terms of the Agreement, the City will perform the maintenance of the three painted mast arm structure coatings, including, removal of graffiti and any needed painting of mast arm structures at its own cost using Federal Color 20040 (Dark Bronze);

The Agreement will be in effect for the useful life of the mast arms or until earlier terminated by the FDOT if the City, after 15 days written notice, fails to perform maintenance responsibilities under the Agreement.

RECOMMENDATION: Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to execute a District Seven Highway Beautification Maintenance Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of maintaining the painted mast arm structure coatings.

at the intersection of SR 682 (54th Avenue South) and Eckerd College Drive.

COST/FUNDING/ASSESSMENT INFORMATION: Funding for the initial cost of painting is available in the Transportation Impact Fees Capital Projects Fund (3071), Traffic Signal Mast Arm Program Project (12900). Future maintenance funding will be available in the General Fund (0001), Stormwater, Pavement and Traffic Operations Department, Traffic Signals (400-1281).

ATTACHMENTS: Resolution

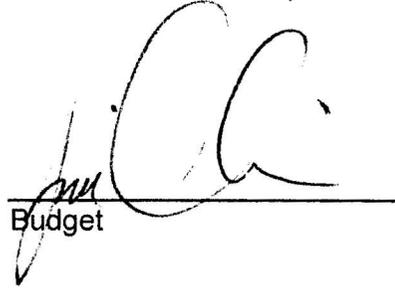
APPROVALS:

tbg

Thomas B. Gibson
for Administration

TBG

Budget



Legal: 00181294.doc V. 5

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A DISTRICT SEVEN HIGHWAY BEAUTIFICATION MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF MAINTAINING THE PAINTED MAST ARM STRUCTURE COATINGS AT THE INTERSECTION OF SR 682 (54TH AVENUE SOUTH) AND ECKERD COLLEGE DRIVE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Florida Department of Transportation ("FDOT") has notified the City of plans to construct three mast arm traffic signal and pedestrian crosswalk improvements at the intersection of SR 682 (54th Avenue South) and Eckerd College Drive and the City; and

WHEREAS, in accordance with established City procedures, the Administration has requested that the mast arm structures be galvanized and painted Federal Color 20040 (dark bronze) to match the mast arm traffic signals throughout the City; and

WHEREAS, FDOT has requested that the City execute a District Seven Beautification Maintenance Memorandum of Agreement ("Agreement") for the purpose of maintaining the requested coatings, at the City's expense;; and

WHEREAS, The City Administration and Legal Department have negotiated a new provision with FDOT that addresses FDOT's concerns that future contractual payments under agreements with the City will be funded and the City's concerns that the City not commit to future funding except as may be permitted by the Florida Constitution, Florida Statutes and City Ordinances; and

WHEREAS, the Agreement and all future agreements between FDOT and the City will contain the following new provision:

4. To the extent permitted by applicable law without causing this obligation to be subject to approval by referendum pursuant to the Florida Constitution, the City shall appropriate in its annual budget, for each Fiscal Year, non-ad valorem funds lawfully available to satisfy its maintenance responsibilities under this Agreement. This provision does not create any lien upon, or pledge of, such non-ad valorem funds, nor does it preclude the City from pledging such funds in the future, or from levying and collecting any particular non ad-valorem funds.

; and

WHEREAS, under the Agreement, the City will perform the maintenance of the three painted mast arm structure coatings, including, removal of graffiti and any needed painting of mast arm structures at its own cost using Federal Color 20040 (Dark Bronze); ; and

WHEREAS, the City will appropriate in its annual budget for each fiscal year, funds to satisfy its maintenance responsibilities under this Agreement pursuant to the Agreement; and

WHEREAS, this Agreement will be in effect for the useful life of the mast arms or until earlier terminated by the FDOT if the City, after 15 days written notice, fails to perform maintenance responsibilities under the 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 District Seven Highway Beautification Maintenance Memorandum of Agreement between the City and the Florida Department of Transportation for the purpose of maintaining three painted Mast Arm structure coatings at the intersection of SR 682 (54th Avenue South) and Eckerd College Drive.

This resolution shall become effective immediately upon its adoption.

Approved by:

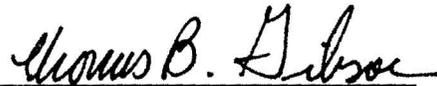


Legal Department

By: (City Attorney or Designee)

Legal: 00181059.doc V. 4

Approved by:



Thomas B. Gibson, P.E.

Engineering Director