

COUNCIL MEETING

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

CITY OF ST. PETERSBURG

May 1, 2014
8:30 AM

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

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

GENERAL AGENDA INFORMATION

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

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

A. Meeting Called to Order and Roll Call.

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

B. Approval of Agenda with Additions and Deletions.

Open Forum

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

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

C. Consent Agenda (see attached)

D. Public Hearings and Quasi-Judicial Proceedings - 9:00 A.M.

Quasi-Judicial Proceedings

Swearing in of witnesses. Representatives of City Administration, the applicant/appellant, opponents, and members of the public who wish to speak at the public hearing must declare that he or she will testify truthfully by taking an oath or affirmation in the following form:

"Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?"

*The oath or affirmation will be administered prior to the presentation of testimony and will be administered in mass to those who wish to speak. Persons who submit cards to speak after the administration of the oath, who have not been previously sworn, will be sworn prior to speaking. **For detailed procedures to be followed for Quasi-Judicial Proceedings, please see yellow sheet attached to this agenda.***

1. [Appeal of the Development Review Commission \(DRC\) approval of a site plan with variances and bonuses to construct a 150,000 square foot, 72-unit, multi-family residential development located at 145 - 4th Avenue North. \(13-31000018 Appeal\) \[DELETED\]](#)

E. Reports

1. St. Petersburg Arts Alliance - John Collins.
2. Land Use & Transportation: (Councilmember Kennedy) (Oral)
 - (a) Pinellas Planning Council (PPC)

- (b) Metropolitan Planning Organization (MPO) & Advisory Committee for Pinellas Transportation (ACPT); TBTMA (Tampa Bay Transportation Management Area); and MPO Action Committee

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

Setting May 15, 2014 as the public hearing date for the following proposed Ordinance(s):

1. [Approving American Strategic Insurance \(ASI\) application for the St. Petersburg Economic Development Ad Valorem Tax Exemption.](#)
2. [Amending St. Petersburg City Code, Chapter 16 \(Land Development Regulations\) Section 16.40.040 "Fences, Walls and Hedges," to allow electrically charged fencing in all non-residentially zoned districts that allow outdoor storage. \(City File LDR-2014-02\)](#)
3. [Ordinance in accordance with Section 1.02\(c\)\(5\)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement \("JPA"\), including but not limited to the Aviation Assurances \("Grant Assurances"\) which are attached to the JPA, to be executed by the City, as a requirement for receipt of the Florida Department of Transportation \("FDOT"\) Grant in an amount not to exceed \\$300,000 for the Airport Maintenance and Rehab Project which inter alia require that the City will make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not exceed \\$300,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a transfer of \\$10,000 from the Airport Operating Fund \(4031\) to the Airport Capital Improvement Fund \(4033\); approving a transfer of \\$50,000 within the City Facilities Capital Improvements Fund \(3031\) from the Infrastructure - TBD \(Project #14148\) project to the Airport - Maintenance and Rehab Project \(Project #TBD\); and approving supplemental appropriations from the increase in the unappropriated balance of the Airport Capital Improvement Fund \(4033\) resulting from these additional revenues in the amount of \\$325,000 to the Airport – Maintenance and Rehab Project \(Project #TBD\).](#)

G. New Business

1. [Referring to the Youth Services Committee a request for City Council, the Mayor and City Administration to implement a St. Petersburg Civil Citation Program for Juveniles. \(Councilmember Newton\)](#)
2. [Requesting City Council, Mayor and City Administration schedule a workshop to discuss refunds of any and all Red Light Camera Citations issued to Law abiding citizens, and where equipment malfunction or short yellow light timing was the cause. \(Councilmember Newton\)](#)
3. [Requesting Mayor and City Administration provide Quarterly Update for any and all Capital Improvement Projects - Project Budget, Percentage of Completions and any available project balances. \(Councilmember Newton\)](#)
4. [Requesting Mayor and City Administration provide a full detailed plan as to how the Terminated Red Light Camera Program will be unwind. Time lines of Monthly Revenue, Pending Appeal Proceedings and when will the Red Light Cameras be turned off. \(Councilmember Newton\)](#)

5. [Requesting City Council approval for the creation and implementation of Median Sponsorship Program. \(Chair Dudley\)](#)
6. [Referring to the Budget, Finance and Taxation Committee to consider earmarking funds from the Eastern Weeki Wachee reserve as a sustainable source of Arts funding. \(Councilmember Gerdes\)](#)

H. Council Committee Reports

1. [Budget, Finance & Taxation Committee. \(4/24/14\)](#)
 - (a) An Ordinance of the City of St. Petersburg deleting the existing Article V, Division 3 of Chapter 2; creating a new Article V, Division 3 of Chapter 2, Procurement Code; providing a purpose, intent and definitions; setting forth the duties and responsibilities of the Procurement Department; establishing approval authority; creating source selection processes; identifying construction delivery methods; requiring certain security for the procurement of supplies, services and construction; providing other necessary provisions to maximize the cost effective use of public funds in the procurement of supplies, services and construction and to provide safeguards to ensure quality, integrity and compliance with applicable laws; amending Section 2-426 (3) to be consistent with the Emergency Procurement Procedures; creating Division 6 to Article V, Grant Opportunities Through Grant Writers; and providing a purpose and process to evaluate certain grant opportunities.

I. Legal

J. Open Forum

K. Adjournment

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda A
May 1, 2014

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 an increase to the allocation for water and sewer supplies to HD Supply Waterworks, LTD \(HDSW\) in the amount of \\$475,000. These additional funds will increase the total contract amount from \\$1,300,000 to \\$1,775,000.](#)

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda B May 1, 2014

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

(Purchasing)

1. [Awarding a three-year blanket purchase agreement to ThyssenKrupp Elevator Corporation, for elevator maintenance and repair services at a cost not to exceed \\$228,000.](#)
2. [Accepting a bid from Aqua-Aerobic systems, Inc. in the amount of \\$108,963.35 for floating mechanical aerators.](#)

(City Development)

3. [Approving the appointment of the City Council Member from District 8 as the representative for the "City Council Member for the Zone" category on the Board of Commissioners of the Enterprise Zone Development Agency \(EZDA\) to fill the remainder of the unexpired term expiring on April 20, 2015; appointing Michael Andon as the representative for the "Business operating in the Enterprise Zone" category on the Board of Commissioners of the EZDA; reappointing Duncan McClellan as the representative for the "Resident of the Enterprise Zone" category on the Board of Commissioners of the EZDA; and reappointing Robert L. Williams as the representative of the local "Local Financial/Insurance Agency" category on the Board of Commissioners of the EZDA, all to serve a four year term expiring April 20, 2018; and reappointing Karl Nurse as Chair and Robert L. Williams, III as Vice-Chair of the Board of Commissioners of the EZDA.](#)
4. [Authorizing the Mayor or his designee to execute a Parking Space Use Agreement with the Cathedral Church of St. Peter, Inc. for the purpose of providing sixteen \(16\) parking spaces located in City Hall Parking Lot No. 4.](#)
5. [Authorizing the Mayor or his designee to sell three \(3\) surplus, unimproved City-owned parcels located at approximately 2201 First Avenue North, 2245 First Avenue North and 2163 First Avenue North, St. Petersburg, to Nick Pavonetti for \\$290,000.](#)
6. [Authorizing the Mayor or his designee to grant a Public Utility Easement to Duke Energy, Florida, Inc. d/b/a Duke Energy, a Florida corporation, for the installation, operation and maintenance of electrical service for the City-owned land just east of the City's Northeast Wastewater Treatment facility located at 1160 – 62nd Avenue Northeast, St. Petersburg which is leased to American Towers Inc. for the operation of a Cell Tower Facility.](#)

(Leisure & Community Services)

7. [Accepting a grant from the National Recreation & Park Association \(NRPA\) in the amount of \\$31,200 to support the City's Out-of-School Time healthy food access and nutritional literacy programs; authorizing the Mayor or his designee to execute a grant agreement and all other documents necessary to effectuate this transaction with NRPA; and approving a supplemental appropriation in the amount of \\$31,200 from the increase in the unappropriated balance of the General Fund \(0001\), resulting from these additional revenues, to the Parks & Recreation Department.](#)

(Public Works)

8. [Authorizing the Mayor to enter into an Interlocal Agreement with the City of Pinellas Park; and authorizing the City of Pinellas Park to provide temporary water and wastewater service to the Pinellas County Grease Service Facility.](#)
9. [Jamestown Apartment and Townhouses Renovations, Phase III Project:](#)
 - (a) Authorizing the Mayor or his designee to execute agreements not to exceed \$800,000, with New Vista Builders Group, LLC, Certus Builders, Inc. and Avatar Construction Inc. as primary contractors and Reeves Building, Plumbing and Roofing Contractor, Inc, and Kickler Group LLC, as secondary contractors for the Jamestown Apartments and Townhouses Renovations, Phase Iii Project (Engineering Project No. 11237-119, Oracle No. 14212); and all other documents necessary to effectuate this resolution.
 - (b) Authorizing the Mayor or his designee to execute Revision No. 4 to Task Order No. CID-07-08-HCA to the Agreement between the City of St. Petersburg and Hayes Cumming Architects, PA in the amount not to exceed \$7,500 for architectural and engineering design services related to the construction phase of the Jamestown Apartments Renovations Phase III, for a total amount of \$106,448. (Engineering Project No. 11237-119; Oracle No. 14212)

(

(Miscellaneous)

10. [Approving the minutes of February 6, February 13, and February 20, 2014 City Council meetings.](#)

MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

FY 2015 Public Budget Summit - Walter Fuller Recreation Center

7891 - 26th Avenue North, Wednesday, April 23, 2014, 6:00 p.m.

Budget, Finance & Taxation Committee

Thursday, April 24, 2014, 8:00 a.m., Room 100

CRA/Agenda Review & Administrative Updates

Thursday, April 24, 2014, 1:00 p.m., Room 100

City Council iPad Training

Thursday, April 24, 2014, immediately following Agenda Review, Room 100

City Council Downtown Waterfront Master Plan

Thursday, April 24, 2014, immediately following iPad Training, Room 100

FY15 CIP Budget Workshop

Tuesday, April 29, 2014, 1:00 p.m., Room 100

Fiscal Year 2015 Public Budget Summits

Wednesday, May 14, 2014, Wildwood Recreation Center, 1000 - 28th St. S., 6:00 p.m.

Wednesday, June 18, 2014, Willis S. Johns Recreation Center, 6635 Dr. MLK Jr. St. N., 6:00 p.m.

CITY OF ST. PETERSBURG

Board and Commission Vacancies



Arts Advisory Committee

1 Regular Member
(Terms expire 9/30/16)

City Beautiful Commission

2 Regular Members
(Terms expire 12/31/16)

Civil Service Board

1 Regular & 3 Alternate Members
(Terms expire 6/30/14 & 6/30/16)

Code Enforcement Board

1 Alternate Member
(Term expires 12/31/16)

Commission on Aging

4 Regular Members
(Terms expire 12/31/14 & 12/31/16)

Public Arts Commission

2 Regular Members
(Terms expire 4/30/14 & 4/30/17)

Committee to Advocate for Persons with Impairments (CAPI)

1 Regular & 2 Alternate Members
(Terms expire 12/31/14 & 12/31/16)

Nuisance Abatement Board

2 Alternate Members
(Terms expire 8/31/14 & 11/30/14)

Community Planning & Preservation Commission

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

PROCEDURES TO BE FOLLOWED FOR QUASI-JUDICIAL PROCEEDINGS:

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



SAINT PETERSBURG CITY COUNCIL

Meeting of May 1, 2014

- TO:** The Honorable Bill Dudley, City Council Chair, and Members of City Council
- SUBJECT:** Appeal of the Development Review Commission (DRC) approval of a site plan with variances and bonuses to construct a 150,000 square foot, 72-unit, multi-family residential development located at 145 - 4th Avenue North (Case No.: 13-31000018).
- RECOMMENDATION:** The Administration recommends that the appeal be **DENIED**, thereby **UPHOLDING** the Development Review Commission's **approval** of the application.

INTRODUCTION: The subject property is located on the northern side of 4th Avenue North, between 1st Street North and 2nd Street North. The applicant proposes to construct 150,000 square foot, 72-unit, multi-family residential development. The applicant is seeking bonuses to floor area ratio (FAR) and variances to 1) airport zoning, 2) distance between buildings and 3) the requirements to FAR bonuses. The applicant was originally approved on December 7, 2005, to construct a 12-story, 64-unit residential building. The applicant was also approved for FAR bonuses. On March 1, 2006, the applicant was approved for a site plan modification to construct a 16-story building with 72 dwelling units. The applicant was also granted a variance to airport zoning. The modified site plan approval expired on September 12, 2012. The applicant submitted a new application to construct the exact same building that was approved in 2006. The Development Review Commission (DRC) heard the application at the December 4, 2013 hearing. After hearing testimony from staff and the public who objected to the site plan, the DRC recommended that the applicant defer the application and revise it meet the current Land Development Regulations (LDRs). The DRC discussed the possibility of supporting a variance to the distance between buildings on the east side of the property due to the location of an existing substation. The applicant made the revisions and resubmitted the application to the City. Staff recommended approval of the revised application to the DRC, subject to specific conditions. The DRC approved the revised application on March 5, 2014, and the approval was appealed to the City Council, which is the subject of this report.

CURRENT PROPOSAL: The current plan closely resembles the plan approved in 2006, which was not appealed. The applicant did revise the plan to comply with the distance between buildings regulation for two of the three sides of the building. The applicant sought and was approved for a variance to the distance between buildings for the east side of the building. The distance between buildings is an additional regulation for buildings in the downtown that was adopted as part of the 2007 Land Development Regulations. The plan and the associated variances are described in detail within the attached DRC staff report. Staff found that the application complies with the applicable provisions of the Land Development Regulations (LDRs) and recommended approval to the DRC.

DRC REVIEW AND DECISION: The DRC considered the revised application during the public hearing on March 5, 2014. The DRC heard testimony from City staff, the applicant, the appellant and the general public. The details of the testimony are provided in the attached meeting minutes. The appellant requested that the DRC deny the application. Other public comment included concerns about historic preservation, compatibility, parking, traffic and building height. After considering all of the information provided, the DRC voted to approve the application, subject to the special conditions in the staff report, by a vote of 6 to 1.

THE APPEAL: The DRC's decision was appealed by Saint Petersburg Preservation and Peter Belmont. Staff's analysis of the appeal is the subject of this report. The appellant's stated reasons for filing this appeal are that the DRC erred in finding the site plan application to be consistent with the Comprehensive Plan and the City Code and more particularly with the Code's compatibility criteria contained within Section 16.70.040.1.4 (D) and in finding the need for a variance to have been established as outlined in Section 16.70.040.1.4 (B)(4). The appellant also contends that the application is inconsistent with the following Comprehensive Plan provisions: Section 1.7, definition of compatible and historic resources, Policy LU 3.6, Policy LU 3.8, Objective LU10, Objective H& and Policy HP2.12.

STAFF'S ANALYSIS: Staff has reviewed the arguments set forth in the attached appeal letters. The Administration recommends that the City Council deny the appeal and uphold the DRC decision based on the following:

Issue No#1: Appellant argues that the site plan is inconsistent with the City Code criteria for site plan review. Below are the standards for review of a site plan in italics with staff response below each criterion.

Standards for Review of Site Plans (Section 16.70.040.1.4.D)

In addition to the standards of review for a zoning and planning decision generally, a decision shall be guided by the following factors:

1. *The use is consistent with the Comprehensive Plan.*
The use is consistent with the Comprehensive Plan.

2. *The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;*

The property does have a valid land use and zoning for the proposed use.

3. *Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or the county, respectively;*

The subject property is located along 4th Avenue North between 1st and 2nd Streets North. The road is a city road. The road is not considered a major street as defined in the City's Comprehensive Plan. Vehicular access will be from 4th Avenue North, pedestrian access will be from an existing sidewalk in the 4th Avenue right of way and refuse collection and servicing of utilities will be from the existing rear alley. The City's Transportation Department has already reviewed the proposal and finds the proposed access is acceptable.

4. *Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;*

Access to the off-street parking area has been designed to be separated from pedestrian access into the building. If the parking garage is gated, the applicant will be required to provide proper vehicular stacking to prevent overflow of vehicles into the right-of-way. The proposed site and building will be reviewed by the City's Fire Department to ensure that access into the building meets Code. A landscape plan is required to be submitted at the time of permitting and shall comply with the Land Development Regulations.

5. *Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;*

The City's Transportation Department has reviewed the proposed site plan and has not requested any special conditions of approval.

6. *Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;*

The proposed drainage plan will be reviewed at the time of permitting and shall comply with the City's drainage ordinance as required by the special conditions of approval attached to the DRC staff report.

7. *Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;*

The site plan did not indicate any exterior signs or lighting. Any proposed signage will be required to comply with the City's sign regulations. The City Code requires that exterior lighting be designed to prevent glare and light trespass on abutting properties as outlined in Section 16.40.070.4.

8. *Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;*

The orientation of the building and the location of open space are compatible with the other buildings within the block face.

9. *Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;*

The proposed residential use would be compatible with the existing use of subject property and with other residential properties in the neighborhood. The project is compatible in terms of use, density, height and setbacks of existing and approved projects, refer to Attachment "A".

10. *Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;*

The proposed residential building will replace two existing residential buildings. A residential use is permitted in the zoning district. This portion of the downtown contains a mixture of building types. Construction of the proposed building is not anticipated to adversely impact property values in the neighborhood.

11. *Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;*

The proposed use is permitted in the zoning district. The use will provide housing for those working within the vicinity of the subject property and will enhance the existing residential uses that abut the subject property. No evidence has been submitted to staff which indicates that construction of the proposed building would have a substantial negative impact upon living or working conditions in the neighborhood.

12. *Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;*

The proposed building meets the setbacks, except for the variance adjacent to the Duke Energy substation that was approved by the DRC. All exterior lighting will need to comply with code. Landscaping is required to buffer all mechanical equipment and shield surface parking areas. The view of the parking garage will be shielded from the adjacent residential properties.

13. *Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;*

The subject property consists of two and a half platted lots and is currently developed with residential uses. The DC-2 zoning district does not regulate lot area or lot width, only lot depth. The existing lots meet the minimum lot depth of 75 feet. With the exception of the setback encroachment facing the adjacent Duke Energy substation, the proposed building complies with all setbacks, open space and parking requirements.

14. *Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;*

The existing vegetation is not protected by Code.

15. *Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;*

The applicant proposes to remove the existing structures from the subject property. The proposed building meets the setbacks and distance between buildings on the west and south sides of the property that abuts historic resources.

16. *Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;*

There are evacuation facilities available.

17. *Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:*

- a. *Water.*
- b. *Sewer.*
- c. *Sanitation.*
- d. *Parks and recreation.*
- e. *Drainage.*
- f. *Mass transit.*
- g. *Traffic.*
- h. *School Concurrency.*

The proposed plan meets all adopted levels of service.

Issue No#2: Appellant argues that the need for a variance has not been established as outlined in Section 16.70.040.1.4 (B) (4). The code section is below in italics and follows with staff's response.

Application for Site Plan review Section 16.70.040.1.4 (B)(4).

If a variance request is included, a written demonstration that the existing conditions and circumstances are such that strict application of the provisions of the Land Development Regulations would deprive the applicant of reasonable use of said land, building or structure, equivalent to the use made of lands, buildings, or structures in the same district and that the peculiar conditions and circumstances are not the result of the actions of the applicant.

The applicant provided a written demonstration of the existing conditions as circumstances that was submitted with the application. The written demonstration was attached to the DRC report.

Issue No#3: Appellant argues that the site plan is inconsistent with the comprehensive plan Section 1.7, definition of compatible and historic resource. Below are the two definitions in italics with staff response below each definition.

Compatible - Not having significant adverse impact. With limited variation from adjacent uses in net density, in type and use of structures (unless highly complementary), and with limited variation in visual impact on adjacent land uses. In the instance of certain adjacent or proximate uses, compatibility may be achieved through the use of mitigative measures.

The proposed site plan is consistent with the use, density, height and setbacks of other structures within this area of the downtown core. Attachment "A" illustrates that the subject property is compatible with buildings that have been approved by the City and others that have been built.

Historic Resources - All areas, districts or sites containing properties listed on the Florida Master File, the National Register of Historic Places, or designated by the City as historically, architecturally, or archaeologically significant.

The existing structures are located in the Downtown National Historic District and are considered contributing structures in the district. The structures, though they are contributing, are not protected from being modified or demolished.

Issue No#4: Appellant argues that the site plan is inconsistent with the following Land Use Element policies: Policy LU 3.6 and L.U. 3.8. Below are the two policies in italics followed by objectives and policies that demonstrate that the site plan is consistent with the Comprehensive Plan.

LU3.6 Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.

LU 3.8 The City shall protect existing and future residential uses from incompatible uses, noise, traffic and other intrusions that detract from the long term desirability of an area through appropriate land development regulations.

The subject property is located in the downtown, within the Intown Activity Center and Intown Redevelopment Area. The downtown and Intown Activity Center were established by the City to encourage urban development with a significantly higher intensity and density than other parts of the City. The proposed use is compatible with other approved and built projects in the City as illustrated by Attachment "A". Below are objectives and policies from the City's Comprehensive Plan that support this statement.

OBJECTIVE LU2:

The Future Land Use Element shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.

LU2.1 To facilitate compact urban development the City shall adopt the following activity centers as part of this Land Use Plan:

1. Gateway 3. Tyrone
2. Intown 4. Central Plaza

LU2.2 The City shall concentrate growth in the designated Activity Centers and prioritize infrastructure improvements to service demand in those areas.

OBJECTIVE LU3:

The Future Land Use Map (Map 2) shall specify the desired development pattern for St. Petersburg through a land use category system that provides for the location, type, density and intensity of development and redevelopment. All development will be subject to any other requirements, regulations and procedures outlined in the land development regulations including, but not limited to: minimum lot size, setback requirements, density, floor area ratio, and impervious surface ratio.

LU3.1 The Future Land Use Element contains the following categories:

3. Central Business District (CBD) - Allowing a mixture of higher intensity retail, office, industrial, service and residential uses up to a floor area ratio of 4.0 and a net residential density not to exceed the maximum allowable in the land development regulations. Increased floor area ratios may be permitted as a bonus for developments that provide additional amenities or other improvements that achieve CBD design and development objectives. Application of this category is limited to the Intown Sector. This category shall not be applied without development of, and CPA approval of, a special area plan.

OBJECTIVE LU23:

The City shall support sustainable land development patterns through the LDRs and the Comprehensive Plan.

LU23.2 The City's development review policies and procedures shall acknowledge the GHG emission reduction impacts of higher density development and the negative impacts of sprawling, low-density development.

LU23.3 The City's LDRs shall continue to support greater development intensity within the Corridor and Center zoning districts, particularly where located along fixed transit lines and around transit stops and stations.

Issue No#5: Appellant argues that the site plan is inconsistent with the following land use policy and objectives: Policy HP 2.12, Objective LU 10 and Objective H7. Below are the policy and two objectives in italics followed by staff's analysis.

HP2.12 The City will track hexagon block sidewalk removal and, on an annual basis, the Community Preservation Commission will be provided a report setting forth the blocks in which hexagon block sidewalks have been removed during the previous year. Based on such information, the Commission will advise City Council if changes are needed in the City's hexagon block sidewalk policy.

Not applicable. There are no protected hexagon block sidewalks that are proposed for removal.

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.

Not applicable. The existing buildings are not locally designated as historic.

OBJECTIVE H7:

Properties listed in the National Register of Historic Places or in the St. Petersburg Register of Historic Places shall be preserved and protected under the guidelines provided in the City's Historic and Archaeological Preservation Overlay. The City shall undertake efforts to identify and preserve historically significant buildings.

The subject property is located in a National Register, but not in the St Petersburg Register of Historic Places. The City's Historic and Archaeological Preservation Overlay Section of the LDR's regulates the designation of historic structures and modifications to historic structures. The structures on the subject property are not designated. The only section of the Historic and Archaeological Preservation Overlay that is relevant would be the section discussing demolition of contributing, non-designated structures. This section does not prohibit the

demolition of contributing structures, but requires the City to notify interested parties of a potential demolition.

The most recent site plan for a non-contributing structure approved by the City is for 145 4th Avenue Northeast, what is referred to as the Mansion by the Bay. The City has reviewed multiple site plan applications; the most recent approval was on December 5, 2012, by the DRC.

SUMMARY: Staff found that the application for a site plan to construct a 150,000 square foot, 72-unit multi-family residential development, with FAR bonuses and associated variances comply with the applicable provisions of the Land Development Regulations (LDR's) and recommended approval to the Development Review Commission (DRC). The DRC considered all of the information presented during the public hearing and approved the project. Given the findings set forth in this report, Staff recommends that the appeal of the DRC decision should be denied and that the decision of the DRC should be upheld.

RECOMMENDATION:

The Administration recommends that the City Council **APPROVE Resolution "A"** to deny the appeal, thereby upholding the decision of the DRC to approve the application.

"A"

RESOLUTION NO. _____

A RESOLUTION **DENYING** THE APPEAL AND **UPHOLDING** THE DEVELOPMENT REVIEW COMMISSION'S APPROVAL OF A SITE PLAN WITH A REQUEST FOR VARIANCES AND FLOOR AREA RATIO BONUS FOR 145 – 4TH AVENUE NORTH (CASE NO. 13-31000018); MAKING FINDINGS BASED ON THE EVIDENCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 5, 2014, the Development Review Commission (DRC) held a public hearing for a proposed site plan with a request for a floor area ratio bonus and variances for 145 – 4th Avenue North; and

WHEREAS, the City Council finds that it is appropriate to **deny** the appeal by **upholding** the DRC's approval of the site plan, variances and bonus.

NOW, THEREFORE BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida that the City Council makes the following findings:

1. The site plan, variances and bonus comply with the City's applicable Land Development Regulations and Comprehensive Plan; and
2. The City Council finds that it is appropriate to **DENY** the appeal and **UPHOLD** the DRC's approval of the site plan, variances and bonus, subject to the conditions of the Staff Report, as adopted by the DRC at the public hearing.

BE IT FURTHER RESOLVED that under its de novo and appellate authority, based upon the foregoing findings of fact based on evidence, this Council **approves** the site plan, variances and bonus, subject to the conditions in the Staff Report, and **denies** the appeal herein; and

BE IT FURTHER RESOLVED that this resolution shall become effectively immediately upon adoption.

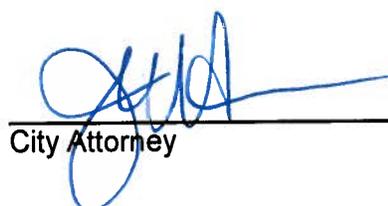
APPROVED AS TO FORM AND SUBSTANCE:



Planning and Economic Development Department

4-9-14

Date



City Attorney

4/9/14

Date

"B"

RESOLUTION NO. _____

A RESOLUTION **APPROVING** THE APPEAL AND **OVERTURNING** THE DEVELOPMENT REVIEW COMMISSION'S APPROVAL OF A SITE PLAN WITH A REQUEST FOR VARIANCES AND FLOOR AREA RATIO BONUS FOR 145 – 4TH AVENUE NORTH (CASE NO. 13-31000018); MAKING FINDINGS BASED ON EVIDENCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 5, 2014, the Development Review Commission (DRC) held a public hearing for a proposed site plan with a request for a floor area ratio bonus and variances for 145 – 4th Avenue North; and

WHEREAS, the City Council finds that it is appropriate to **approve** the appeal by **denying** the DRC's approval of the site plan, variances and bonus.

NOW, THEREFORE BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida that the City Council makes the following findings based on the evidence:

1. The requested site plan does not comply with the applicable City Land Development Regulations or Comprehensive Plan.

BE IT FURTHER RESOLVED that under its de novo and appellate authority, based upon the foregoing findings based on the evidence, this Council **denies** the site plan, variances and bonus and **approves** the appeal herein; and

BE IT FURTHER RESOLVED that this resolution shall become effectively immediately upon adoption.

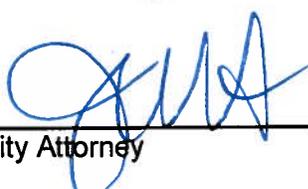
APPROVED AS TO FORM AND SUBSTANCE:



Planning and Economic Development Department

4-9-14

Date



City Attorney

4/9/14

Date

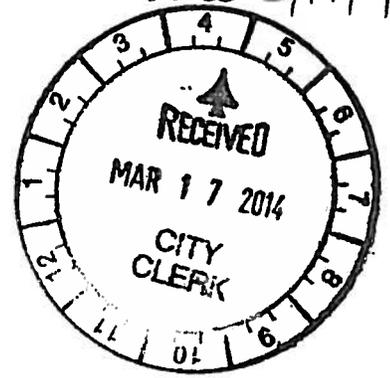
The Appeal

145 - 4th Avenue North
DRC Case No. 13-31000013

PETER B. BELMONT
102 FAREHAM PLACE NORTH
ST. PETERSBURG, FLORIDA 33701
(727) 463-3612

March 17, 2014

City Clerk
175 5th Street North
St. Petersburg, FL 33701



RE: Appeal of Site Plan and Variance Approvals, Case # 13-31000018, a residential development proposed for 145 4th Avenue North

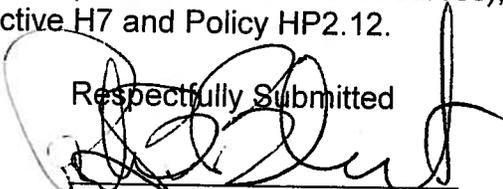
Madam Clerk:

St. Petersburg Preservation and Peter Belmont hereby appeal the decision of the Development Review Commission ("DRC") to approve site plan application and variances for side setback and use of bonuses when not meeting building envelope requirements, case #13-31000018 for the development of a residential use project at 145 4th Avenue North. Appellants will be represented by Peter Belmont, Fla. Bar #335150.

The matter was reviewed and approved by the DRC at its regularly scheduled meeting on March 5, 2014. A summary of the basis of the appeal is contained in the attached letter dated February 24, 2014 and addressed to Chairman David Punzak & Commission Members. Also attached to this notice is the staff report provided to the DRC, including the recommendation with conditions adopted by the DRC and from which this appeal ensues.

Appellants contend the DRC erred in finding the site plan application to be consistent with the Comprehensive Plan and the City Code and more particularly with the code's compatibility criteria contained within sec. 16.70.040.1.4(D) and in finding the need for a variance to have been established (sec. 16.70.040.1.4(B)(4)). Appellants contend the application is inconsistent with the following Comprehensive Plan provisions: Section 1.7 (definition of compatible and historic resources), Policy LU3.6, Policy LU3.8, Objective LU10, Objective H7 and Policy HP2.12.

Respectfully Submitted



PETER B. BELMONT
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peterbelmont@earthlink.net
(727) 463-4612



st.petersburg
www.stpete.org

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

**DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**REVISED
SITE PLAN REVIEW
PUBLIC HEARING**

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

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **March 5, 2014, at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 13-31000018 **PLAT SHEET:** E-4

REQUEST: Approval of a site plan to construct a 150,000 square foot, 72 unit, multi-family residential development. The applicant is seeking bonuses to floor area ratio (FAR) and variances to 1) airport zoning, 2) distance between buildings and 3) the requirements to FAR Bonuses.

APPLICANT: Shineco
700 7th Avenue North
Saint Petersburg, Florida 33701-2958

ARCHITECT: Architectonics Studio
216 5th Avenue North
Saint Petersburg, Florida 33701

ADDRESS: 145 4th Avenue North
PARCEL ID NO.: 19/31/17/74466/003/0110; 19/31/17/74466/003/0120

LEGAL DESCRIPTION: On File
ZONING: DC-2

SITE AREA TOTAL: 25,000 square feet or 0.57 acres

GROSS FLOOR AREA:

Existing:	23,028 square feet	0.92 F.A.R.
Proposed:	150,000 square feet	6.0 F.A.R.

Permitted: 75,000 square feet 3.0 F.A.R.

BUILDING COVERAGE:

Existing: 13,947 square feet 56% of Site MOL
Proposed: 17,213 square feet 70% of Site MOL
Permitted: 23,750 square feet 95% of Site MOL

IMPERVIOUS SURFACE:

Existing: 17,075 square feet 68% of Site MOL
Proposed: 18,279 square feet 73% of Site MOL
Permitted: N/A

OPEN GREEN SPACE:

Existing: 7,925 square feet 32% of Site MOL
Proposed: 6,701 square feet 27% of Site MOL

PAVING COVERAGE:

Existing: 3,128 square feet 13% of Site MOL
Proposed: 1,066 square feet 43% of Site MOL

PARKING:

Existing: 0;
Proposed: 95; including 2 handicapped spaces
Required 72; including 3 handicapped spaces

BUILDING HEIGHT:

Existing: 35 feet
Proposed: 200 feet, 242 feet AMSL
Permitted: 200 feet, 158 feet AMSL

APPLICATION REVIEW:

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a residential use which is a permitted use within the DC-2 Zoning District.

II. **DISCUSSION AND RECOMMENDATIONS:**

The Request:

The applicant seeks approval of a site plan to construct 72 dwelling units and 95 structured parking spaces. The applicant is seeking variances for 1) airport zoning, 2), distance between buildings and 3) requirements to FAR bonuses. The applicant is also seeking approval of floor area ratio (FAR) bonuses to increase the allowable FAR from 3.0 to 6.0.

The subject property is located on the north side of 4th Avenue North between 1st Street North and 2nd Street North. The lot is currently developed with two older apartment buildings (ca. 1926-29) which will be demolished to accommodate the proposed development. There is a Duke Energy substation to the east, the 8-story Flori de Leon apartment building to the south and an existing two-story apartment building to the west.

Current Proposal:

The applicant came before the Development Review Commission (DRC) on December 4, 2013, for an approval of a site plan to construct a 150,000 square foot, 72 unit, multi-family residential development with variances to airport zoning, distance between buildings and bonuses to floor area ratio (FAR). The variance for distance between buildings was for the east, west and north sides of the building. At the December hearing, the DRC expressed concerns about the variance request for the west and north sides of the building, but had less of a concern for the variance for the east side of the building because an existing utility substation is located on the east side of the building. The DRC asked if the applicant could revise the plans to comply with the distance between buildings for the west and north sides of the building. The DRC recommended to the applicant that they defer the application in order to make the revisions to the plan. The applicant asked the DRC to defer the application to make the revisions to the plan. The application before the DRC includes the revisions to the site plan. The applicant is requesting a variance for distance between buildings, but for only the east side of the building.

Site plan

The revised site plan includes a proposed 16-story condominium building with three (3) levels of structured parking and 13 floors of residential units. As illustrated by the site plan, the proposed building is set back from the front property line to provide the required amount of ground-level open space. The open space is defined with an open plaza along the front of the building and a covered plaza that is adjacent to the southwest corner of the building. The open space connects to the existing sidewalk along 4th Street North. The plaza includes a fountain, benches, landscaping and hardscape. The main entry to the building is located along the front façade exiting out onto the open plaza area and a second entry point is located along the west side of the building that exits out onto the covered plaza. The plaza has been designed to enhance 4th Street North and the entrance to the building, and provides a gathering space for residents of the proposed project and residents living in the neighborhood. Access to the parking structure is from 4th Street North. A 10-space covered parking area is located on the first level of the parking garage and is accessed from the alley.

Elevation

The building is designed with three parts: a strong base housing the parking structure, the middle tower, and upper penthouse units. The building has no particular architectural style, but rather includes a combination of traditional and contemporary components. Traditional elements such as arches, balustrades, and domed features, are incorporated along with contemporary elements, such as a glass curtain wall.

It is unclear if the sides of the parking garage are open or enclosed. If the garage is open along the interior property lines, the building will need to be setback 7.5 feet from the interior property lines. If the garage is enclosed along the interior property lines, it can be built to the property lines.

Floor Area Ratio (FAR) Bonuses:

The base Floor area ratio (FAR) within the DC-2 district is a maximum of 3.0. The applicant is requesting a bonus of 3.0 FAR for a total FAR of 6.0, which can only be granted by the Development Review Commission (DRC) upon demonstration that the project qualifies for the bonuses.

The applicant is requesting the following bonuses:

- 1. 0.5 FAR - Make structured parking not visible to the streets with an architecturally compatible design above the base to create an attractive and architectural screen to the structured parking.**

The applicant is seeking to utilize this bonus to achieve an FAR bonus of 0.5. To qualify for the bonus, the applicant will be required to screen the 2nd and 3rd floors of the parking garage on 4th Avenue North with an architecturally compatible design. The applicant is proposing a design that will meet the intent of the Code. The design provided to staff incorporates materials, architectural elements and window pattern that are consistent with the residential tower. This criterion is satisfied.

- 2. 0.5 FAR - Provide additional five percent ground level open space.**

The applicant is seeking to utilize this bonus to achieve an FAR bonus of 0.5. The total site area is 25,000 square feet. The basic required open space for a site of this size is five (5) percent of the site area or 1,250 square feet. For the bonus to be satisfied, an additional five (5) percent of the site area, or 1,250 square feet, must be provided as open space for a total of 2,500 square feet of ground level open space. The plan shows 2,500 square feet of open space. This criterion is satisfied.

- 3. 2.0 FAR - Provide financial support to the City's Housing Capital Improvements Projects (HCIP) Trust Fund or its successor fund equal to one-quarter of one percent or more of the total construction cost per each 0.5 of FAR bonus.**

The applicant is seeking to utilize this bonus to achieve an FAR bonus of 2.0. The total construction cost of the project is approximately 26 million dollars. Since the applicant is seeking to utilize this bonus to achieve a bonus of 2.0, the applicant will be required to provide one percent or more of the total construction cost to the HCIP Trust Fund. Based on the estimated construction cost, a minimum of \$260,000 shall be paid to the HCIP Trust Fund. The applicant shall provide the funds to the City prior to the release of building permits. A condition has been added to this report to address this.

VARIANCE:

1 Airport Zoning

Required:	158 feet AMSL
Proposed:	245 feet AMSL
Variance:	87 feet AMSL

The DC-2 zoning district has a maximum building height of 200 feet. However, the Albert Whitted Airport Zoning Ordinance limits the building on this property to a maximum of 158 feet Above Mean Sea Level (AMSL). The proposed building will be 245 feet AMSL, requiring a variance of 87 feet. The applicant has submitted an application to the Federal Aviation Administration requesting approval of the height encroachment. The applicant has received the letter of No Hazard to Air Navigation from the Federal Aviation Administration. The applicant was approved to encroach 87 feet AMSL above 158 feet AMSL. The DRC has granted a number of variances for similar projects elsewhere in the downtown area. To promote an urban downtown and urban form, variances to the airport zoning restrictions are appropriate where no

safety concerns are identifiable related to airport operations. Given these considerations, Staff recommends approval of the variance.

2 Distance between buildings – east side only

Required:	30 feet
Proposed:	10 feet
Variance:	20 feet

The Code requires buildings within the DC-2 zoning district to provide a building separation of at least 60-feet for all portions of the building above 50 feet, except for the portion of the building abutting a street. The applicant is required to provide at least 50 percent of the required distance between buildings or 30 feet. The intent of requiring the 60-foot distance between buildings is to allow for air and light circulation around buildings and create a more attractive skyline that is not imposing to the pedestrian. The subject lot is 125 feet in width and 200-feet in depth. If the applicant were to provide the required building separation, the width of the tower would be 65 feet. The applicant is proposing a building separation of 10 feet on the east side of the property; therefore, the proposed tower will be 85 feet wide.

The property to the east of the subject property is developed with a utility substation. The utility substation will most likely not be development with another use in the future. Allowing the building to be closer to the east property line will still allow light and air circulation to occur. The applicant is providing a 10 foot setback, which is the required setback when abutting a public right-of-way. Staff recommends approval of the variance for distance between buildings.

3 Requirements to FAR bonuses

The Code requires that projects within the downtown center districts that utilize bonuses to receive greater development rights shall not exceed the maximum intensity allowed for the site. Further, to qualify for bonuses, a project shall comply with the requirements of the building envelope for the zoning district. In this case, the applicant would need to comply with the distance between buildings. However, the applicant is requesting a variance to distance between buildings and is requesting FAR bonuses. Therefore, the applicant is required to request a variance to the requirements to FAR bonuses. As stated above, the property to the east of the subject property is developed with a utility substation. The utility substation will most likely not be development with another use in the future. Allowing the building to be closer to the east property line will still allow light and air circulation to occur. The applicant is providing a 10 foot setback, which is the required setback when abutting a public right-of-way. Staff recommends approval of the variance for requirements to FAR bonuses.

Public Comments:

New public notice was provided for the March hearing to property owners within 200 feet, excluding public right-of-way. Staff received a second letter of objection from St. Petersburg Preservation and a letter from the Downtowns Neighborhood Association. Also attached, are letters that were included in the original staff report presented to the DRC in December.

III. RECOMMENDATION:

B. Staff recommends the following:

- 1. APPROVAL of the variance for Airport Zoning.**
- 2. APPROVAL of the variance for distance between buildings.**

3. **APPROVAL** of the variance to the requirements for FAR bonuses.
4. **APPROVAL** of the site plan, subject to the conditions in the staff report.

C. SPECIAL CONDITIONS OF APPROVAL:

1. Approval of the site plan is subject to approval by the Intown Community Redevelopment Agency.
2. The portion of the garage on 4th Avenue North above the first floor shall be screened with an architecturally compatible design as required to receive the F.A.R. bonus. The final design shall be subject to approval by staff.
3. The applicant shall provide one percent or more of the total construction cost to the HICP Trust Fund. The funds shall be provided to the City prior to the release of building permits.
4. The public sidewalk abutting the subject property shall be widened to a minimum of 8-feet.
5. Concrete sidewalks shall be continuous through all driveway approaches and truncated domes shall be installed.
6. Landscaping shall be installed in the public right-of-way as required by Section 16.40.060.
7. The final streetscape and hardscape plan for the abutting streets shall be approved by Staff.
8. The applicant shall provide the letter of No Hazard to Air Navigation from the Federal Aviation Administration at the time of permitting.
9. Building materials at the street level shall include materials such as metal, stone, brick, precast masonry, glass, stucco or other similar hard surface material. The use of dryvit, EIFS, or other artificial material shall not be permitted.
10. Bicycle parking shall be provided as required by Section 16.40.090.
11. Exterior lighting shall comply with Section 16.40.070.
12. Mechanical equipment shall be screened from the abutting rights-of-way.
13. Construction of piers and/or caissons shall be by auger method unless geotechnical data supports a finding that such a method is impractical or impossible.
14. The site plan shall be modified as necessary to comply with the comments in the Engineering Department's Memorandum dated November 18, 2013.

D. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. The use/proposal shall be consistent with Concurrency Certificate No. 6294.
2. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
3. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
4. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.
5. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.
2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.
3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.
4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."
2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.
3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.
4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.
5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.
6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.
7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.150, Section 16.40.060.2.1.1 of City Code. Development Services Division Staff shall inspect and approve all tree protection barricades prior to the issuance of development permits.

IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

- A. The use is consistent with the Comprehensive Plan.
- B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;
- C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;
- D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

- E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;
- F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;
- G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;
- H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;
- I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;
- J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;
- K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;
- L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;
- M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;
- N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;
- O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;
 - 1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).
 - 2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).
- P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;
- Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:

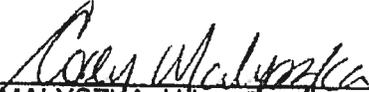
- a. Water.
- b. Sewer.
- c. Sanitation.
- d. Parks and recreation.
- e. Drainage.
- f. Mass transit.
- g. Traffic.
- h. School Concurrency.

The land use of the subject property is: **Central Business District**

The land uses of the surrounding properties are:

North: **Central Business District**
South: **Central Business District**
East: **Central Business District**
West: **Central Business District**

REPORT PREPARED BY:

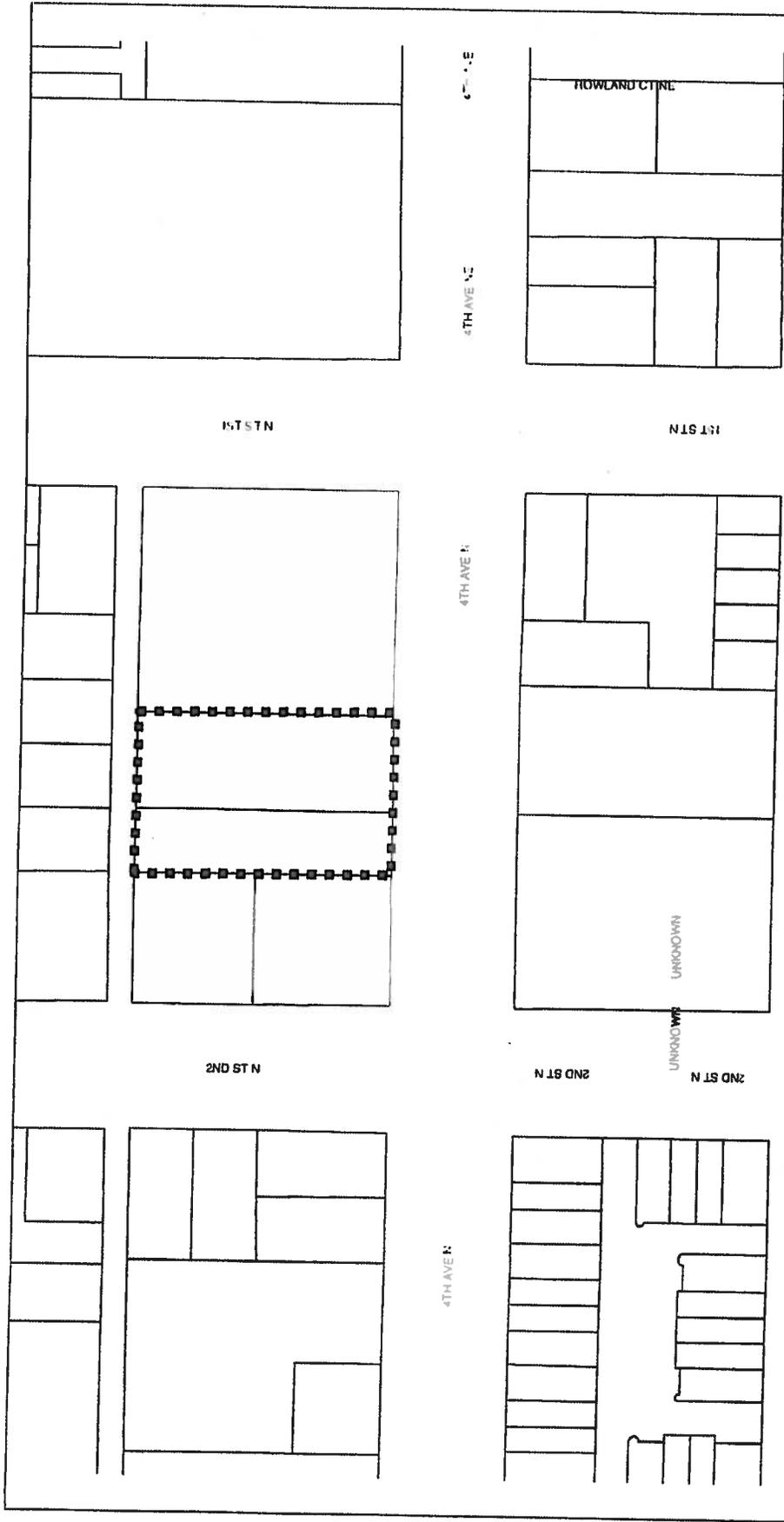


COREY MALYSZKA, Urban Design and Development Coordinator 2.26.14
DATE

REPORT APPROVED BY:

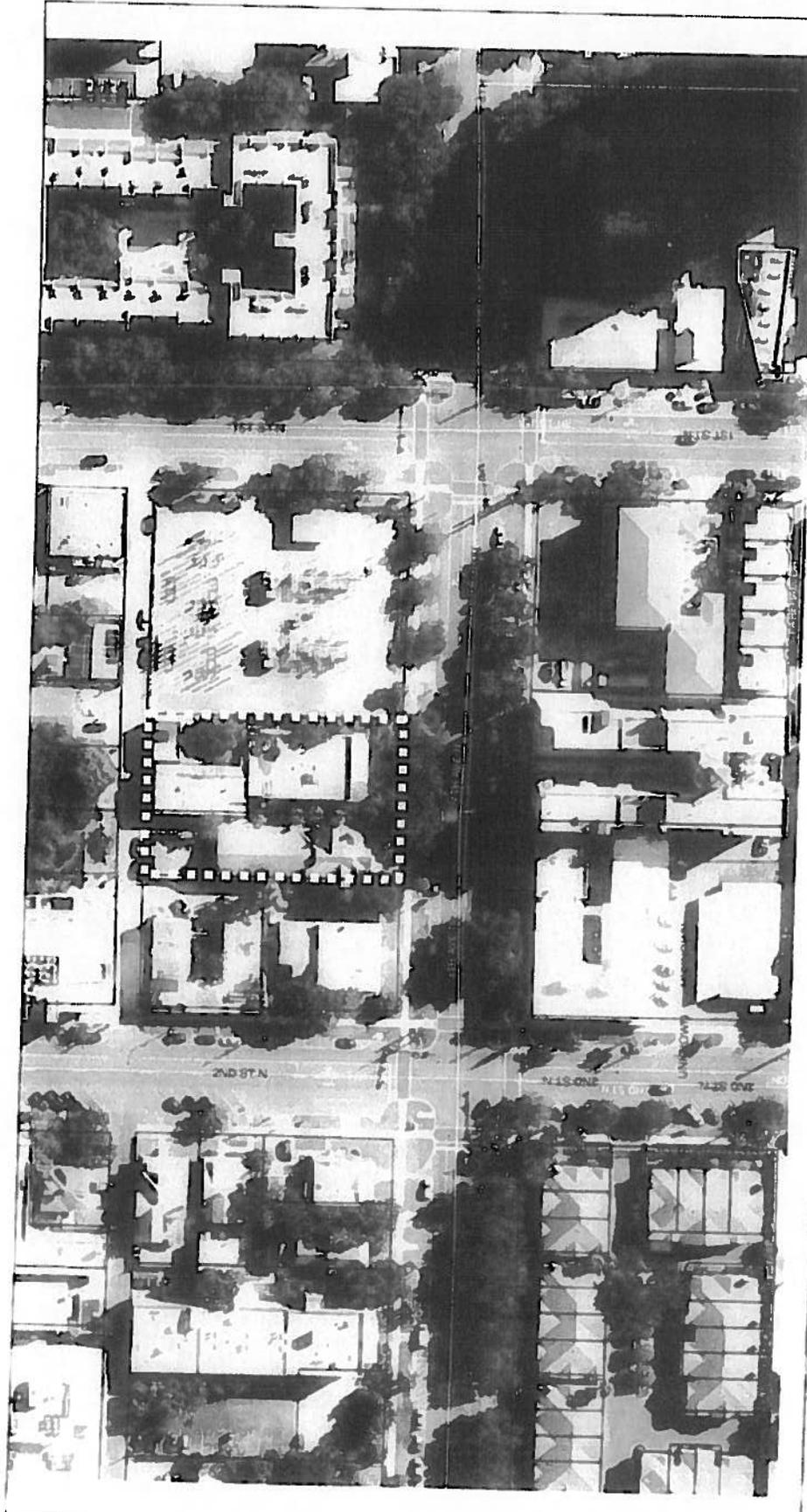


PHILIP T. LAZZARA, AICP 02.26.2014
Zoning Official DATE

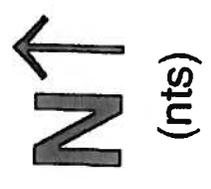


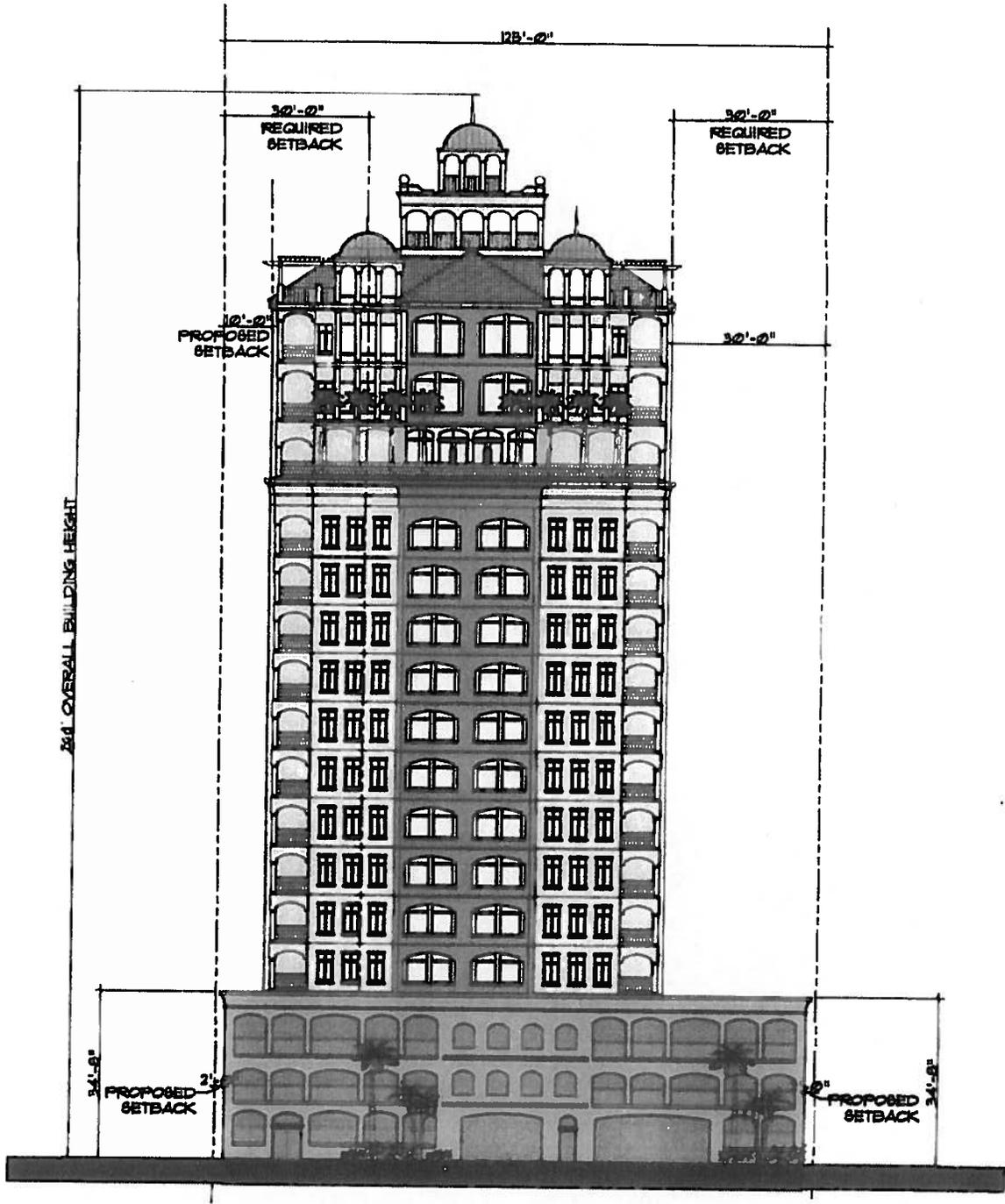
Planning & Economic Development Department
 Case No.: 13-31000018
 Address: 145 4th Avenue North





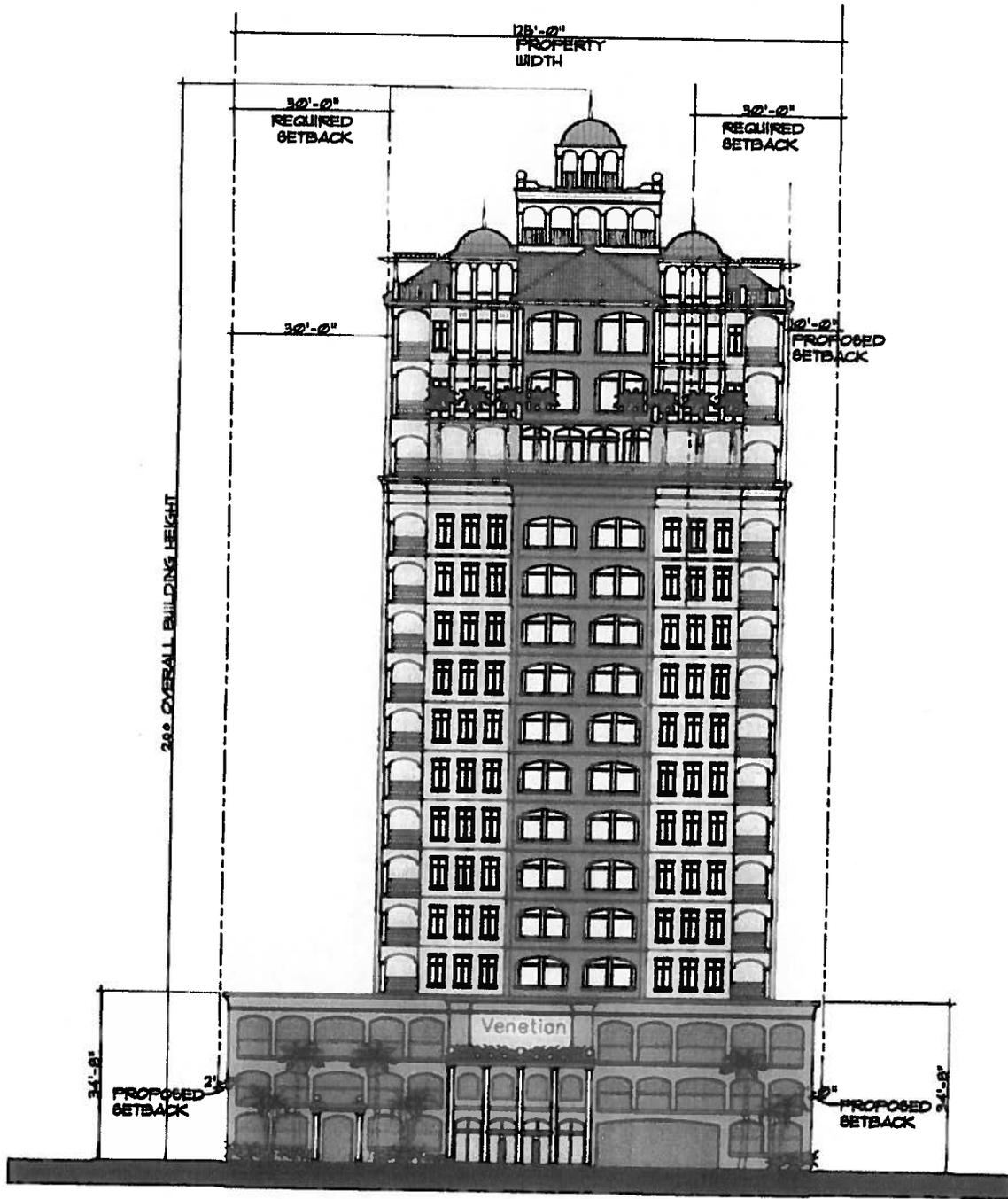
Planning & Economic Development Department
Case No.: 13-31000018
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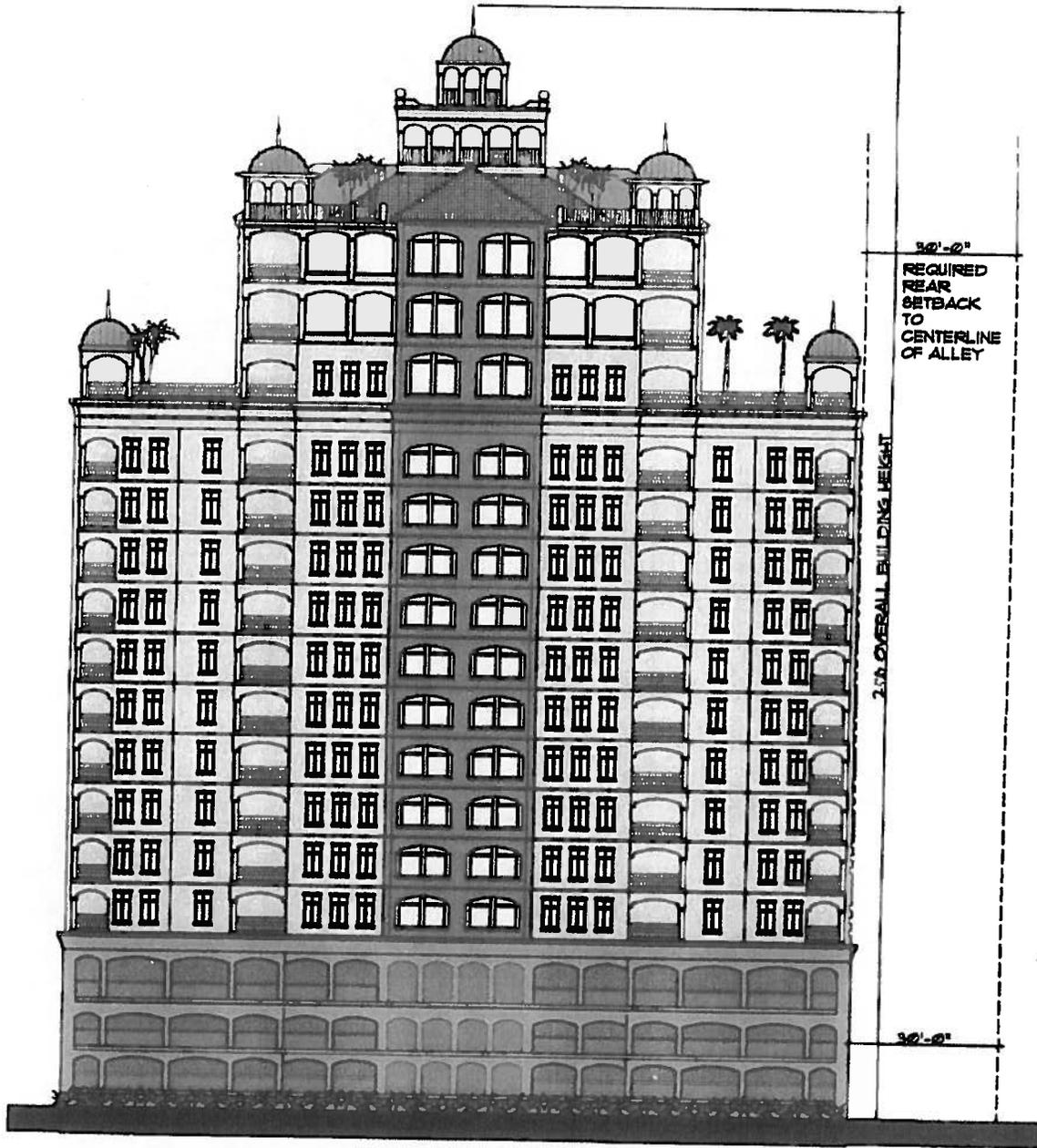
north elevation

scale 1/32" = 1'-0"



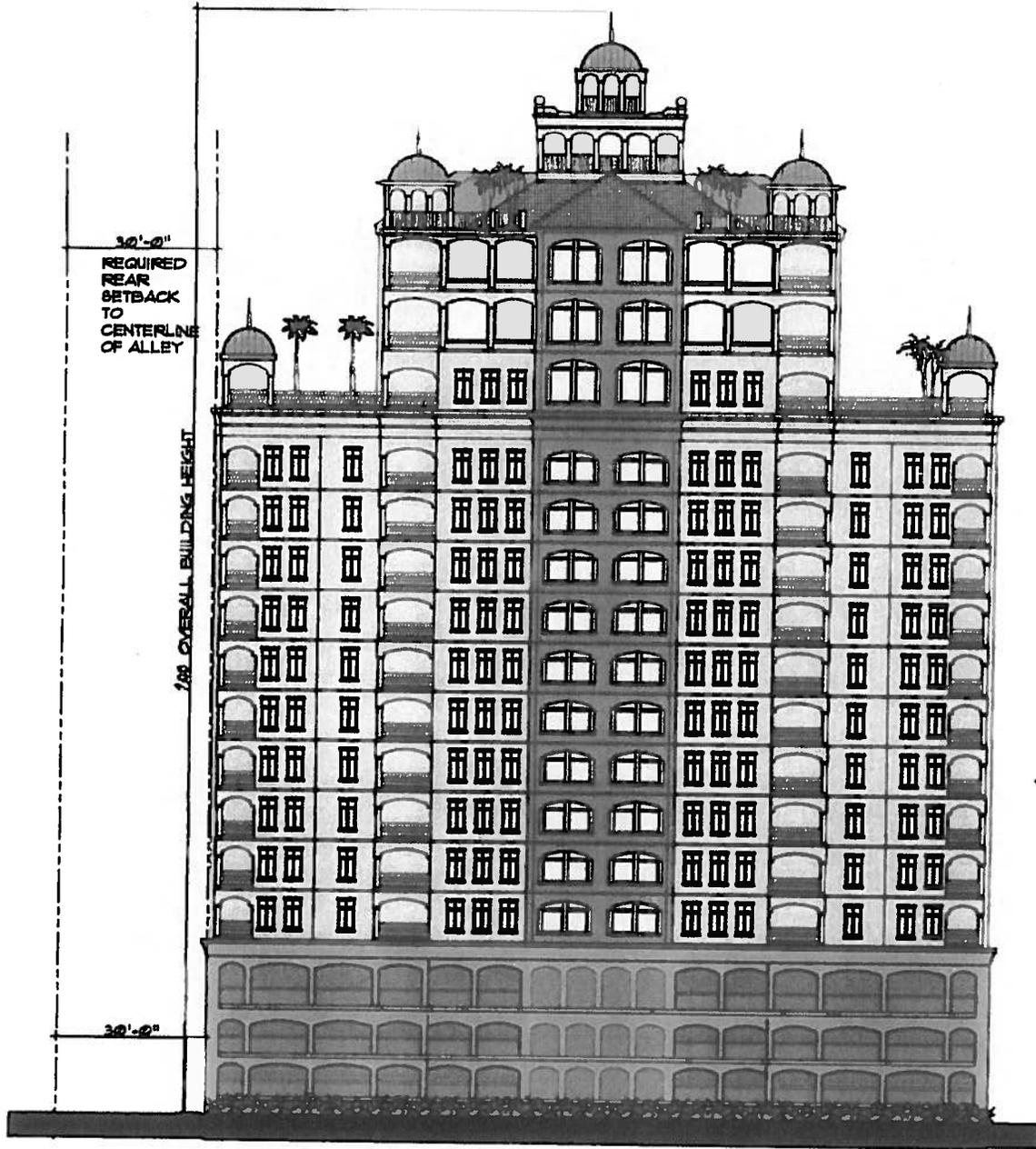
south elevation

SCALE 1/32" = 1'-0"



east elevation

• 0510 1/32" = 1'-0"



west elevation

scale 1/32" = 1'-0"

DRC Staff Report

145 - 4th Avenue North

DRC Case No. 13-31000018



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

**DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**SITE PLAN REVIEW
PUBLIC HEARING**

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

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **December 4, 2013, at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 13-31000018 **PLAT SHEET:** E-4

REQUEST: Approval of a site plan to construct a 150,000 square foot, 72 unit, multi-family residential development with variances to airport zoning, distance between buildings and bonuses to floor area ratio (FAR).

APPLICANT: Shineco
700 7th Avenue North
Saint Petersburg, Florida 33701-2958

ARCHITECT: Architectonics Studio
216 5th Avenue North
Saint Petersburg, Florida 33701

ADDRESS: 145 4th Avenue North
PARCEL ID NO.: 19/31/17/74466/003/0110; 19/31/17/74466/003/0120

LEGAL DESCRIPTION: On File
ZONING: DC-2

SITE AREA TOTAL: 25,000 square feet or 0.57 acres

GROSS FLOOR AREA:

Existing:	23,028 square feet	0.92 F.A.R.
Proposed:	150,000 square feet	6.0 F.A.R.
Permitted:	75,000 square feet	3.0 F.A.R.

BUILDING COVERAGE:

Existing:	13,947 square feet	56% of Site MOL
Proposed:	17,213 square feet	70% of Site MOL
Permitted:	23,750 square feet	95% of Site MOL

IMPERVIOUS SURFACE:

Existing:	17,075 square feet	68% of Site MOL
Proposed:	18,279 square feet	73% of Site MOL
Permitted:	N/A	

OPEN GREEN SPACE:

Existing:	7,925 square feet	32% of Site MOL
Proposed:	6,701 square feet	27% of Site MOL

PAVING COVERAGE:

Existing:	3,128 square feet	13% of Site MOL
Proposed:	1,066 square feet	4% of Site MOL

PARKING:

Existing:	0;
Proposed:	95; including 2 handicapped spaces
Required:	72; including 3 handicapped spaces

BUILDING HEIGHT:

Existing:	35 feet
Proposed:	200 feet, 242 feet AMSL
Permitted:	200 feet, 158 feet AMSL

APPLICATION REVIEW:

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a residential use which is a permitted use within the DC-2 Zoning District.

II. **DISCUSSION AND RECOMMENDATIONS:**

The Request:

The applicant seeks approval of a site plan to construct 72 dwelling units and 95 structured parking spaces. The applicant is seeking variances for 1) airport zoning and 2) distance between buildings. The applicant is also seeking approval of floor area ratio (FAR) bonuses to increase the allowable FAR from 3.0 to 6.0. The subject property is located on the north side of 4th Avenue North between 1st Street North and 2nd Street North.

The Environmental Development Commission (EDC) approved a site plan on December 7, 2005 (05-31000057) to construct of a 16-story condominium including 72 dwelling units and 95 structured parking spaces. The site plan expired on September 9, 2012.

Current Proposal:

The lot is currently developed with two older apartment buildings (ca. 1926-29) which will be demolished to accommodate the proposed development. There is a Duke Energy substation to

the east, the 8-story Flor-de-Leon apartment building to the south, a planned 13-story condominium to the southeast, and an existing two-story apartment building to the west.

The site plan includes a proposed 16-story condominium building with four (4) levels of structured parking and 12 floors of residential units. As illustrated by the site plan, the proposed building is set back from the front property line to provide the required amount of ground-level open space. The open space is defined with an open plaza along the front of the building and a covered plaza that is adjacent to the southwest corner of the building. The open space connects to the existing sidewalk along 4th Street North. The plaza includes a fountain, benches, landscaping and hardscape. The main entry to the building is located along the front façade exiting out onto the open plaza area and a second entry point is located along the west side of the building that exits out onto the covered plaza. The plaza has been designed to enhance 4th Street North and the entrance to the building, and provides a gathering space for residents of the proposed project and residents living in the neighborhood. Access to the parking structure is from 4th Street North. A 10-space covered parking area is located on the first level of the parking garage and is accessed from the alley.

The building is designed with three parts: a strong base housing the parking structure, the middle tower, and upper penthouse units. The building has no particular architectural style, but rather includes a combination of traditional and contemporary components. Traditional elements such as arches, balustrades, and domed features, are incorporated along with contemporary elements, such as a glass curtain wall.

It is hard to determine if the sides of the parking garage are open or enclosed. If the garage is open along the interior property lines, the building will need to be setback 7.5 feet from the interior property lines. If the garage is enclosed along the interior property lines, it can be built to the property lines.

Floor Area Ratio (FAR) Bonuses:

Floor area ratio (FAR) within the DC-2 district is a maximum of 3.0. The applicant is requesting a bonus of 3.0 FAR for a total FAR of 6.0, which can only be granted by the Development Review Commission (DRC) upon demonstration that the project qualifies for the bonuses.

The applicant is requesting the following bonuses:

- 1. 0.5 FAR - Make structured parking not visible to the streets with an architecturally compatible design above the base to create an attractive and architectural screen to the structured parking.**

The applicant is seeking to utilize this bonus to achieve an FAR bonus of 0.5. To qualify for the bonus, the applicant will be required to screen the 2nd and 3rd floors of the parking garage on 4th Avenue North with an architecturally compatible design. The applicant is proposing a design that will meet the intent of the Code. The design provided to staff incorporates materials, architectural elements and window pattern that are consistent with the residential tower. This criterion is satisfied.

- 2. 0.5 FAR - Provide additional five percent ground level open space.**

The applicant is seeking to utilize this bonus to achieve an FAR bonus of 0.5. The total site area is 25,000 square feet. The basic required open space for a site of this size is five (5) percent of the site area or 1,250 square feet. For the bonus to be satisfied, an additional five (5)

percent of the site area, or 1,250 square feet, must be provided as open space for a total of 2,500 square feet of ground level open space. The plan shows 5,000 square feet of open space, which is twice the amount required. This criterion is satisfied.

3. 2.0 FAR - Provide financial support to the City's Housing Capital Improvements Projects (HCIP) Trust Fund or its successor fund equal to one-quarter of one percent or more of the total construction cost per each 0.5 of FAR bonus.

The applicant is seeking to utilize this bonus to achieve an FAR bonus of 2.0. The total construction cost of the project is approximately 26 million dollars. Since the applicant is seeking to utilize this bonus to achieve a bonus of 2.0, the applicant will be required to provide one percent or more of the total construction cost to the HCIP Trust Fund. Based on the estimated construction cost, a minimum of \$260,000 shall be paid to the HCIP Trust Fund. The applicant shall provide the funds to the City prior to the release of building permits. A condition has been added to this report to address this.

VARIANCE:

1 Airport Zoning

Required:	158 feet AMSL
Proposed:	245 feet AMSL
Variance:	87 feet AMSL

The DC-2 zoning district has a maximum building height of 200 feet. However, the Albert Whitted Airport Zoning Ordinance limits the building on this property to a maximum of 158 feet Above Mean Sea Level (AMSL). The proposed building will be 245 feet AMSL, requiring a variance of 87 feet. The applicant has submitted an application to the Federal Aviation Administration requesting approval of the height encroachment. The applicant has received the letter of No Hazard to Air Navigation from the Federal Aviation Administration. The applicant was approved to encroach 87 feet AMSL above 158 feet AMSL. The DRC has granted a number of variances for similar projects elsewhere in the downtown area. To promote an urban downtown and urban form, variances to the airport zoning restrictions are appropriate where no safety concerns are identifiable related to airport operations. Given these considerations, Staff recommends approval of the variance.

2 Distance between buildings

Required:	30 feet
Proposed:	10 feet
Variance:	20 feet

The Code requires buildings within the DC-2 zoning district to provide a building separation of at least 60-feet for all portions of the building above 50 feet, except for the portion of the building abutting a street. The applicant is required to provide at least 50 percent of the required distance between buildings or 30 feet. The intent of requiring the 60-foot distance between buildings is to allow for air and light circulation around buildings and create a more attractive skyline that is not imposing to the pedestrian. The subject lot is 125 feet in width and 200-feet in depth. If the applicant were to provide the required building separation, the width of the tower would be 65 feet and the depth of the tower would be 140 feet. The applicant is proposing a building separation of 10 feet on all interior sides of the property; therefore, the proposed tower

will be 105 feet wide and 160 feet in depth. The applicant has stated that the reduced footprint is too restrictive and would be inadequate to develop the building. The applicant has also stated that the building was approved under the previous code, which did not require the additional setback; the project was granted a previous extension for 5 years. Further, the applicant has expressed that the extension did not provide was not enough time to move the project forward based on recent economic conditions and the project has been engineered and is ready to be submitted for permitting.

Section 16.70.010.10 of the City Code permits an applicant to seek an extension for an application that was approved prior to September 10, 2007. The City Code further states, that an applicant with an approved extension that is scheduled to expire after September 10, 2007 may request one extension which shall expire on September 9, 2012. The applicant was approved for such an extension, which is now expired. Therefore, any new application that is submitted must comply with current code. The building that is currently being proposed was previously approved, but under the previous land development regulations. The previous land development regulations did not have a distance between buildings requirement. However, the applicant still has the ability to build a tower without the need to request a variance. The land development regulations have changed and other projects have been able to be built under the new land development regulations. Section 16.70.040.1.6 of the City Code has specific review criteria for the granting of a variance. The applicant has not provided sufficient responses to the criteria to prove that a hardship exists. Staff recommends denial of the variance for distance between buildings.

Public Comments:

Staff received a letter from the President of the Downtown Neighborhood Association (DNA) that expressed opposition to the variance request for distance between buildings.

III. RECOMMENDATION:

B. Staff recommends the following:

- 1. APPROVAL of the variance for Airport Zoning.**
- 2. DENIAL of the variance for distance between buildings.**
- 3. APPROVAL of the site plan, subject to the conditions in the staff report.**

C. SPECIAL CONDITIONS OF APPROVAL:

- 1. Approval of the site plan is subject to approval by the Intown Community Redevelopment Agency.**
- 2. The portion of the garage on 4th Avenue North above the first floor shall be screened with an architecturally compatible design as required to receive the F.A.R. bonus. The final design shall be subject to approval by staff.**
- 3. The applicant shall provide one percent or more of the total construction cost to the HICP Trust Fund. The funds shall be provided to the City prior to the release of building permits.**
- 4. The public sidewalk abutting the subject property shall be widened to a minimum of 8-feet.**
- 5. Concrete sidewalks shall be continuous through all driveway approaches and truncated domes shall be installed.**
- 6. Landscaping shall be installed in the public right-of-way as required by Section 16.40.060.**

7. The final streetscape and hardscape plan for the abutting streets shall be approved by Staff.
8. The applicant shall provide the letter of No Hazard to Air Navigation from the Federal Aviation Administration at the time of permitting.
9. Building materials at the street level shall include materials such as metal, stone, brick, precast masonry, glass, stucco or other similar hard surface material. The use of dryvit, EIFS, or other artificial material shall not be permitted.
10. Bicycle parking shall be provided as required by Section 16.40.090.
11. Exterior lighting shall comply with Section 16.40.070.
12. Mechanical equipment shall be screened from the abutting rights-of-way.
13. Construction of piers and/or caissons shall be by auger method unless geotechnical data supports a finding that such a method is impractical or impossible.
14. The site plan shall be modified as necessary to comply with the comments in the Engineering Department's Memorandum dated November 18, 2013.

D. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. The use/proposal shall be consistent with Concurrency Certificate No. **6294**.
2. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
3. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
4. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

5. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.
2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.
3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.
4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.
5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."
2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.
3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.
5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.
6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.
7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.150, Section 16.40.060.2.1.1 of City Code. Development Services Division Staff shall inspect and approve all tree protection barricades prior to the issuance of development permits.

IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

- A. The use is consistent with the Comprehensive Plan.
- B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;
- C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;
- D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;
- E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;
- F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;
- G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;
- H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;
- I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

- J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;
- K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;
- L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;
- M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;
- N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;
- O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;
 - 1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).
 - 2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).
- P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;
- Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:
 - a. Water.
 - b. Sewer.
 - c. Sanitation.
 - d. Parks and recreation.
 - e. Drainage.
 - f. Mass transit.
 - g. Traffic.
 - h. School Concurrency.

The land use of the subject property is: **Central Business District**

The land uses of the surrounding properties are:

North: **Central Business District**
 South: **Central Business District**
 East: **Central Business District**
 West: **Central Business District**

REPORT PREPARED BY:

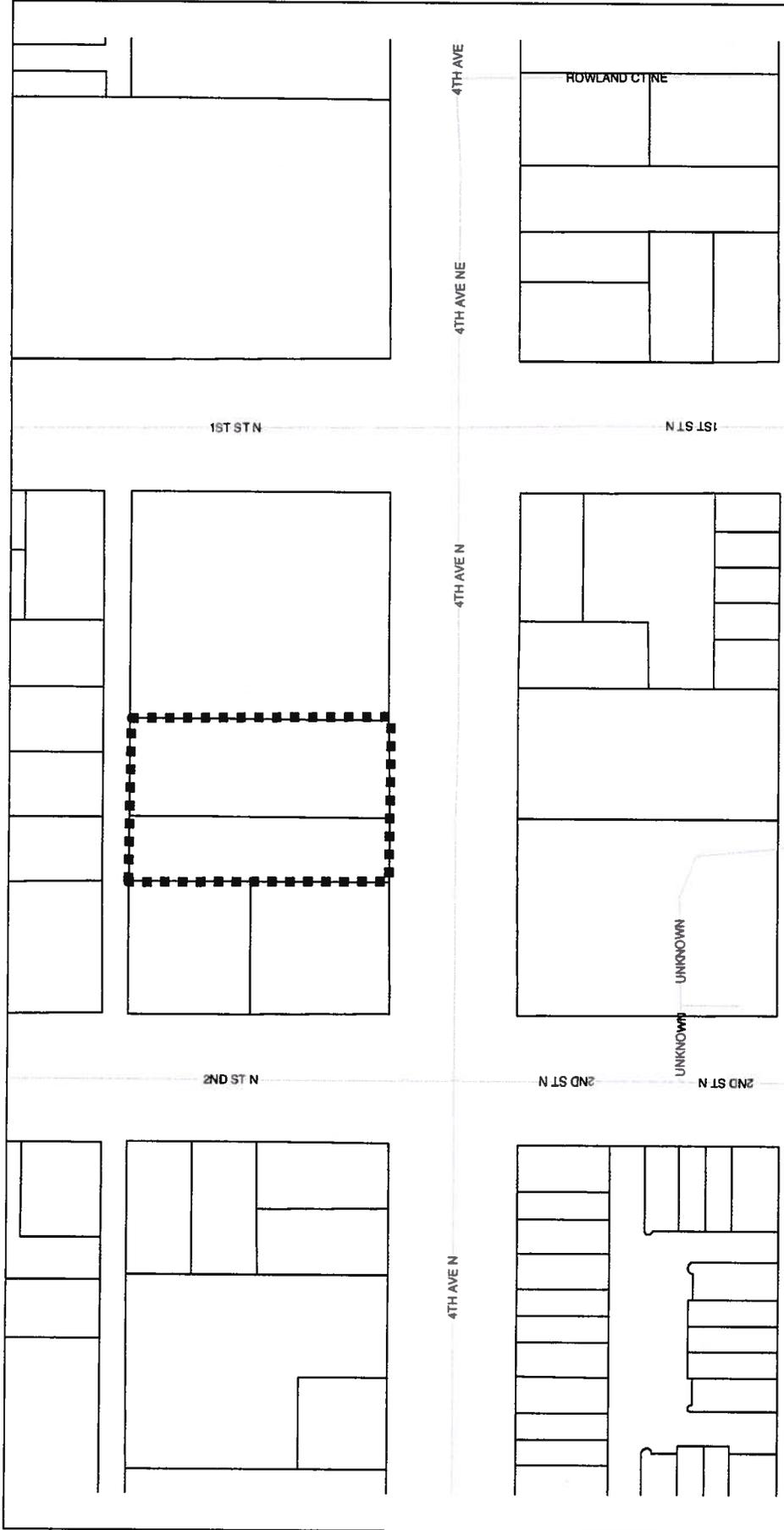

COREY MALYSZKA, Urban Design and Development Coordinator

11/27/13
DATE

REPORT APPROVED BY:


PHILIP T. LAZZARA, AICP
Zoning Official

11.27.2013
DATE



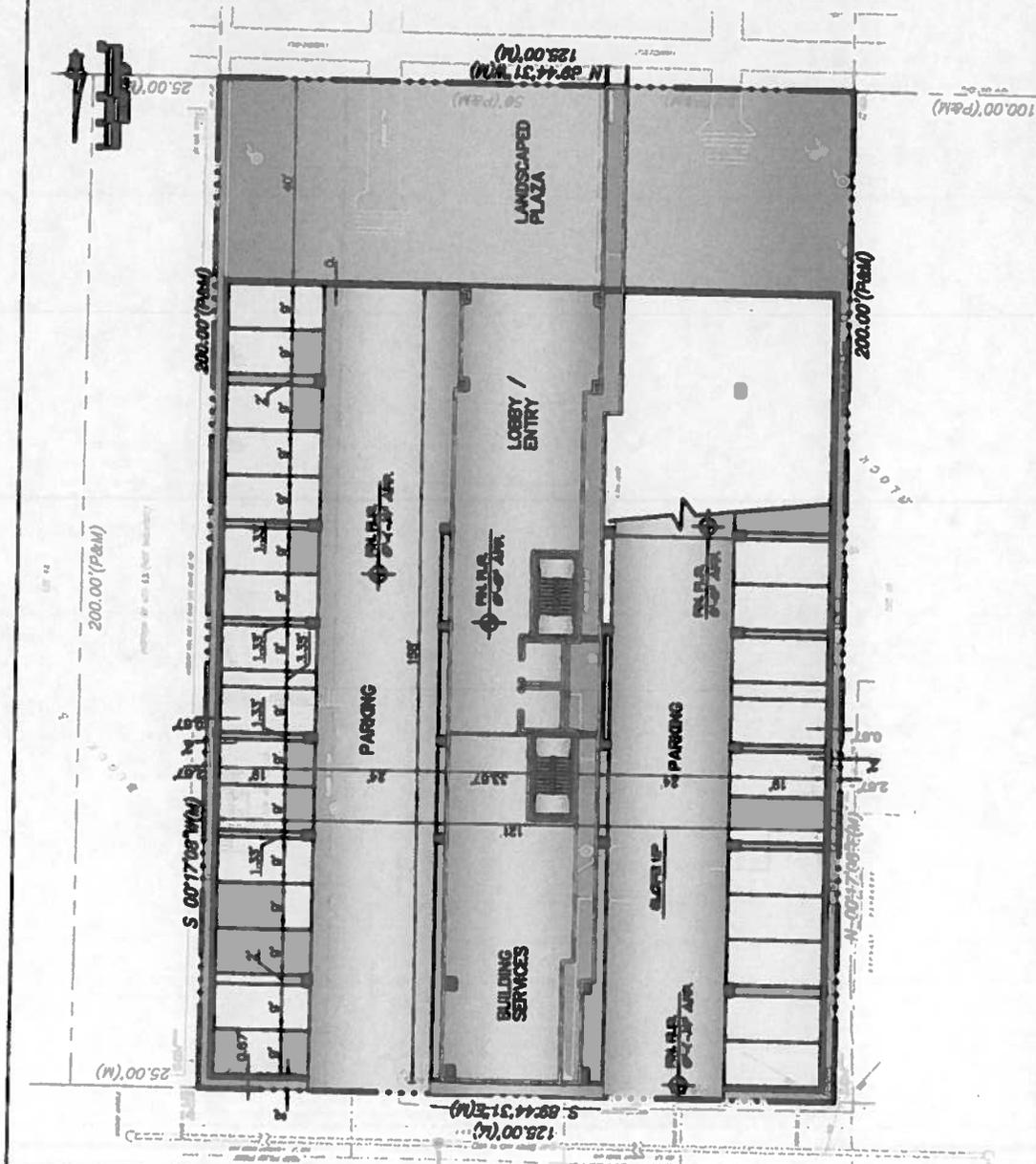
Planning & Economic Development Department
 Case No.: 13-31000018
 Address: 145 4th Avenue North





Planning & Economic Development Department
Case No.: 13-31000018
Address: 145 4th Avenue North





LAND USE REQUIREMENTS

Code	Description	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
1	Office	128,000	128,000	128,000
2	Office	128,000	128,000	128,000
3	Office	128,000	128,000	128,000
4	Office	128,000	128,000	128,000
5	Office	128,000	128,000	128,000
6	Office	128,000	128,000	128,000
7	Office	128,000	128,000	128,000
8	Office	128,000	128,000	128,000
9	Office	128,000	128,000	128,000
10	Office	128,000	128,000	128,000
11	Office	128,000	128,000	128,000
12	Office	128,000	128,000	128,000
13	Office	128,000	128,000	128,000
14	Office	128,000	128,000	128,000
15	Office	128,000	128,000	128,000
16	Office	128,000	128,000	128,000
17	Office	128,000	128,000	128,000
18	Office	128,000	128,000	128,000
19	Office	128,000	128,000	128,000
20	Office	128,000	128,000	128,000

LEGAL DESCRIPTION:

Lot 11, Block 15, Subdivision 15, Block 15, Major Subdivision, "PINEWOOD MAP" CITY OF ST. PETERSBURG, FLORIDA, AS SHOWN ON PLAT 15-00000-0000, PAGE 01 OF 01, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, AT HILLSBOROUGH COUNTY RECORD BOOK 15-00000-0000.

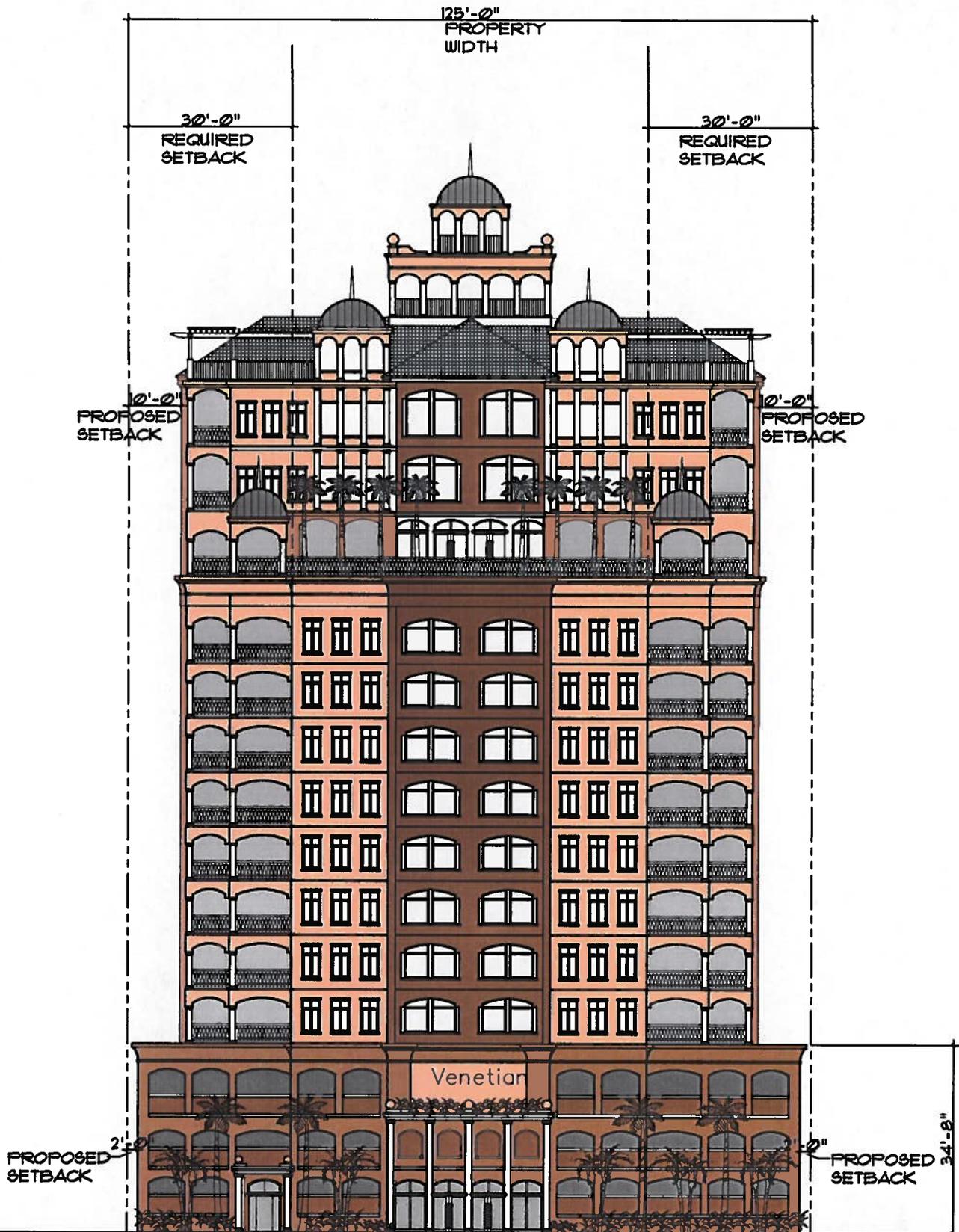
LEGEND:

OTHER SYMBOLS

131; 145 - 4TH AVENUE NORTH
SITE PLAN

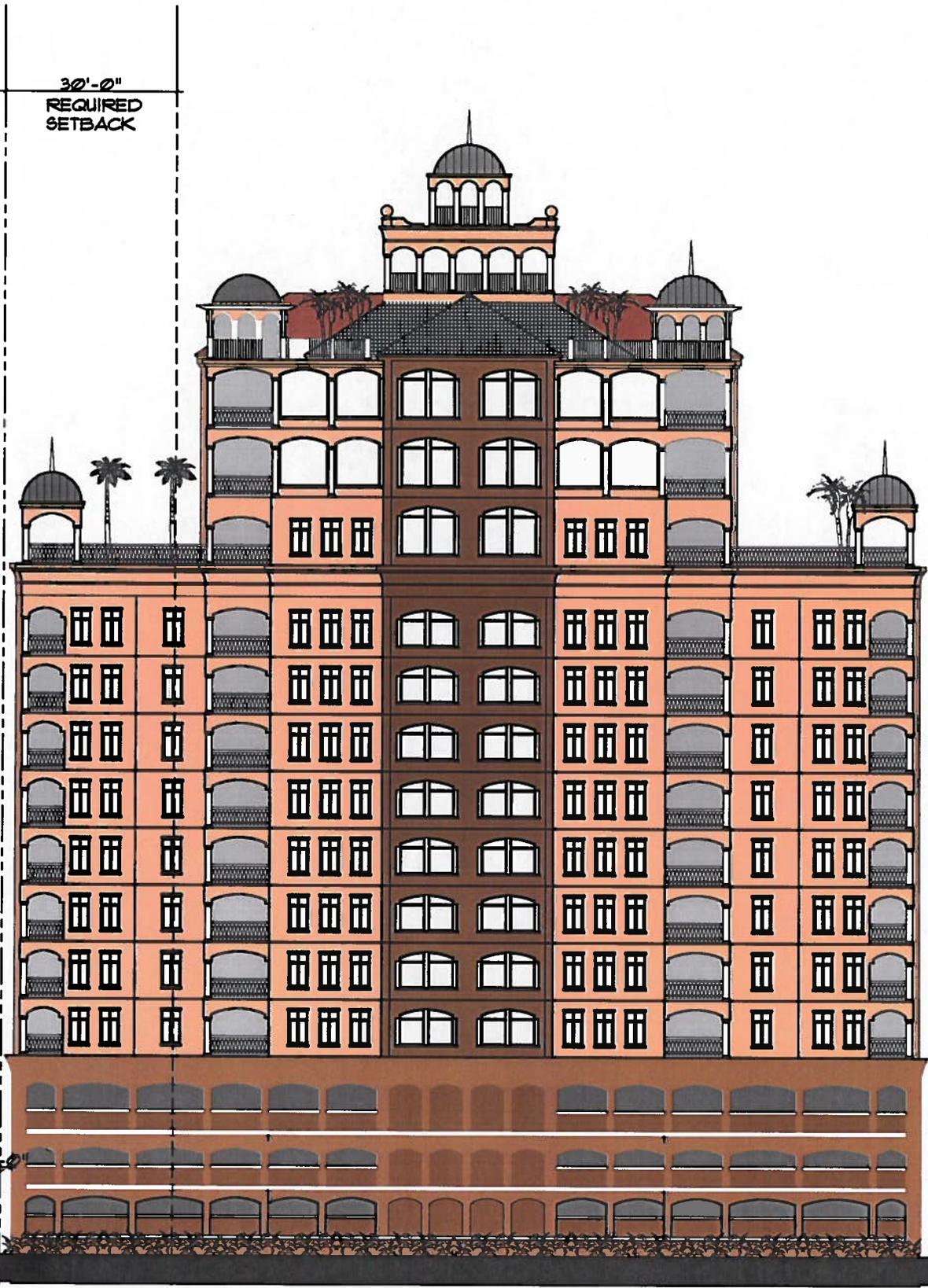
Shimco, Inc.
145 - 4th Avenue North
St. Petersburg, Florida 33701-2000

Gulf Coast Consulting, Inc.
145 - 4th Avenue North
St. Petersburg, Florida 33701-2000



south elevation

scale 1/32" = 1'-0"



30'-0"
REQUIRED
SETBACK

PROPOSED
SETBACK 2'-0"

west elevation

scale 1/32" = 1'-0"

**MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT**

TO: Barbara Race, Development Services Department
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: November 18, 2013
SUBJECT: Site Plan Review
FILE: 13-31000018

LOCATION: 145 4th Avenue North
PIN: 19/31/17/74466/003/0110; 19/31/17/74466/003/0120
ATLAS: E-4
PROJECT: 145 4th Avenue North

REQUEST: Approval of a site plan to construct a 150,000 square foot, 72 unit, multifamily residential development with variances to airport zoning and distance between buildings and bonuses to floor area ratio (FAR).

SPECIAL CONDITIONS OF APPROVAL: The Engineering Department has no objection to the proposed site plan provided that the following special conditions and standard comments are added as conditions of approval:

1. The scope of this project will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1 hour design storm.
2. Wastewater reclamation plant is adequate. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). **If an increase in flow of over 1000 gpd is proposed,** the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City's Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.
3. Habitable floor elevations must be set per building code requirements to at least one foot above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average

grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum. In certain areas due to existing developments with existing elevations less than 103 feet, the engineering director or Community Preservation Commission, where appropriate, may approve a lower elevation. On sandy fill areas where immediate development is not contemplated prior to city acceptance of streets and approval of established grades, the applicant shall provide means satisfactory to the engineering director of preventing erosion of the filled area.

4. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Sidewalks within the Downtown Center zoning district must be 10-feet wide. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

5. Streetscape improvements to be placed within the public right-of-way of the City of St. Petersburg shall be designed to meet applicable City Plaza Parkway standards and a minor easement will be required to clarify private ownership and maintenance responsibility by the developer. Minor easements are initiated through the City Engineering & Capital Improvements department.

6. Per City Council Resolution, public hexagon block sidewalks are to be preserved in the Downtown National Register district. Coordinate with Kim Hinder (phone 727-892-5451) or Aimee Angel (phone 727-892-5470) of the City's Urban Planning & Historic Preservation division to determine if the small sections of hexblock existing in the public right of way of 4th Avenue South must be preserved or incorporated into the public sidewalk design.

7. Within ALL public right-of-way within the City of St. Petersburg, existing street and alley brick and granite curbing shall be preserved (not removed).

8. Alley access must be coordinated and approved through Michael Frederick (phone 727-893-7843) of the City's Neighborhood Transportation and Parking division.

9. Parking garage entrances/exits shall meet requirements as mandated by the City of St. Petersburg Land Development Code Section 16.40.090.3.5. Garage security gates with controlled access must be designed to meet the minimum vehicle stacking requirements identified in Section 16. Any proposed card access readers shall be located within private property boundaries. An automatic traffic warning system should be installed at the garage exit which activates a flashing warning light visible to vehicles/pedestrians traveling in the right-of-way. The final plan must include adequate signage, warning lights and wiring as required for public safety.40.090.3.5(g) without encroachment into the public right of way.

STANDARD COMMENTS: Water service is available to the site. The applicant's Engineer shall coordinate potable water and /or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters,

backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right-of-way or easement.

A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Development plans should include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developers responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

All work shall be done in compliance with City Engineering Standards and Specifications by and at the sole expense of the applicant. An Engineering permit is required for work within public right of way or public easement areas.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

NED/MJR/jw

pc: Kelly Donnelly
Reading File
Correspondence File



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76137

Aeronautical Study No.
 2013-ASO-8901-OE
 Prior Study No.
 2005-ASO-6110-OE

Issued Date: 11/14/2013

John Shine
 Shineco, Inc.
 700 7th Avenue North
 St. Petersburg, FL 33701

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building ONE Condominiums
 Location: St. Petersburg, FL
 Latitude: 27-46-35.00N NAD 83
 Longitude: 82-38-06.00W
 Heights: 30 feet site elevation (SE)
 215 feet above ground level (AGL)
 245 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 05/14/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.

- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before December 14, 2013. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on December 24, 2013 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Karl Trautmann, at (817) 321-7754. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2013-ASO-8901-OE.

Signature Control No: 198845405-201837005

(DNH)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2013-ASO-8901-OE

AGL = above ground level / AMSL = above mean sea level

RWY = runway / NM = nautical mile

The proposed construction would be located approximately 0.80 NM northwest of the Albert Whitted Municipal Airport, (SPG). It would exceed the obstruction standards of Title 14 of the Code of Federal Regulations, part 77 as follows:

Section 77.17(a)(2) by 15 feet - a height that exceeds 200 feet above ****ground level / airport elevation**** within 3 NM as applied to the SPG Municipal Airport.

Section 77.19 (a) SPG Horizontal Surface by 88 feet

The proposal was not circularized for public comment as it is shielded by several existing buildings of a similar or greater height.

THIS POLICY DOES NOT AFFECT THE PUBLIC'S RIGHT TO PETITION FOR REVIEW DETERMINATIONS REGARDING STRUCTURES, WHICH EXCEED THE SUBJECT OBSTRUCTION STANDARDS.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

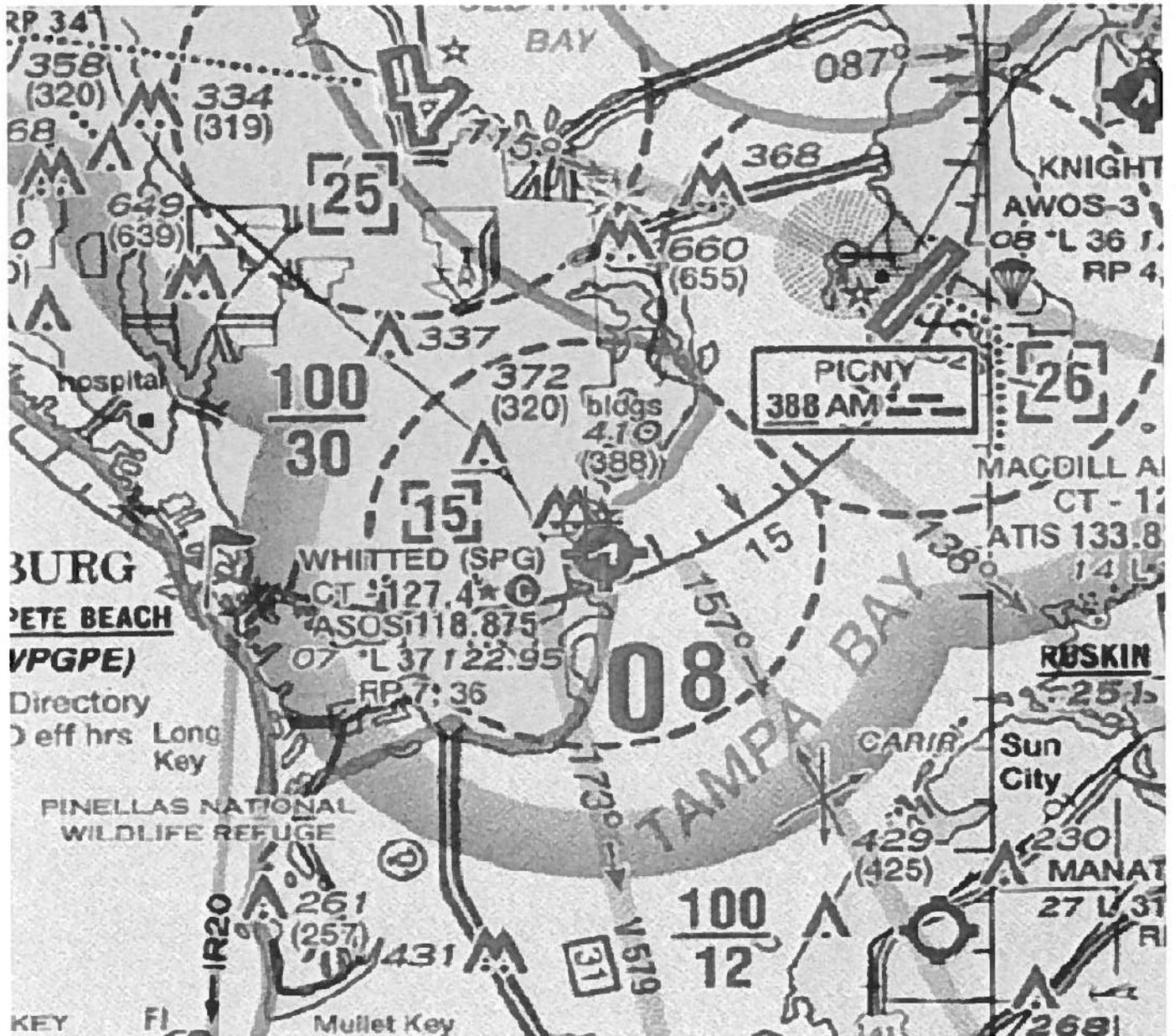
- > The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- > The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.
- > The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.
- > The proposed structure will be appropriately obstruction lighted to make it more conspicuous to airmen flying in VFR weather conditions at night.

> The FAA finds that the structure, based on its shape and size, would not blend into any physical or atmospheric background that may reasonably be expected in the vicinity therefore marking and/or lighting may be omitted during the day.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

Sectional Map for ASN 2013-ASO-8901-OE





**P. O. Box 838
St. Petersburg, FL 33731
info@st.petepreservation.org**

**727/824-7802
www.stpetepreservation.org**

February 24, 2013

Chairman David Punzak & Commission Members
City Hall
St. Petersburg, FL 33701
Delivered by email c/o barbara.race@st.pete.org

Re: Case No. 13-31000018; 145 4th Avenue North; Revised Application

Commission Members:

By letter dated December 3, 2013, St. Petersburg Preservation (SPP) offered comments on the original application for the development proposed for 145 4th Avenue North. With the submittal of a revised application, SPP offers these additional comments and still urges the Commission to deny the site plan and variance applications.

First, despite the testimony at the original hearing, the revised application is still inaccurate in stating there are no historic resources on site or within 200 feet. The onsite structures and the building immediately to the west of the project site (159 4th Ave. N.) are historic resources in being contributing structures to the Downtown National Register Historic District and listed on the Florida Master Site File. The building across the street (Flori de Leon Apartments) is a historic resource in being so listed and as being designated as a local landmark. While city regulations do not presently require use of the historic preservation bonus where historic resources are impacted (such a revision is presently under review), SPP suggests, if the project is to go forward, that at least a portion of the bonuses used for the project should be one of the options provided with the preservation bonus.

A variance should not typically be approved as the instances in which a variance can be granted are very limited. Sec. 16.70.040.1.4(B)(4) provides:

... a written demonstration that the existing conditions and circumstances are such that strict application of the provisions of the Land Development Regulations would deprive the applicant of reasonable use of said land, building or structure, equivalent to the use made of lands, buildings, or structures in the same district and that the peculiar conditions and circumstances are not the result of the actions of the applicant.

In the present case, the applicant has failed to meet the above standard. There has been no evidence submitted to the Commission to establish that a reasonable use of the property in question is not available. While the applicant has claimed the requested variance is the minimum necessary for the reasonable use of the land he provides no facts to substantiate such a conclusion. It is clear the applicant desires to build a larger building than is consistent with the applicable city standards, including setback requirements, however, one is not guaranteed nor entitled to build up to the maximum FAR cap allowed in the DC-2 zoning district. Sec. 16.20.120.6, "Development Potential" clearly states such in providing:

Achieving maximum development potential will depend upon ... development standards, such as minimum lot size, parking requirements, height restrictions, and building setbacks.

City staff has already concluded the applicant can make reasonable use of his property without the need for a variance. In the staff report prepared in response to the original application, staff found:

... applicant still has the ability to build a tower without the need to request a variance. The land development regulations have changed and other projects have been able to be built under the new land development regulations. Section 16.70.040.1.6 of the City Code has specific review criteria for the granting of a variance. The applicant has not provided sufficient responses to the criteria to prove that a hardship exists.

While some may view the applicant as having offered a "reasoned" compromise with the revised application such a fact, even if true, is not relevant to the determination as to whether one meets the standard for the granting of a variance. The Commission's duty is limited to determining if the applicant meets the strict standards for the granting of a variance, not whether the applicant is being reasonable in trying to "shoehorn" a project onto a parcel too small under the city standards adopted in 2007 but that was consistent with the pre-2007 standards. SPP also notes the applicant has owned the property since 2003 so that clearly it has not only been the subsequent downturn in economic conditions that has prevented the applicant from moving forward with a new development.

SPP does not view the applicant's proposed project as a "reasoned" compromise but one that would be one of the largest and most intense developments in the DC-2 zoning district. It would be a large bulky building located in the midst of the Downtown National Register Historic District and very out of place with the incredible collection of historic resources along 4th Avenue North. It seems clear the proposed project will have adverse impacts to historic resources and the Downtown National Register Historic District. The application should be denied for the failure to address those impacts and for failing to meet the standards for the granting of a variance.

Thank you for the consideration of these comments.

Sincerely,

/s/

Peter Belmont
Vice-President



P. O. Box 838
St. Petersburg, FL 33731
info@st.petepreservation.org

727/824-7802
www.stpetepreservation.org

December 3, 2013

Chairman David Punzak & Commission Members
City Hall
St. Petersburg, FL 33701
Delivered by email c/o barbara.race@st.pete.org

Re: Case No. 13-31000018; 145 4th Avenue North

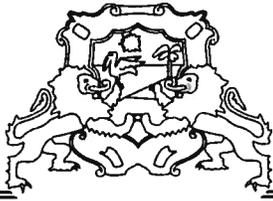
Commission Members:

The city, through the comprehensive plan and the adoption of the preservation ordinance, has recognized the value of maintaining historic resources as part of the city's fabric. Consistent with the comprehensive plan policies, the Commission is required to consider a project's impact to **historic resources** when conducting a site plan review. In reading the staff report for the proposed 4th Avenue North project, one would surmise there are no historic resources at issue as no mention is made of such in the report. However, there are historic resources subject to impact, including the on-site buildings that are contributing structures to the Downtown National Register Historic District, the designated landmark directly to the south (across the street) from the project site and the contributing structure to the District immediately to the west of the site. St. Petersburg Preservation suggests the best course for you to follow would be to defer action on the application, allowing development review staff to consult with the historic preservation staff and other experts so as to be able to fully address the potential impact of the proposed project on historic resources in a report provided in a timely manner for consideration by the Commission and the public.

Among the matters to be considered by the Commission in deciding whether to approve or deny a site plan application is the sensitivity of the proposed development to on-site and adjacent (within 200 feet) **historic resources**, the compatibility of the proposed use with historic sites, and the substantial detrimental effects of the proposed use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood. Contrary to what staff seems to commonly infer or state, historic resources are not limited to only locally designated landmarks. **Historic resources**, as defined within the comprehensive plan include:

All areas, districts or sites containing properties listed on the Florida Master File, the National Register of Historic Places, or designated by the City as historically, architecturally, or archaeologically significant.

The block of 4th Avenue North where the proposed project would be located is a part of the Downtown National Register Historic District, the two existing structures on the site of the proposed project are contributing structures to the National Register District, the building to the west of the proposed property is also a contributing structure to the District and the Flori de Leon Apartments,



Flori de Leon Apartments, Inc.

130 4th AVENUE NORTH

December 2, 2013

ST. PETERSBURG, FLORIDA 33701

City of St. Petersburg
Planning & Economic Development Department
Development Review Services Division
P.O. Box 2842
St. Petersburg, Florida 33731

RE: File # 13-31000018

Dear Barbara Race;

The Board of Directors of the Flori de Leon has reviewed the application for the Venetian condominiums to be located at 145 4th Ave. N.

We oppose issuing a variance for distance between the proposed building and its neighboring structures. We request that the development review commission deny the proposed variance for distance between buildings.

The Flori De Leon is, as you are aware, an historic building and has been located on its present site since 1926. As such, we have a unique perspective on our neighborhood's past and today's residents are very interested in how growth and development happens and its effect on the neighborhood. We support the project in general but we are also concerned about several issues surrounding building construction and the eventual building impact on its neighbors. We are sure the following concerns will be addressed in the project:

- 1-Increased noise and traffic
- 2-loss of on street parking
- 3-replacement of lost trees
- 4-Potential impact on the physical structure of our property from heavy equipment and construction.
- 5-Potential runoff from increased paved areas.
- 6-Proposed storage areas for building materials and equipment.

Thank you for listening to our concerns,

A handwritten signature in black ink, appearing to read 'D. Hislop'.

David Hislop
Secretary of the Board of Directors
Flori de Leon Apartments, Inc.



December 3, 2013

Development Review Commission

C/O Barbara Race

Subject: File #13-31000018, Proposed Venetian Condominiums, 145 4th Avenue North

Development Review Commission Members:

The Council of Neighborhood Associations is opposed to the proposed variance to shorten the distance between buildings, and fully agree with and support the Downtown Neighborhood Association assertion and hard work to ensure the Land Development Regulations were purposely and consciously designed to ensure that new development does not negatively impact existing development in this case by having reasonable distance between structures.

Sincerely,

Kurt J. Donley

President, Council of Neighborhood Associations

Cc: CONA Board

THE DOWNTOWN NEIGHBORHOOD ASSOCIATION

PO Box 1003, St. Petersburg FL 33731

www.stpetedna.org

November 25, 2013

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

Re: Venetian Condominiums
145 4th Avenue North
DCR Case No. 13-31000018

Dear Mr. Lazzara,

The Downtown Neighborhood Association has reviewed the application for the Venetian Condominiums to be located at 145 4th Avenue North and on November 14 the board of directors voted to oppose the proposed variance for distance between buildings.

The association's Planning Committee met with the developer and architect on October 9 and we sincerely appreciate their taking the time to meet with us and personally describe the project and their rationale for seeking the variance. We support the project in general and are not concerned with the use, density or height. However we oppose the proposed side yard setbacks, especially on the west side.

As you know, the Downtown Neighborhood Association was a very active participant when the new Land Development Regulations were prepared and implemented. One of our main goals during the process was to put in place rules that ensured that the development of one property would not negatively impact adjacent properties. An important component of this was requiring reasonable side yard setbacks between buildings with those setbacks increasing in conjunction with the building's height.

We request that the Development Review Commission deny the proposed variance and for the developer to amend their design to comply with the regulations. We do not believe that this imposes a hardship on the property owner as defined in the statutes. We understand that in order to achieve the same F.A.R. and number of units the redesigned building will likely be taller and thinner and this is fully in keeping with the intent of the current regulations.

Sincerely,



Gary Grooms
President, Downtown Neighborhood Association

Attachment "A"

145 - 4th Avenue North
DRC Case No. 13-31000018

PREVIOUSLY APPROVED PROJECTS



Subject Property 145 4 th Avenue North 16-story building Building Height: 200 feet Site area: 26,000 sq. ft. Building area: 150,000 sq. ft. Floor area ratio: 6.0 Dwelling units: 72 Dwelling units/acre: 125	W Plaza 228 6 th Avenue North 14-story building Building Height: 168 feet Site area: 16,375 sq. ft. Building area: 82,260 sq. ft. Floor area ratio: 6.0 Dwelling units: 66 Dwelling units/acre: 169	476 478 2 nd Street North 7-story building Building Height: 98 feet Site area: 12,300 sq. ft. Building area: 49,000 sq. ft. Floor area ratio: 3.98 Dwelling units: 22 Dwelling units/acre: 78	Park Plaza 188 4 th Avenue North 18-story building Building Height: 209 feet Site area: 20,000 sq. ft. Building area: 164,000 sq. ft. Floor area ratio: 7.7 Dwelling units: 72 Dwelling units/acre: 187	Flori de Leon Apartments 130 4 th Avenue North 7-story building Site area: 20,000 sq. ft. Building area: 93,864 sq. ft. Floor area ratio: 4.7 Dwelling Units: 77 Dwelling units/acre: 168 Local historic landmark	Maranatha 356 1 st Street North 3-story building Building Height: 131 feet Site area: 10,000 sq. ft. Building area: 42,486 sq. ft. Floor area ratio: 4.2 Dwelling units: 19 Dwelling units/acre: 82	Silhouette 145 4 th Avenue Northeast 14-story building Building Height: 168 feet Site area: 16,000 sq. ft. Building area: 53,213 sq. ft. Floor area ratio: 4.0 Dwelling units: 16 Dwelling units/acre: 44	400 Beach Drive Northeast 30-story building Building Height: 320 feet Site area: 94,000 sq. ft. Building Area: 381,600 sq. ft. Floor area ratio: 4.0 Dwelling units: 160 Dwelling units/acre: 69
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DRC Action Taken Agenda

145 - 4th Avenue North
DRC Case No. 13-31000018



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www.stpete.org

**CITY OF ST. PETERSBURG
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION
DEVELOPMENT REVIEW COMMISSION
ACTION TAKEN AGENDA/MINUTES**

**Council Chambers, City Hall
175 – 5th Street North
St. Petersburg, Florida 33701**

**March 5, 2014
Wednesday
2:00 P.M.**

First Alternate: Douglas Robison Second Alternate: Calvin Samuel Third Alternate: Joseph Griner III

Commission Members:

David Punzak, Chair - **P**
Lynn Cravey, Vice-Chair - **P**
Ben Fisher - **P**
Chris Scherer - **P**
Chuck Flynt – **P**
Darren Stowe – **P**
Richard Doyle – **P**

Alternates:

1. Calvin Samuel – **A**
2. Joseph Griner - **P**
3. Douglas Robison - **P**

**A = Absent
P = Present**

City Staff Present:

Philip Lazzara, AICP, Zoning Official
Corey Malyska, Urban Design and Development Coordinator
Shane Largent, Planner II
Jeanne Hoffmann, Assistant City Attorney
Barbara Race, Administrative Clerk

- I. OPENING REMARKS OF CHAIR AND SWEARING IN OF WITNESSES**

- II. ROLL CALL**

- III. APPROVAL OF THE MINUTES OF FEBRUARY 5, 2014**
Minutes approved by a unanimous vote of the Commission.

IV. PUBLIC HEARING CASE AGENDA

AGENDA ITEM #1 CASE NO. 14-52000001 I-1

REQUEST: Approval of a reinstatement of two dwelling units for a total of three units with variances to the minimum square footage and parking material.

APPLICANT: Mark Krieger
Dunridge 401k
20319 Painter Place
Spring Hill, Florida 34610-6480

ADDRESS: 116 25th Street South
PARCEL ID NO.: 23/31/16/78390/027/0090

LEGAL DESCRIPTION: On File
ZONING: NT-2

PRESENTATIONS: Shane Largent made a presentation based on the Staff Report.
Mark Krieger, the applicant, agreed with staff recommendations.

MOTION: **Commissioner Fisher moved and Commissioner Doyle seconded a motion to approve the requested reinstatement of two (2) dwelling units, for a total of three (3) units on the site; subject to the conditions in the staff report.**

VOTE: **Yes – Fisher, Flynt, Doyle, Stowe, Scherer, Cravey, Punzak**
No – None

ACTION TAKEN ON 14-52000001 (I-1)

- 1) Motion to approve the requested reinstatement of two (2) dwelling units, for a total of three (3) units on the site; subject to the conditions in the staff report; approved by a vote of 7-0.

AGENDA ITEM #2 CASE NO. 13-3300014 E-3

REQUEST: Approval of a vacation of 7th Avenue South between 3rd Street South and 4th Street South; vacation of a 20' wide utility easement running north-south on the south side of 7th Avenue South between 3rd and 4th Street South and a 30' wide utility easement running north-south on the north side of 7th Avenue South between 3rd Street South and 4th Street South.

APPLICANT: University of South Florida
140 7th Avenue South, TER100
Saint Petersburg, Florida 33701

AGENT: The Ash Group, Inc.
5802 Benjamin Center Drive
Suite 101
Tampa, Florida 33634

ADDRESS: 600 4th Street South
PARCEL ID NO.: 19/31/17/93339/001/0020

LEGAL DESCRIPTION: On File
ZONING: IC

PRESENTATIONS: Philip Lazzara made a presentation based on the Staff Report.
Chris Martin, representing the applicant, agreed with staff recommendations.

MOTION: **Commissioner Fisher moved and Commissioner Cravey seconded a motion to approve the proposed street and easement vacations; subject to the conditions in the staff report.**

VOTE: **Yes – Fisher, Flynt, Doyle, Stowe, Scherer, Cravey, Punzak**
No – None

ACTION TAKEN ON 13-3300014 (E-3)

- 1) Motion to approve the proposed street and easement vacations; subject to the conditions in the staff report; approved by a vote of 7-0.

AGENDA ITEM #3 CASE NO. 14-12000001 E-14

REQUEST: Approval of a lot refacing for the two platted lots at 2330 1st Street North. A variance is required to allow the lots to face a collector street.

APPLICANT: Richard and Elizabeth Shook
2330 1st Street North
Saint Petersburg, Florida 33704-3418

ADDRESS: 2330 1st Street North
PARCEL ID NO.: 07/31/17/02754/013/0010

LEGAL DESCRIPTION: On File
ZONING: NT-3

PRESENTATIONS: Philip Lazzara made a presentation based on the Staff Report.
Richard Shook, the applicant, agreed with staff recommendations.

MOTION: **Commissioner Fisher moved and Commissioner Doyle seconded a motion to approve the request for a lot refacing; subject to the conditions in the staff report.**

VOTE: **Yes – Fisher, Flynt, Doyle, Stowe, Scherer, Cravey, Punzak**
No – None

ACTION TAKEN ON 14-12000001 (E-14)
1) Motion to approve the request for a lot refacing; subject to the conditions in the staff report; approved by a vote of 7-0.

AGENDA ITEM #4

CASE NO. 14-3200001

P-12

THIS ITEM HAS BEEN DEFERRED

REQUEST: Approval of a Special Exception and related site plan to construct parking in a residential zoning district. The applicant is requesting variances for 1) perimeter parking lot landscaping, and 2) design standards for a surface parking lot in a residential zoning district.

APPLICANT: Crosswinds Properties, LLC
2201 Tyrone Boulevard North
Saint Petersburg, Florida 33710-4025

AGENT: JSC Mgt., LLC
1825 Riverview Drive
Melbourne, Florida 32901

ARCHITECT: James Beasley
Solutions by Design
5800 Steeplechase Road
Charlotte, North Carolina 28226

ADDRESS: 2201 Tyrone Boulevard North
PARCEL ID NO.: 17/31/16/30168/001/0000

LEGAL DESCRIPTION: On File
ZONING: CCS-1, NS-1

AGENDA ITEM #5

CASE NO. 13-31000018

E-4

REQUEST: Approval of a site plan to construct a 150,000 square foot, 72 unit, multi-family residential development with variances to airport zoning and distance between buildings and bonuses to floor area ratio (FAR).

APPLICANT: Shineco
700 7th Avenue North
Saint Petersburg, Florida 33701-2958

ARCHITECT: Architectonics Studio
216 5th Avenue North
Saint Petersburg, Florida 33701

ADDRESS: 145 4th Avenue North
PARCEL ID NO.: 19/31/17/74466/003/0110; 19/31/17/74466/003/0120

LEGAL DESCRIPTION: On File
ZONING: DC-2

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report.
Don Mastry, representing the applicant, agreed with staff recommendations.

1st MOTION: Commissioner Cravey moved and Commissioner Fisher seconded a motion to amend SC #1 to state "Approval of the site plan is subject to review by the Intown Community Redevelopment Agency."

VOTE: Yes – Fisher, Flynt, Doyle, Stowe, Scherer, Cravey, Punzak
No – None

2nd MOTION: Commissioner Fisher moved and Commissioner Cravey seconded a motion to approve the variance for airport zoning.

VOTE: Yes – Fisher, Flynt, Doyle, Scherer, Cravey, Punzak
No – Stowe

3rd MOTION: Commissioner Fisher moved and Commissioner Cravey seconded a motion to approve the variance for distance between buildings.

VOTE: Yes – Fisher, Flynt, Doyle, Scherer, Cravey, Punzak
No – Stowe

4th MOTION: Commissioner Fisher moved and Commissioner Cravey seconded a motion to approve the variance to the requirements for FAR bonuses.

VOTE: Yes – Fisher, Flynt, Doyle, Scherer, Cravey, Punzak
No – Stowe

5th MOTION: Commissioner Fisher moved and Commissioner Cravey seconded a motion to approve the site plan; subject to the amended conditions in the staff report.

VOTE: Yes – Fisher, Flynt, Doyle, Scherer, Cravey, Punzak
No – Stowe

ACTION TAKEN ON 13-33000018 (E-4)

- 1) Motion to amend SC #1 to state "Approval of the site plan is subject to review by the Intown Community Redevelopment Agency."; approved by a vote of 7-0.
- 2) Motion to approve the variance for airport zoning; approved by a vote of 6-1.
- 3) Motion to approve the variance for distance between buildings; approved by a vote of 6-1.
- 4) Motion to approve the variance to the requirements for FAR bonuses; approved by a vote of 6-1.
- 5) Motion to approve the site plan; subject to the amended conditions in the staff report; approved by a vote of 6-1.

AGENDA ITEM #6 CASE NO. 13-31000024 D-54, D-56

THIS ITEM HAS BEEN DEFERRED

REQUEST: Approval of a site plan to construct a 381 unit apartment complex.

APPLICANT: Wal-Mart Stores East, LP
Sam M. Walton Development Complex
2001 SE 10th Street
Bentonville, Arkansas 72716

AGENT: Joe Papasso, Principal
Forum St. Petersburg, Ltd.
8000 North Federal Hwy, Suite 110
Highland Beach, Florida 33487

ENGINEER: Mark Sullivan, P.E.
Florida Engineering and Environmental Services, Inc.
4519 George Road, Suite 130
Tampa, Florida 33634

ADDRESS: 10589 Gandy Boulevard North
PARCEL ID NO.: 17/30/17/00000/310/0100; 17/30/17/18270/000/0022

LEGAL DESCRIPTION: On File
ZONING: CCS-1

DRC Minutes

145 - 4th Avenue North
DRC Case No. 13-31000018

Case No.: 13-31000018
DRC Meeting
March 5, 2014

STAFF REPORT

Corey Malyszka, Urban Design and Development Coordinator, gave a presentation based on the staff report, recommending approval of the site plan and related variances.

APPLICANT PRESENTATION

Don Mastry, representing the applicant, agreed with Staff recommendations. He stated that the applicant revised the site plan per concerns from the Commission in December and removed 2 of the 3 requested variances for distance between buildings. Mr. Mastry said that he thinks that there are several factors in the LDRs that support the requested variances. He said that the request is in harmony with the general intent and purpose of the code.

PUBLIC HEARING

Carole Metour, 475 2nd Street East, #201, spoke in opposition of the request. She stated concerns that this request is out of scope with the neighborhood and the traffic flow.

David Hislop, 130 4th Avenue North, spoke in opposition of the request. He stated concerns about the setback variance and he believes it needs to be redesigned.

Kenneth Ventura, 475 2nd Street North, #604, spoke in opposition of the request. He stated concerns about the setback variance especially since the power substation may someday be removed.

Margaret Somerville, 130 4th Avenue North, spoke in opposition of the request. She stated concerns about historic preservations, sunlight, air flow, exhaust fumes and that there is a historic site within 200 feet.

Amy Blake, 219 4th Avenue North, spoke in opposition of the request. She stated objections to the building height, distance between buildings, as well as the building's entrance and exit.

Priscilla Cooper, 130 4th Avenue North, #514, spoke in opposition of the request. She concerns because there is a historic resource within 200 feet of the request.

Sydni Shollenberger, 4681 1st Street Northeast, spoke in opposition of the request. She stated concerns about the variance request and the fact that the power substation may not remain.

Peter Belmont, 102 Fareham Place North, spoke in opposition of the request. He stated concerns because there are 3 historic structures within 200 feet and he doesn't feel that the applicant is entitled to the variances. He does not believe that the request is sensitive to the historic resources of the neighborhood.

CROSS EXAMINATION

Peter Belmont, requested time for cross examination and rebuttal. Assistant Attorney, Jeanne Hoffmann, determined that according to the Rules of Procedure he was not eligible to participate in cross examination and rebuttal.

City Staff waived cross examination.

Don Mastry, representing the applicant, waived cross examination.

REBUTTAL

City Staff waived rebuttal.

Don Mastry, representing the applicant, stated that he does not believe that the substation is going to be moved. He spoke about other buildings in the area that have no on-site parking but complain about a building that wants to provide their own parking. He urged the Commission to approve the request.

EXECUTIVE SESSION

Vice-Chair Flynt stated that he doesn't think the parking concerns are an issue since the applicant would be providing more parking than required by Code.

Commissioner Stowe stated that he believes that this proposal is too large for the existing neighborhood. He said that he will vote no for this proposal.

Commissioner Scherer stated that the applicant has accommodated the requests of the Commission from December and has removed 2 of the variances. He stated that he is in favor of the request.

Commissioner Fisher said that he thinks the applicant has addressed all of the Commission's requests to the best of his ability. He said that he will vote yes.

Vice-Chair Flynt said that if you are not going to have taller buildings in the downtown core, where would you put them. He said the building appear to fit in the downtown core.

Chair Punzak stated that the applicant has done a good job of addressing the concerns of the Commission. He said that he intends to support this request.

1st MOTION: Commissioner Cravey moved and Commissioner Fisher seconded a motion to amend SC #1 to state "Approval of the site plan is subject to review by the Intown Community Redevelopment Agency."

VOTE: Yes – Fisher, Flynt, Doyle, Stowe, Scherer, Cravey, Punzak
No – None

Motion passes by a vote of 7-0.

2nd MOTION: Commissioner Fisher moved and Commissioner Cravey seconded a motion to approve the variance for airport zoning.

VOTE: Yes – Fisher, Flynt, Doyle, Scherer, Cravey, Punzak
No – Stowe

Motion passes by a vote of 6-1.

3rd MOTION: Commissioner Fisher moved and Commissioner Cravey seconded a motion to approve the variance for distance between buildings.

VOTE: Yes – Fisher, Flynt, Doyle, Scherer, Cravey, Punzak
No – Stowe

Motion passes by a vote of 6-1.

4th MOTION: Commissioner Fisher moved and Commissioner Cravey seconded a motion to approve the variance to the requirements for FAR bonuses.

VOTE: Yes – Fisher, Flynt, Doyle, Scherer, Cravey, Punzak
No – Stowe

Motion passes by a vote of 6-1.

5th MOTION: Commissioner Fisher moved and Commissioner Cravey seconded a motion to approve the site plan; subject to the amended conditions in the staff report.

VOTE: Yes – Fisher, Flynt, Doyle, Scherer, Cravey, Punzak
No – Stowe

Motion passes by a vote of 6-1.

ST. PETERSBURG CITY COUNCIL

Meeting of May 1, 2014

TO: The Honorable Bill Dudley, Chair and Members of City Council

SUBJECT: Ordinance of the City of St. Petersburg, Florida, establishing an exemption from St. Petersburg ad valorem taxation for American Strategic Insurance (ASI) based on meeting the program criteria as an expanding business; providing severability; providing for a sunset date; providing an effective date.

BACKGROUND:

City Council passed an ordinance on October 18, 2012, creating the St. Petersburg Economic Development Ad Valorem Tax Exemption Program ("Program") after St. Petersburg voters granted this authority to Council in 2011. The Program, authorized by Florida Statute 196.1995, intends to encourage new business development in the City and retain local businesses with planned expansions. This is the first application to be submitted under the Program.

The Program provides City Council the ability to grant an ad valorem tax exemption to businesses in manufacturing, targeted industries, export sales, or office operations that create a minimum number of new jobs as a new or expanding business. The Florida Statutes specify the wages of the new jobs created must be above Pinellas County's average wage (currently, \$43,541) which is determined annually by the State of Florida. The tax exemption for qualifying businesses applies only to the new increment of the assessed St. Petersburg millage on improvements. The annual program cap is \$1.5 million of exempted taxes and the individual project cap is \$100,000 of exempted taxes per year over a five year period.

Qualified businesses must submit an application to the City prior to the tax year of the assessment on the new building or building expansion. The Pinellas County Property Appraiser reviews the completed application for buildings completed or substantially complete before City Council takes action. As required by the Florida Statutes, the Property Appraiser provided a report to the City that includes the following information:

1. The total revenue available to the City for the current fiscal year from ad valorem tax sources, or an estimate of such revenue if the actual total revenue available cannot be determined (\$84,995,039.00);
2. The amount of any revenue lost to the City for the current fiscal year by virtue of exemptions previously granted, or an estimate of such revenue if the actual revenue lost cannot be determined (\$0);
3. An estimate of the amount of revenue which would be lost to the City during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation (\$167,984.00¹);

4. A determination as to whether the property for which an exemption is requested is to be incorporated into a new business or the expansion of an existing business, or into neither, which determination the Property Appraiser shall also affix to the face of the application (expansion of an existing business).

Businesses approved by City Council for the tax exemption are required to enter into an agreement with the City which will include the requirement of submitting an annual report. The annual report must contain supporting documentation that the business is eligible to continue receiving the economic development ad valorem tax exemption.

Current Situation

American Strategic Insurance (ASI), a target industry business, has developed property located at Dr. Martin Luther King Jr. Street North and Gandy Boulevard as their corporate headquarters. The availability of this incentive was a major factor in ASI's expansion. One new office building (125,000 sq.ft.) and parking garage has been completed and will be assessed property taxes in 2014.

ASI has increased their employment by 66 new employees earning an average of \$44,906 since occupying their new campus on June 1, 2013. Sixty of the new employees earn a salary greater than the current Pinellas County average wage of \$43,541. The Program requires that a target industry business have 10 new employees earning more than the County average wage.

A summary of the required City Council considerations of this application as defined by the Statutes and ordinance, with the information provided by ASI is as follows:

1. New jobs created: 66
2. Average wage of new jobs: \$44,906
3. Capital investment: \$41.9 million (2012-2013); \$13.1 million (2014)
4. Type of business: Corporate headquarters - Insurance
5. Environmental impact of business: Less impervious surface than prior retail use (Kmart)
LEED certification (application pending)
6. Local sourcing: Locally sourced materials for construction
Local service providers for operations such as janitorial services, office supplies and landscaping services

Additional information submitted by ASI is found in the Supplemental Questions, attached.

The Pinellas County Property Appraiser has estimated the taxable value of the ASI development at \$24,813,000 which will generate \$167,984 in St. Petersburg ad valorem taxes for 2014 at the current millage rate. St. Petersburg's program has a maximum annual exemption of \$100,000. It is recommended that ASI receive \$100,000 for a five year period subject to conditions of the agreement.

The agreement will require that ASI provide an annual report by February 1st each year to the City that will be forwarded to City Council. The number of new jobs and salaries will be reported to determine continued eligibility for this tax exemption.

RECOMMENDATION:

Administration:

The Administration recommends APPROVAL.

Recommended City Council Action:

- 1) CONDUCT the first reading of the ordinance; AND
- 2) SET the second reading and public hearing for May 15, 2014.

Attachments: Ordinance
Agreement
Economic Development Ad Valorem Tax Exemption Application
Supplemental Questions

ⁱ Property Appraiser's figure does not reflect the City's program cap which is \$100,000 per taxable year.

ORDINANCE NO. 2014-

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, ESTABLISHING AN EXEMPTION FROM A PORTION OF THE AD VALOREM TAXATION FOR AN EXPANSION OF AN EXISTING BUSINESS, ASI RE, LLC (“ASI”); PROVIDING FINDINGS OF FACT; PROVIDING A TITLE; PROVIDING THE TOTAL AMOUNT OF REVENUE AVAILABLE TO THE CITY FROM AD VALOREM TAX SOURCES FOR THE CURRENT FISCAL YEAR, THE TOTAL AMOUNT OF REVENUE LOST TO THE CITY FOR THE CURRENT FISCAL YEAR BY VIRTUE OF ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS CURRENTLY IN EFFECT, AND THE ESTIMATED REVENUE LOSS TO THE CITY FOR THE CURRENT FISCAL YEAR ATTRIBUTABLE TO THE EXEMPTION FOR ASI IF THE EXEMPTION HAD BEEN GRANTED AND THE PROPERTY WOULD HAVE BEEN OTHERWISE SUBJECT TO TAXATION; PROVIDING FOR THE GRANT OF AN EXEMPTION FOR 5 YEARS AT 100 PERCENT OF THE ASSESSED VALUE OF QUALIFYING IMPROVEMENTS TO REAL PROPERTY AND QUALIFYING TANGIBLE PERSONAL PROPERTY NOT TO EXCEED \$100,000 PER YEAR; PROVIDING FOR A FINDING THAT ASI MEETS THE REQUIREMENTS OF FLORIDA STATUTES, SECTION 196.012 (15) (EXPANSION OF AN EXISTING BUSINESS); PROVIDING FOR CONTINUING PERFORMANCE; PROVIDING FOR APPLICABILITY; PROVIDING FOR REVIEW; PROVIDING FOR EXPIRATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VII, Section 3, of the Constitution of the State of Florida and Section 196.1995, Florida Statutes, and the successful passage of a referendum, the City of St. Petersburg (“City”) was authorized to grant Economic Development Ad Valorem Tax Exemptions to New Businesses and Expansions of Existing Businesses as defined in Florida Statutes, Section 196.012 (14) and (15); and

WHEREAS, the electors of the City have authorized the granting of ad valorem tax exemptions by the successful passage of a referendum held on November 8, 2011; and

WHEREAS, on October 18, 2012, the City Council adopted a master ordinance, Ordinance 51-H codified in Sections 17-521 through 17-532 under Chapter 17 Article X of the City Code (the “Master Ordinance”) authorizing the granting of such exemptions; and

WHEREAS, the Master Ordinance sets forth the guidelines, process and procedures for implementing the Economic Development Ad Valorem Tax Exemption Program (“Program”); and

WHEREAS, pursuant to the Master Ordinance, ASI RE, LLC (“ASI”) submitted an application to the City requesting an ad valorem tax exemption for 100% of the assessed value of qualifying improvements to real property and qualifying tangible personal property specified in its application for a period of five (5) years commencing with Tax Year 2014 (the “ASI Application”). The ASI Application is incorporated herein by reference and a copy of said Application shall be retained by the POD for at least the duration of the Exemption Period (hereinafter defined); and

WHEREAS, the City hereby determines that the granting of Economic Development Ad Valorem Tax Exemptions to this existing business expanding in the City as provided in this Ordinance will promote and strengthen the local economy which will enhance the health, safety and welfare of the citizens of the City, which action is in the best interest of the City and serves a public purpose; and

WHEREAS, in its application, ASI stated the following:

- a. The name of the business is American Strategic Insurance.
- b. The proposed location of the expansion of the existing business is

That part of Block “A” NORTHGATE OF ST. PETERSBURG, according to plat thereof recorded in Plat Book 66, Page 75, Public Records of Pinellas County, Florida, and that part of the Northeast ¼ of

Section 24, Township 30 South, Range 16 East, lying within the following described tract:

From a Point at the most Northerly corner of said Block "A", run S. 00°07'22" E. 395.50 feet to the principal point of beginning of said parcel; thence S. 00°07'22" E., 552.50 feet; thence N. 89°54'45" W., 219.0 feet; thence S. 00°07'22" E., 219.03 feet; thence N. 89°54'45" W., 561.65 feet; thence N. 00°07'22" W., 269.88 feet; thence N. 38°37'06" W., 214.00 feet to a point on the Northwesterly boundary of said NORTHGATE OF ST. PETERSBURG; thence N51°22'54" E., 145.48 feet; thence N. 00°07'22" W., 35.08 feet; thence N. 54°53" E., 599.79 feet; thence S. 38°37'06" E., 175.82 feet; thence S. 89°54'45" E., 199.19feet to the Point of Beginning.

c. The business created 66 new full-time jobs at the end of 2013 with an average wage above the average Pinellas County wage.

d. ASI raised the Sears building at this location and built a 110,000 square foot office building and 800 space parking garage and will make a \$13,100,000 capital investment to complete the expansion of its St. Petersburg campus.

e. ASI is committed to local procurement and plans to use local vendors when appropriate in support of local procurement.

f. ASI is committed to environmental sustainability and will apply green technologies to the extent feasible and is applying for a silver level certification in Leadership in Energy and Environmental Design ("LEED"); and

WHEREAS, pursuant to the Master Ordinance and Florida Statutes, Section 196.1995, the Pinellas County Property Appraiser completed its review of the ASI Application and submitted its report to the City dated March 11, 2014. The Property Appraiser's report, which is attached hereto and made a part hereof as Exhibit "A", includes the following:

- i. The total revenue available to the City for the current fiscal year from ad valorem tax sources is \$ 84,995,039.
- ii. The total revenue lost to the City for the current fiscal year by virtue of exemptions previously granted under this section is \$ 0.

- iii. The estimate of the revenue which would be lost to the City during the current fiscal year if the exemption applied for was granted and the property for which the exemption is requested would otherwise have been subject to taxation is \$167,984.
- iv. The estimate of the taxable value lost to the City if the exemption applied for was granted is \$ 21,600,000 for improvements to real property and \$ 3, 213,000 for tangible personal property.
- v. A determination that the property listed in the ASI Application meets the definition of an Expansion of an Existing Business as defined in Florida Statutes, Section 196.012(15); and

WHEREAS, the ASI Application meets all statutory and Master Ordinance requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. PETERSBURG, THAT:

SECTION 1. TITLE: This Ordinance shall be known as Ordinance No. - 2014-____, the “Economic Development Ad Valorem Tax Exemption for ASI RE, LLC (ASI)”.

SECTION 2. GRANT OF EXEMPTION:

1. After consideration of the ASI Application, which is incorporated herein by reference, and the Property Appraiser’s Report, attached hereto as Exhibit “A”, the City Council finds that ASI qualifies as an Expansion of an Existing Business and that granting an Economic Development Ad Valorem Tax Exemption to ASI to encourage its expansion will promote economic sustainability within the City through the creation of jobs and utilization of local resources. City Council hereby grants to ASI and establishes on behalf of ASI an Economic Development Ad Valorem Tax Exemption of one hundred percent (100%) of the assessed value of the net increase in qualifying improvements to real property and qualifying tangible personal property as set forth in the ASI Application acquired by ASI after the adoption of this Ordinance to

facilitate the expansion of ASI's existing business (the "ASI Exemption") provided that the maximum amount of the exemption shall not exceed \$100,000 per year.

2. The ASI Exemption shall be for a period of five (5) tax years (the "Exemption Period") commencing with Tax Year 2014 through Tax Year 2018. The ASI Exemption is conditioned upon ASI entering into an agreement with the City (the "ASI Tax Exemption Agreement") stating that it shall remain in compliance with this Ordinance and the Master Ordinance throughout the Exemption Period as well as with the terms of the ASI Tax Exemption Agreement. Should ASI fail to comply with the terms of this Ordinance, the Master Ordinance, or the ASI Tax Exemption Agreement, the City may, in its sole and absolute discretion, revoke the ASI Exemption and recover any taxes exempted during the Exemption Period pursuant to the procedures set out in the Master Ordinance.

3. As set forth in the ASI Tax Exemption Agreement, ASI agrees to abide by the terms and conditions set forth in this Ordinance and the Master Ordinance, as amended from time to time, as well as the guidelines, policies and procedures enacted by the City from time to time related to the Economic Development Ad Valorem Tax Exemption Program. Failure to do so may result in revocation of the ASI Exemption and the City's recovery of any taxes exempted during the Exemption Period.

SECTION 3. APPLICABILITY. The ASI Exemption shall apply only to taxes levied by the City. The exemption shall not apply to taxes levied by the County, school district, or water management district, or to taxes levied for the payment of bonds or taxes authorized by a vote of the electors pursuant to Section 9 (b) or 12, Article VII of the Florida Constitution or any other taxes levied by any other entity.

SECTION 4. EXPIRATION DATE. The ASI Exemption granted herein shall automatically expire on December 31, 2018, and shall no longer be in force and effect thereafter.

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

SECTION 6. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby superseded or repealed to the extent of such conflict.

SECTION 7. APPROVAL OF AGREEMENT. City Council hereby approves of the ASI Tax Exemption Agreement and designates the Mayor or his designee to execute the documents necessary to effectuate this approval.

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

APPROVED AS TO FORM AND CONTENT:


CITY ATTORNEY (designee)

ECONOMIC DEVELOPMENT AD VALOREM PROPERTY TAX EXEMPTION
Chapter 196.1995, Florida Statutes

DR-418
R. 12/99

To be filed with the Board of County Commissioners, the governing boards of the municipality, or both, no later than March 1 of the year the exemption is desired to take effect.

1 Business name American Strategic Insurance		Mailing address 1 ASI Way	
2 Please give name and telephone number of owner or person in charge of this business. Name Trevor C. Hillier (727) 821-8765 x1274		St. Petersburg, FL 33702 Telephone number 727-821-8765	
3 Exact Location (Legal Description and Street Address) of Property for which this return is filed Northgate of St Petersburg BLK A, PT LOTS 2, 3 & 1 See additional on tax roll			4 Date you began, or will begin, business at this facility 06/01/2013
5 Description of the improvements to real property for which this exemption is requested Razed existing Sears building and built a 110,000 sq ft office building and 800 spot garage			Date of commencement of construction of improvements 07/01/12
6 Description of the tangible personal property for which this exemption is requested and date when property was, or is to be purchased			APPRaiser's USE ONLY
Class or Item	Age	Date of Purchase	Taxpayer's Estimate of
			Original Cost Cond* Fair Market Rent Cond*
Real property (office building)	1	02/01/12	\$ 18,583,727 good \$ Good
Real property (garage)	1	02/01/12	\$ 6,832,952 good \$ Good
Furniture & fixtures	1	06/01/13	\$ 2,214,371 good \$ Good
Equipment	1	06/01/13	\$ 1,470,441 good \$ Good
			\$ \$ \$ \$
			\$ \$ \$ \$
			\$ \$ \$ \$
			\$ \$ \$ \$
Average value of inventory on hand:			*Condition: good, avg (average), or poor
Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.			
7 Do you desire exemption as a <input type="checkbox"/> new business or <input checked="" type="checkbox"/> expansion of an existing business		9 Trade levels (check as many as apply)	
8 Describe type or nature of your business Property insurance carrier		<input type="checkbox"/> Retail <input type="checkbox"/> Wholesale <input type="checkbox"/> Manufacturing <input checked="" type="checkbox"/> Professional <input checked="" type="checkbox"/> Service <input type="checkbox"/> Office <input checked="" type="checkbox"/> Other, specify: Insurance	
10 Number of full-time employees to be employed in Florida			
If an expansion of an existing business:		Net increase in employment 66	14 % Increase in productive output resulting from this expansion %
11 Sales factor for the facility requesting exemption:			
Total sales in Florida from this facility-one (1) location only		divided by	Total sales everywhere from this facility-one (1) location only = %
12 For office space owned and used by a corporation newly domiciled in Florida		Date of incorporation in Florida	Number of full-time employees at this location
I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)			
Date	2/4/14	Signature, preparer	
Signature, taxpayer		Preparer's address	
Title VICE PRESIDENT		Preparer's telephone number	
Property Appraiser's Use Only			
I	Total revenue available to the county or municipality for the current fiscal year from ad valorem tax sources		\$ 84,995,039
II	Revenue lost to the county or municipality for the current fiscal year by virtue of exemptions previously granted under this section		\$ 0
III	Estimate of the revenue which would be lost to the county or municipality during the current fiscal year if the exemption applied for were granted and the property for which the exemption is requested would otherwise have been subject to taxation		\$ 167,984
IV	Estimate of the taxable value lost to the county or municipality if the exemption applied for was granted Improvements to real property \$ 21,600,000 Personal property \$ 3,213,000		
V	I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a <input type="checkbox"/> new business <input checked="" type="checkbox"/> expansion of an existing business <input type="checkbox"/> neither		
VI	Last year for which exemption may be applied 2 0 2 3		

Application to be filed not later than March 1 **3-11-14** **Trevor C. Hillier**
Date Signature, Property Appraiser

ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION AGREEMENT
BETWEEN THE
CITY OF ST. PETERSBURG AND ASI

THIS AGREEMENT is entered into as of the Effective Date (as defined in Section 13), by and between the City of St. Petersburg, a political subdivision of the State of Florida (the "City") and ASI RE, LLC ("ASI"), a Florida limited liability company whose mailing address is 1 ASI Way, St. Petersburg, FL 33702.

WITNESSETH

WHEREAS, Article VII, Section 3, of the Florida Constitution and Section 196.1995, Florida Statutes, authorize the City to grant Economic Development Ad Valorem Tax Exemptions to New Businesses and Expansions of Existing Businesses, as defined in Florida Statutes, Section 196.012(14) and (15), subject to voter approval; and

WHEREAS, on November 8, 2011, St. Petersburg City electors approved a referendum authorizing such exemptions, and on October 18, 2012, the St. Petersburg City Council (the "City Council") adopted a master ordinance, Ordinance 51-H codified at Sections 17-521 through 17-532 under Chapter 17 Article X of the City Code (the "Master Ordinance") authorizing the granting of such exemptions; and

WHEREAS, the Ordinance sets forth guidelines and procedures for implementing the Economic Development Ad Valorem Tax Exemption Program (the "Program"); and

WHEREAS, pursuant to the Master Ordinance, ASI submitted an application (the "ASI Application") requesting an exemption under the Program based on estimated capital costs and employment figures (the "Exemption"), and the City approved the Exemption on _____ by adoption of Ordinance No. 2014- _____ (the "Exemption Ordinance"); and

WHEREAS, as a condition of the Exemption being granted, ASI is required to enter into an agreement with the City to ensure that the business satisfies all requirements associated with the creation of jobs in the City, the fulfillment of other representations made in applying for the Exemption, and the granting of the Exemption by the City.

NOW THEREFORE, in consideration of the mutual covenants herein contained and other good and valuable consideration, hereby acknowledged by the parties, ASI and the City agree as follows:

1. **Incorporation.** The recitals set forth above are incorporated herein in their entirety.

2. **Business Maintenance and Continuing Performance Conditions Requirement.** In consideration of the City granting the Exemption, ASI agrees to:

- a. invest approximately 13.1 million dollars in the expansion of its City of St. Petersburg campus located at:

That part of Block "A" NORTHGATE OF ST. PETERSBURG, according to plat thereof recorded in Plat Book 66, Page 75, Public Records of Pinellas County, Florida, and that part of the Northeast ¼ of Section 24, Township 30 South, Range 16 East, lying within the following described tract:

From a Point at the most Northerly corner of said Block "A", run S. 00°07'22" E. 395.50 feet to the principal point of beginning of said parcel; thence S. 00°07'22" E., 552.50 feet; thence N. 89°54'45" W., 219.0 feet; thence S. 00°07'22" E., 219.03 feet; thence N. 89°54'45" W., 561.65 feet; thence N. 00°07'22" W., 269.88 feet; thence N. 38°37'06" W., 214.00 feet to a point on the Northwesterly boundary of said NORTHGATE OF ST. PETERSBURG; thence N51°22'54" E., 145.48 feet; thence N. 00°07'22" W., 35.08 feet; thence N. 54°53" E., 599.79 feet; thence S. 38°37'06" E., 175.82 feet; thence S. 89°54'45" E., 199.19 feet to the Point of Beginning; and

- b. maintain the required new full time jobs as set forth in the Master Ordinance for a target industry and as set forth in Florida Statutes, Section 196.012 (15) at the facility described in 2.a. above; and
- c. pay an average annual wage for such full time jobs exceeding the average annual wage for Pinellas County; and
- d. use commercially reasonable efforts to hire employees living in St. Petersburg, Florida and to use local suppliers for its goods and services where practicable.

3. Annual Filings. Pursuant to Florida Statutes, Section 196.1995, the Master Ordinance, and the Exemption Ordinance, ASI shall:

- a. inform the City in writing within ten (10) days of any changes in ownership of ASI;
- b. submit an amended DOR Form 418 to the Program Administrator on or before February 1 of each year of the Exemption Period, which is five (5) tax years commencing with Tax Year 2014 through Tax Year 2018;
- c. on or before February 1 of each year of the Exemption Period, submit an Annual Renewal Statement and an Annual Report to the POD, which shall comply with the following:

(1) the Annual Renewal Statement shall certify that the information provided herein has not changed. In the event the information has

changed, the Annual Renewal Statement shall set forth the changes in detail and any supporting documentation that may be necessary;

(2) the Annual Report shall provide an update of ASI's compliance with the Business Maintenance and Continuing Performance Conditions set forth in Section 2 herein;

(3) prior to submittal of the Annual Renewal Statement and the Annual Report, ASI shall allow the Program Administrator to conduct an on-site inspection of the facilities in conjunction with his annual review of the project;

d. comply with all filings required by Section 196.011, Florida Statutes for annual renewals of tax exemptions.

4. Indemnification.

A. ASI shall defend at its expense, pay on behalf of, hold harmless and indemnify the City, its officers, employees, agents, elected and appointed officials and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, liens, liabilities, penalties, fines, fees, judgments, losses and damages (collectively, "Claims"), whether or not a lawsuit is filed, including but not limited to Claims for damage to property or bodily or personal injuries, including death at any time resulting therefrom, sustained by any persons or entities; and costs, expenses and attorney's and experts' fees at trial and on appeal, which Claims are alleged or claimed to have arisen out of or in connection with, in whole or in part, directly or indirectly:

- 1) The performance of this Agreement (including any amendments thereto) by ASI, its employees, agents, representatives or subcontractors; or
- 2) The failure of ASI, its employees, agents, representatives or subcontractors to comply and conform with applicable Laws, as hereinafter defined; or
- 3) Any negligent act or omission of the ASI, its employees, agents, representatives, or subcontractors, whether or not such negligence is claimed to be either solely that of the ASI, its employees, agents, representatives or subcontractors, or to be in conjunction with the claimed negligence of others, including that of any of the Indemnified Parties; or
- 4) Any reckless or intentional wrongful act or omission of the ASI, its employees, agents, representatives, or subcontractors.

B. The provisions of this paragraph are independent of, and will not be limited by, any insurance obtained by ASI and shall survive the expiration or earlier termination of this Agreement with respect to any claims or liability arising in connection with any event occurring prior to such expiration or termination.

5. Compliance with Laws. ASI shall comply with all applicable federal, state, and local laws, ordinances, rules and regulations, the federal and state constitutions, and orders and decrees of any lawful authorities having jurisdiction over the matter at issue (collectively, "Laws"), including but not limited to Florida Public Records Laws (e.g. Chapter 119, Florida Statute). ASI shall also comply with City policies and procedures. Specifically, ASI shall materially comply with all terms and conditions set forth in the Master Ordinance and the Exemption Ordinance, as they may be amended from time to time, as well as any policies, procedures and guidelines adopted by the City from time to time related to the Program.

6. City Revocation.

a. In the event ASI fails to satisfy the Business Maintenance and Continuing Performance Conditions set forth in Section 2 of this Agreement, or otherwise fails to comply with the terms of this Agreement, the Master Ordinance or the Exemption Ordinance, the City may, upon thirty (30) days written notice to ASI adopt an ordinance revoking the Exemption. In the event of such revocation by the City, this Agreement shall automatically terminate and be of no further force or effect, except for those provisions herein which are specifically stated to survive termination.

b. Upon revocation, the City shall notify the Property Appraiser within a reasonable amount of time.

c. If it is determined that for any year within the Exemption Period ASI was not entitled to receive the Exemption, ASI shall be subject to the taxes exempted plus annual interest at the maximum rate permitted by Florida law. The foregoing annual interest rate shall not be applied in circumstances set forth in Section 9 below.

7. Survival. All obligations of ASI arising during or attributable to the period prior to expiration or earlier termination of this Agreement, including but not limited to those obligations related to Sections 4, 5 and 6 of this Agreement, shall survive such expiration or earlier termination.

8. Assignment Estoppel. The rights and privileges granted to ASI pursuant to the Ordinance, the Exemption Ordinance and this Agreement are not assignable or transferable in any manner.

9. Controlling Law. This Agreement shall be interpreted and construed in accordance with the laws of the State of Florida and shall inure to and be binding upon the parties, their successors and assigns. Venue for any action brought in state court shall be in Pinellas County, St. Petersburg Division. Venue for any action brought in federal court shall be in the Middle District of Florida, Tampa Division, unless a division shall be created in St. Petersburg or Pinellas County, in which case the action shall be brought in that division. The parties consent to the personal jurisdiction of the aforementioned courts and irrevocably waive any objections to said jurisdiction.

10. Notice. Any notices required under this Agreement shall be in writing and be addressed to the parties as shown below. Notices shall be delivered by certified or registered first class mail or by commercial courier service, and shall be deemed to have been given or made as of the date received.

**AS TO THE CITY: Director, Planning and Economic Development
One 4th Street North 9th Floor
St. Petersburg, FL 33701**

**WITH A COPY TO: City Attorney's Office
One 4th Street North 10th Floor
St. Petersburg, FL 33701**

**AS TO THE COMPANY: ASI RE, LLC
ATTN: Vice President, Finance and Accounting
1 ASI WAY
St. Petersburg, FL 33702**

11. Force Majeure. Notwithstanding anything contained in this Agreement to the contrary, and subject to the terms of this Section, ASI's failure to perform its obligations under this Agreement, other than with respect to the payment of money or the giving of any notice required hereunder, shall not be a default, and no disqualification shall occur as a result thereof, if any such failure or delay is due in whole or in part to acts of God; acts of public enemy; war; riot; sabotage; blockage; embargo; labor strikes, lockouts or other labor or industrial disturbance (whether or not on the part of agents or employees of either party hereto engaged in renovation or construction at the facility); civil disturbance; terrorist act; fire, flood, windstorm, hurricane, earthquake or other casualty; any law, order, regulation or other action of any governing authority; any action, inaction, order, ruling moratorium, regulation, statute, condition or other decision of any governmental agency having jurisdiction over ASI, over the renovation or construction anticipated to occur thereon or over any uses thereof, or by delays in inspections or in issuing approvals by private parties or permits by governmental agencies not occasioned by ASI.

12. Conflicting Laws; Severability. If a conflicting law is enacted after the Effective Date, then the City and ASI shall meet and confer in good faith to seek to effectuate an amendment to this Agreement providing the City and ASI with the rights and remedies intended to be provided herein. Nothing herein shall preclude either the City or ASI from challenging the validity of any conflicting laws. Each provision in this Agreement is severable. If any such provision is determined to be invalid or illegal, the validity and enforceability of the remainder of this Agreement shall be unaffected.

13. Term; Effective date. The term of this Agreement shall commence on the date of the last signatory hereto (the "Effective Date") and, unless sooner terminated, shall continue in force through December 31, 2018, the last day of the Exemption Period.

14. Amendments. Except as otherwise provided herein regarding termination, this Agreement shall not be modified or amended except by written instrument signed by all of the parties.

15. Binding Effect and Effectiveness; Representations and Warranties.

a. Subject to the specific provisions of this Agreement, this Agreement shall be binding upon and inure to the benefit of and be enforceable by the parties and their respective successors, notwithstanding changes in corporate or other governance.

b. ASI represents and warrants to the City that as of the date hereof and throughout the term of this Agreement:

i. ASI is a limited liability company, duly organized under the laws of the State of Florida and is validly existing and doing business therein as ASI RE, LLC;

ii. ASI has the power and authority to own its properties and assets and to carry on its business as now being conducted and has the power and authority to execute and perform this Agreement;

iii. This Agreement (a) is a lawful, valid and binding agreement of ASI in its corporate name enforceable against ASI in accordance with its terms; (b) does not violate any order of any court or other agency of government binding on ASI, the charter documents of ASI, or any provisions of any indenture, agreement or other instrument to which ASI is a party; and (c) does not conflict with, result in a breach of, or constitute an event of default, or an event which, with notice or lapse of time, or both, would constitute an event of default, under any material indenture, agreement or other instrument to which ASI, in its corporate name, is a party;

iv. ASI has not received written notice of any action having been filed against ASI that challenges the validity of the Agreement or ASI's right and power to enter into and perform this Agreement; and

v. The signatory hereto has the authority to execute this Agreement and to bind ASI to the terms and conditions set forth herein.

16. Public Records.

A. ASI shall (i) keep and maintain public records (as defined in Florida's Public Records law) that ordinarily and necessarily would be required by the City in order to provide an ad valorem tax exemption pursuant to this Agreement; (ii)

subject to subsection B. below, provide the public with access to public records on the same terms and conditions that the City would provide the records and at a cost that does not exceed the cost provided under Florida's Public Records law; (iii) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by applicable Laws; and (iv) meet all requirements for retaining public records and transfer, at no cost, to the City all public records in possession of the ASI within ten (10) days following the expiration or earlier termination of this Agreement and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All public records stored electronically by ASI shall be provided to the City in a format approved by the City.

- B. ASI shall immediately notify the City Clerk in writing after receiving a public records request. ASI shall obtain written approval from the City Clerk prior to releasing or disclosing public records and shall comply with instructions of the City Clerk and all City policies and procedures regarding public records.
- C. Nothing in this Agreement shall be construed to affect or limit ASI's obligations including but not limited to ASI's obligations to comply with all other applicable Laws and to maintain books and records pursuant to this Agreement.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the Effective Date.

ATTEST:

(SEAL)

City Clerk (Designee)

ASI RE, LLC:

WITNESSES

By: _____
Print: _____
Title: _____

By: _____
Print: _____

By: _____
Print: _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____, as _____ of ASI RE, LLC, a Florida limited liability company, on behalf of the LLC. He/she is personally known to me or has produced _____ as identification.

Notary Public Seal

Approved as to form and content:

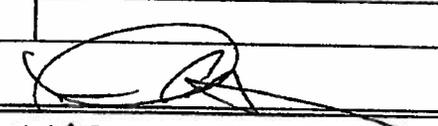
City Attorneys' Office

ECONOMIC DEVELOPMENT AD VALOREM PROPERTY TAX EXEMPTION

Chapter 196.1995, Florida Statutes

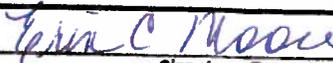
DR-418
R. 12/99

To be filed with the Board of County Commissioners, the governing boards of the municipality, or both,
no later than March 1 of the year the exemption is desired to take effect.

1 Business name American Strategic Insurance		Mailing address 1 ASI Way	
2 Please give name and telephone number of owner or person in charge of this business. Name: Trevor C. Hillier (727) 821-8765 x1274		St. Petersburg, FL 33702	
		Telephone number: 727-821-8765	
3 Exact Location (Legal Description and Street Address) of Property for which this return is filed Northgate of St Petersburg BLK A, PT LOTS 2, 3 & 1 See additional on tax roll			4 Date you began, or will begin, business at this facility 06/01/2013
5 Description of the improvements to real property for which this exemption is requested Razed existing Sears building and built a 110,000 sq ft office building and 800 spot garage			Date of commencement of construction of improvements 07/01/12
6 Description of the tangible personal property for which this exemption is requested and date when property was, or is to be purchased			
APPRaiser'S USE ONLY			
Class or Item	Age	Date of Purchase	Taxpayer's Estimate of Original Cost, Cond*, Fair Market Rent, Cond*,
Real property (office building)	1	02/01/12	\$ 18,583,727 good \$ Good \$ 15,800,000
Real property (garage)	1	02/01/12	\$ 6,832,952 good \$ Good \$ 5,800,000
Furniture & fixtures	1	06/01/13	\$ 2,214,371 good \$ Good \$ 2,037,000
Equipment	1	06/01/13	\$ 1,470,441 good \$ Good \$ 1,176,000
			\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
Average value of inventory on hand: *Condition: good, avg (average), or poor			
Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.			
7 Do you desire exemption as a <input type="checkbox"/> new business or <input checked="" type="checkbox"/> expansion of an existing business		9 Trade levels (check as many as apply)	
8 Describe type or nature of your business Property insurance carrier		<input type="checkbox"/> Retail <input type="checkbox"/> Wholesale <input type="checkbox"/> Manufacturing <input checked="" type="checkbox"/> Professional <input checked="" type="checkbox"/> Service <input type="checkbox"/> Office <input checked="" type="checkbox"/> Other, specify: Insurance	
10 Number of full-time employees to be employed in Florida			
If an expansion of an existing business:		Net increase in employment: 66	14 % increase in productive output resulting from this expansion
11 Sales factor for the facility requesting exemption:			
Total sales in Florida from this facility-one (1) location only		divided by	Total sales everywhere from this facility-one (1) location only = %
12 For office space owned and used by a corporation newly domiciled in Florida		Date of incorporation in Florida	Number of full-time employees at this location
I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)			
Date: 2/4/14		Signature, preparer	
Signature, taxpayer: 		Preparer's address	
Title: VICE PRESIDENT		Preparer's telephone number	
Property Appraiser's Use Only			
I	Total revenue available to the county or municipality for the current fiscal year from ad valorem tax sources		\$ 84,995,039
II	Revenue lost to the county or municipality for the current fiscal year by virtue of exemptions previously granted under this section		\$ 0
III	Estimate of the revenue which would be lost to the county or municipality during the current fiscal year if the exemption applied for were granted and the property for which the exemption is requested would otherwise have been subject to taxation		\$ 167,984
IV	Estimate of the taxable value lost to the county or municipality if the exemption applied for was granted Improvements to real property \$ 21,600,000 Personal property \$ 3,213,000		
V	I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a <input type="checkbox"/> new business <input checked="" type="checkbox"/> expansion of an existing business <input type="checkbox"/> neither		
VI	Last year for which exemption may be applied 2023		

Application to be filed not later than March 1

3-11-14
Date


Signature, Property Appraiser



American Strategic Insurance

1 ASI Way
St. Petersburg, Florida 33702
www.AmericanStrategic.com

TO: DAVE GOODWIN, DIRECTOR, PLANNING AND ECONOMIC DEVELOPMENT
FROM: TREVOR HILLIER, VICE PRESIDENT, FINANCE AND ACCOUNTING
SUBJECT: ASI RE, LLC AD VALOREM TAX EXEMPTION APPLICATION
DATE: FEBRUARY 12, 2014 – UPDATED ON APRIL 16, 2014
CC: STEVE KURCAN, MARY BETH MANLY, KEVIN MILKEY

Per Florida Statutes, City Council must take into account the following when taking action on an application:

1. Total number of net new jobs to be created by the applicant.

Since we've moved in to the new campus on 6/1/2013, American Strategic Insurance Group ("ASI") has added 66 net new full-time employees, 26 of which are residents of St. Petersburg. In 2014, ASI plans to add 33 full-time employees, who will be based out of our headquarters located at 1 ASI Way N, St. Petersburg, FL 33702. Further, ASI is planning on continuing the geographic expansion of our business, which means we will continue to add new full-time employees for the foreseeable future.

2. The average wage of the new job

The average salary for 66 full-time employees is \$44,906. Additionally, 11 of the employees earned a salary greater than or equal to \$54,426, which is 125% of the average wage for Pinellas County. 60 employees earned a salary greater than or equal to \$43,541, which is 100% of the average wage for Pinellas County.

3. The capital investment to be made by the applicant.

Through 2013, the members of ASI RE, LLC have invested \$41.9 million of capital towards the completion of the ASI campus. The members are planning to further contribute a minimum amount of \$13.1 million to complete the construction.

4. The type of business or operation

ASI is a group of companies that offer property and casualty insurance. The group consists of a holding company, seven insurance carriers, three managing general agencies, an information technology company, and a real estate holding company.

5. The environmental impact of the proposed business or operation

The construction of the ASI campus has already had a material environmental impact. This parcel of real estate previously had a Sears/Kmart store, which sat closed for several years on an unmaintained asphalt parking lot. The ASI campus will include a much larger landscaped area.

Additionally, ASI is in the process of applying for a silver level certification in Leadership in Energy and Environmental Design ("LEED"). In order to be eligible for this certification, our buildings must comply with environmental laws and regulations, as well as the guidelines created by the U.S. Green Building Council. The certification process is based on a points system, part of which credits ASI for sourcing the building materials locally and using local contractors. ASI also used a local development company, Echelon Development LLC, to develop the entire campus project.

6. The extent to which the applicant intends to source its supplies and materials within St. Petersburg

As mentioned in the previous section, part of our LEED certification process required ASI to use locally sourced materials. Additionally, while as an insurance company we do not have an inventory or raw materials, we do use several other local service providers (e.g. office supplies, janitorial services and landscaping services).

7. The applicant may provide additional economic development information to support the application

ASI is a profitable and growing company, and a member of the St. Petersburg Chamber of Commerce at the Chamber Trustee level. Formed in St. Petersburg in 1997, we began with \$6 million of capital and now have over \$1 billion in revenue and nearly \$600 million of capital. Our insurance group is rated A (Excellent) by the A.M. Best Company, the industry leader of insurance-rating agencies. ASI currently writes insurance in 24 states and Washington D.C., and is in the process of expanding to the other 26 states. In order to successfully complete this expansion process, while maintaining our high standards in customer service, we will also expand our workforce.

ASI also has a well experienced management team with an average insurance experience of well over 20 years. A list of ASI's officers is below.

John Auer – President and CEO
Kevin Milkey – Executive Vice President and Assistant Secretary
Mary Frances Fournet – Vice President of Production Management
Tanya Fjare – Vice President of Business Analysis and Project Management
Trevor Hillier – Vice President of Finance and Accounting
Phillip Brubaker – Vice President of Product Management
Angel Bostick – Vice President, General Counsel and Assistant Secretary
Thomas Morgan – Vice President of Commercial Lines
Jeffrey Hannon – Vice President of Marketing

ASI is one of only 18 companies to be recognized as a top employer in Tampa Bay for 5 consecutive years by the Tampa Bay Times. We have been named the top mid-sized employer in 3 out of those 5 years, including this year.

ST. PETERSBURG CITY COUNCIL

Meeting of May 1, 2014

TO: The Honorable William H. Dudley, Chair, and Members of City Council

SUBJECT: **City File LDR 2014-02:** A private application proposing to amend St. Petersburg City Code, Chapter 16 (Land Development Regulations), Section 16.40.040 titled "*Fences, Walls and Hedges.*"

REQUEST: Ordinance _____ amending Section 16.40.040 titled "*Fences, Walls and Hedges,*" to allow electrically charged fencing in all non-residentially zoned districts that allow outdoor storage.

RECOMMENDATION:

Administration: The Administration recommends APPROVAL, with modification to the original request. Specifically, staff recommends approval to allow electrically charged fencing in industrial zoning districts only.

Development Review Commission (DRC): The Commission conducted a public hearing on April 2, 2014 to consider the applicant's request. The Commission voted 6-0 finding that the request, as modified by city staff, is consistent with the City's Comprehensive Plan.

Recommended City Council Action:

- 1) CONDUCT the first reading;
- 2) SET the second reading and public hearing for May 15, 2014.

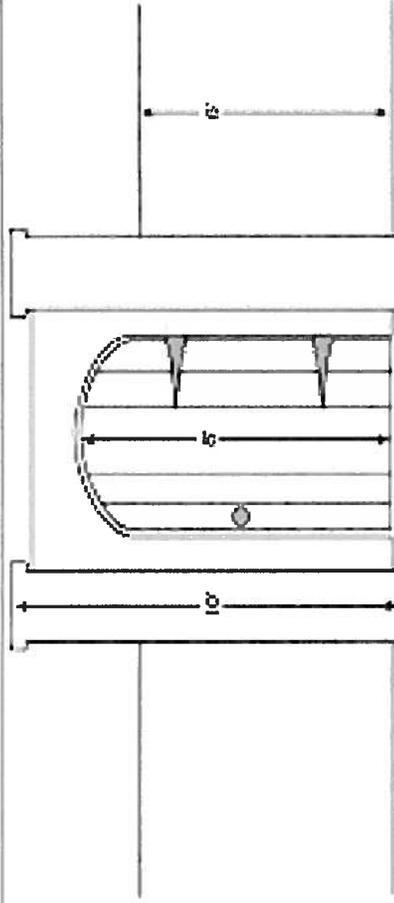
Attachments: Ordinance, DRC Staff Report

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING THE CITY CODE; PROVIDING FOR THE USE OF ELECTRICALLY-CHARGED FENCING ON PROPERTY DESIGNATED WITH IT (INDUSTRIAL TRADITIONAL) AND IS (INDUSTRIAL SUBURBAN) ZONING; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Section 16.40.040.3, Chart No. 5 of the St. Petersburg City Code is hereby amended to read as follows:

5. DESIGN AND OTHER RELATED REGULATIONS	
A. EXEMPTIONS	Fences, walls and hedges on certain properties of the Pinellas County School Board shall be regulated as set forth in an interlocal agreement between the City and the School Board, as may be amended from time to time.
B. ALLOWANCES FOR ADDITIONAL HEIGHT	<ol style="list-style-type: none"> 1. Fences or walls for which a greater height is necessary because of 1) an association with uses that require high fences to protect public safety, such as, but not limited to, driving ranges, utility substations, baseball fields, athletic fields, and swimming pools or 2) a requirement of a state or federal agency, may be allowed subject to a height limit which may be imposed by the POD. Approval of height in excess of that allowed by this Code will be based upon precedent established by previous City approvals, standardized specifications, required security measures, and trajectories for driving ranges and athletic fields. Such fences or walls need not comply with the Design Standards of this section, but shall comply with all landscaping requirements. 2. One (1) additional foot of height is allowed for fence or wall columns which are a maximum of two (2) feet in width and spaced at least six (6) feet apart measured center to center. 3. Two (2) additional feet of height is allowed for a decorative open arched gate which does not exceed 25 feet in width for a vehicular gate or eight (8) feet in width for a pedestrian gate. 4. Four (4) additional feet of height is allowed to accommodate solid arch structures over gates (as shown below) and other passageways for pedestrians and vehicles.

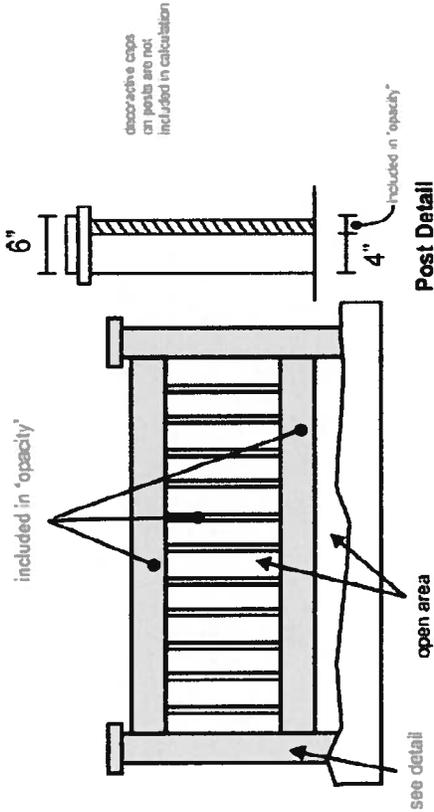


Additional Height for Gates/Arches

5. Two (2) additional feet of height is allowed for decorative lanterns, urns, planters, or sculptural elements above the maximum height allowed for the fence or wall component (e.g. wall, column, or arch) upon which such decorative feature is located.
6. Maximum height may vary by up to six (6) inches to allow for grade changes, clearance under fences for maintenance, footers, other obstacles customary to the use intended to be fenced, and reasonable human error.
7. Up to two sections of fence or wall, not to exceed eight (8) feet in width each, may be allowed two (2) additional feet in height within any side (non-street) or rear yard for lattice, planter boxes, or selective screening of adjoining uses.
8. Fences, walls, or hedges along the side yard of a residential use which abuts a non-residential use may be six (6) feet in height to within five (5) feet of the front property line.
9. Fences or walls for single-family uses which abut Interstate 275 may be eight (8) feet in height.

C. DESIGN STANDARDS

1. All fences and walls shall comply with the architectural, design, and landscaping requirements of this code.
2. All fences and walls shall be installed with the finished side facing towards the exterior or adjoining properties and rights-of-way (excluding alleys). For fences and walls between adjoining properties, this requirement may be waived by the POD upon approval by the adjoining property owners, whose written approval shall be signed or acknowledged before a notary.
3. Barbed wire is prohibited at 1) any residential use; 2) any mixed-use having a residential component; 3) any residentially-zoned property (regardless of its developed use); 4) any property zoned DC or CCT-2; and 5) on any property within ten feet of any property zoned or developed with a residential use. Barbed wire shall be oriented toward the interior of the property and included in the overall fence height measurement. Barbed wire is prohibited on any fence within a yard along a major street.
4. On properties (excluding industrial, single-family, and duplex uses) visible from any major street, fences and walls shall be decorative or vinyl-coated chain-link (including stands, poles, and rails). Fences which are screened by required landscaping shall be exempt from the decorative or vinyl-coated fencing requirement.



5. All fences except chain-link fences shall have upper and lower rails between posts. A chain-link fence shall have a top rail.

6. Fences and walls shall comply with the design requirements established for the zoning district.

7. Fences and walls shall be consistent in style and design within any property (e.g. same design in front yard or rear yard), and for yards abutting streets (e.g. same or compatible design and style for both front and street side yards for corner lots). Fences and walls shall be comprised of no more than three materials for panels, posts, rails, columns, and other elements within all yards of any property. Fences and walls in side, rear, and waterfront yards may be comprised of a different material(s) than that used in the front yard.

8. Fences and walls shall be designed and installed as follows:

- a. Fences shall be designed in accordance with industry standard forms such as: stockade, board-on-board, shadowbox, tongue-and-groove, picket, split rail and chain link. An alternative form may be approved where the POD finds that the proposed form complies with the intent of the provisions of this section and that the form requested is at least the equivalent to the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.
- b. The term *building materials* shall mean industry standard materials normally manufactured for the construction of fences, fencing materials such as: wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, galvanized and vinyl-coated chain link, wood planks or pickets, and vinyl or composite manufactured specifically as fencing materials. An alternative material may be approved where the POD finds that the proposed material complies with the intent of the provisions of this section and that the material requested is at least the equivalent of the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.

9. Fences and walls greater than 100 feet in length shall be articulated by columns or other visual breaks measuring at least two feet in width and spaced no more than 24 feet apart. Landscaping shall be provided in accordance with the landscaping and irrigation section. This design standard shall apply for any portion of a qualifying fence or wall facing a right-of-way (excluding alleys.)

10. The attachment of fabric, shade cloth or other material to a chain link or similar open fence is prohibited except as provided herein. Fabric, shade cloth or other material is not a permitted method for required screening of outdoor storage areas. Fabric, shade cloth or other material may be installed to create a wind barrier for athletic courts or similar situations subject to the following conditions:

- a. Professional installation is required by a licensed contractor;
- b. The proposed material shall be designed to withstand wind resistance with commercial grade seams and attached at grommets designed in a manner consistent with building regulations.

11. Except as otherwise provided in this subsection, it shall be unlawful for any person to construct, maintain, place, install or allow or cause to be constructed, maintained, placed or installed on or about any structure or property any fence, barrier, partition, obstruction or similar structure that is electrically charged or connected with any electrical source in such a manner as to transmit an electrical charge to persons, animals or things which come in contact therewith.

Electrically charged fencing may be used for security purposes in any industrial zoning district or industrial zoned property subject to the following conditions:

- a. Only low-voltage electrical fencing shall be used with a maximum of 12 volts, primary voltage;
- b. Electrically charged fencing shall comply with the height requirements of this section;
- c. Electrically charged fencing shall be completely surrounded by a non-electrical fence or wall. The surrounding non-electrical fence or wall shall be separated from the electrically charged fence by at least three (3) inches;
- d. Electrically charged fencing shall be identified as such with a sign, no larger than one (1) square foot in area, and shall be placed on all sides of the property where the electrically charged fence is located with at least one (1) sign per every sixty (60) linear feet or portion thereof;
- e. Any property with electrically charged fencing shall provide safe access for emergency personnel;
- f. Where any property with electrically charged fencing is abutting a residential use or residentially-zoned property, the electrically charged fence shall be setback a minimum of five (5) feet from any property line abutting the residential use or residentially zoned property.

D. STANDARDS FOR MEASUREMENT

1. The height of a fence, wall or hedge shall be measured from 1) the existing natural grade upon which the structure to be measured sits, or 2) the finished grade at the time of subdivision platting. Measurement shall be taken from the abutting property. Where the existing grade of one lot has been modified due to FEMA regulations, measurement shall be made from the mid-point of the existing grade and the FEMA required minimum grade. Where the existing grade of two or more adjacent lots has been modified due to FEMA regulations, measurement shall be made from the new finished grade.

<p>E. LOCATIONAL CRITERIA</p>	<ol style="list-style-type: none"> 2. Except as provided in Section B of this chart, the addition of any material (e.g. screening, flags, lattice, or planters) to a fence or wall which is visible above the fence or wall shall be considered part the fence or wall when measuring overall height. 1. Hedge regulations shall only apply to hedges within five (5) feet of a property line of a residential use and within ten (10) feet of a property line for all other uses. This provision shall not include waterfront yards. 2. In waterfront yards, a hedge shall not exceed three (3) feet in height within a primary view corridor consisting of the first five (5) feet measured from the waterfront boundary line. The primary view corridor shall additionally include portions of the waterfront yard, on each side of the waterfront yard, located as follows: From a rear corner, measure along the waterfront boundary line for a distance equal to one-half of the depth of the waterfront yard to a point. From that point, extend a straight line to a point where the waterfront setback line intersects the nearer side boundary line, and from that intersection, return to the corner. In the remainder of the waterfront yard there is no limit on the height of hedges. 3. Fence and wall heights shall apply in all required yards. Fences and walls shall not exceed the maximum building height within the buildable area. 4. In the DC and CCT-2 zoning districts, no fence or wall shall be installed within three (3) feet of any wall on an adjoining property if such wall has one or more windows or doors, and no fence or wall shall impede required emergency egress from a window or door on any property. 5. For Through-Lots and other irregular lots, at least one yard shall be considered to be a rear yard for the purpose of allowing fences, walls or hedges. The yard which shall be allowed a rear yard fence, wall, or hedge shall be determined based upon the following order of factors: a) the predominant location of rear yards of other lots in the block, b) the location of the front entry into the house on the subject lot, and c) the relationship of the yard to other yards on abutting properties. 6. No fence, wall, or hedge shall be installed so as to obstruct passage through a vehicular use area (parking lot, driveway, loading zone, etc.), sidewalk, or right-of-way located on the same property or an adjoining property and existing at the time the fence, wall or hedge is installed; provided, that this provision shall not be deemed to create an obligation on the part of a property owner to give an adjoining property owner a right of ingress-egress where none exists by express agreement or through historic usage or where such obligation has not been imposed by the City as a condition of approval of a development order. 7. Fences and walls over four (4) feet in height which are adjacent to a sidewalk shall be setback a minimum of two (2) feet from the edge of the sidewalk, except for fences and walls within DC and CCT-2 zones. 8. Fences, walls, and hedges shall comply with visibility at intersection and sight triangle requirements. 9. No fence or wall shall be situated along any alley so as to obstruct the use of the alley by the public or to obstruct access to accessory structures (e.g. garages) situated adjacent to alleys. 10. No fence or wall shall be allowed on or permitted to overhang a right-of-way.
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	<p>11. Hedges are allowed in the right-of-way so long as no portion of the hedge is within four feet of the curb, or edge of pavement if there is no curb, within one foot of the sidewalk, or higher than four feet, and the hedge complies with the Visibility at Intersections Section.</p>
<p>F. PERMITTED AND MAINTENANCE REQUIREMENTS</p>	<p>1. All walls and fences shall be maintained in a sturdy upright position, in good condition, free from mildew or rot that has substantially penetrated the depth of the fence, free from any broken parts, slats or boards, and with no parts, slats or boards missing.</p> <p>2. The owner of a property where a fence, wall or hedge is located is responsible for maintenance of both sides. Nothing in this section shall be construed to grant any right of entry to an adjoining property which is under separate ownership for the purpose of maintaining a fence, wall or hedge. Nothing in this section shall be construed as creating an obligation to maintain a fence, wall or hedge if access to an adjoining property is necessary for maintenance work and the owner of the adjoining property fails or refuses to grant a right of entry to the owner of the fence for such work at reasonable times despite a request for such right of entry.</p>
<p>G. REQUIRED LANDSCAPING</p>	<p>Where "landscaping" is required by this section, such landscaping shall be in accordance with the Landscaping and Irrigation Section.</p>
<p>H. GRANDFATHERED STATUS</p>	<p>All existing fences and walls which do not comply with the regulations of this section, whether lawful when erected or otherwise, shall be brought into compliance at such time as more than 50 percent of the surface area of the fence or wall within any one yard is replaced.</p> <p>All existing hedges which do not comply with the regulations of this section shall not be deemed grandfathered, but shall be brought into compliance not later than September 30, 2007.</p>

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

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

Approved as to form and content:


 City Attorney (designee)



DEVELOPMENT REVIEW COMMISSION

Prepared by the Planning & Economic Development Department,
Urban Planning and Historic Preservation Division

For Public Hearing on April 2, 2014
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

APPLICATION: LDR 2014-02

APPLICANT: Cindy Gsell
Director of Business Development
Electric Guard Dog, LLC
121 Executive Center Drive, Ste. 230
Columbia, SC 29210

REQUEST: Text amendment to allow electrically charged fencing within the City. (*City Code of Ordinances, Chapter 16, Land Development Regulations ("LDRs"), Section 16.40.040 titled "Fences, Walls & Hedges"*) The applicant is requesting that electrically charged fencing be permitted in all non-residentially zoned districts, which allow outdoor storage.

The applicant requests that the Development Review Commission ("DRC") review and recommend approval, confirming consistency with the City of St. Petersburg's Comprehensive Plan ("Comprehensive Plan").

AUTHORITY: 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 amendments to the LDRs.

EVALUATION:

Recommendation

The Planning & Economic Development Department finds that the proposed request, as modified by city staff, is consistent with the Comprehensive Plan and recommends **APPROVAL**.

Background and Analysis

The Planning and Economic Development Department was first contacted by the applicant, Cindy Gsell, Electric Guard Dog, LLC, to inquire about modifying the city's prohibition against electrically charged fencing. Specifically, Section 16.40.040 states:

"It shall be unlawful for any person to construct, maintain, place, install or allow or cause to be constructed, maintained, placed or installed on or about any structure or property any fence, barrier, partition, obstruction or similar structure that is electrically charged or connected with any electrical source in such a manner as to transmit an electrical charge to persons, animals or things which come in contact therewith."

Following her initial inquiry and subsequent conversation with the city's Zoning Official and staff from the Development Review Services Division and the Urban Planning and Historic Preservation Division, Ms. Gsell filed a formal application on February 5, 2014 to amend the text of the City Code of Ordinances. The applicant's proposed amendment will permit electrically charged fencing in all non-residentially zoned districts, which allow outdoor storage.

City staff's recommendation to support electrically charged fences requires a modification to the applicant's request. Specifically, city staff recommends that the proposed amendment continue to prohibit electrically charged fences in all zoning districts except for properties located in the city's industrial zoning districts, IT (Industrial Traditional) and IS (Industrial Suburban).

The LDRs accommodate a variety of outdoor storage and outdoor sales opportunities. Whereas outdoor storage is typically restricted to the industrially zoning districts, plus IC (Institutional Center – Community Redevelopment District) and IC (Institutional Center – Transportation / Utility), outdoor sales is allowed in a wide variety of Corridor and Center zoning districts. The Corridor and Center zoning districts typically encourage a concentrated mixture of high-density residential and non-residential land-use types. These mixed-use districts prioritize pedestrian mobility through required site orientation and building design standards. City staff believes that electrically charged fencing is incompatible with the mixed-use and pedestrian mobility goals of the City's Corridor and Center zoning districts.

Conversely, industrial zoned properties are often isolated from high traffic areas, and their low-visibility warrants the added protection afforded by the proposed amendment. Regarding fence regulations, the LDRs already acknowledge the distinction between industrial zoned properties and all others. For example, the maximum fence height on industrial zoned properties is ten (10) feet, whereas the maximum fence height in all other zoning districts varies from as low as three (3) feet to as high as six (6) feet.

The applicant provided specific information detailing the operational standards of their product, Electric Guard Dog ("EGD"). The EGD produces an electrical pulse every 1.3 seconds. The pulse lasts only .0001 to .0004 of a second. The EGD is powered with a 12-volt marine battery and charged by a solar panel. In order to address certain safety concerns, the applicant has provided a cover letter and detailed study by Dr. John G. Webster, Professor Emeritus, Department of Biomedical Engineering at the University of Wisconsin, certifying the safety of this product. Dr. Webster also certifies compliance of this product with the International Electrotechnical Commission ("IEC") Standards for electric security fences.

City staff acknowledges that product design may vary among vendors. In this instance, the EGD includes 20 wires and measures nearly 10-feet tall, an overall height that is compliant with the existing development standards for the industrial zoning districts.

Finally, the applicant has noted that a number of Florida jurisdictions allow or have recently approved code changes to allow electrically charged fences. Overall, the applicant's list identified 40 (27 city and 13 county) jurisdictions. For purposes of this analysis, city staff focused on Hillsborough County and the City of Tampa. Both local jurisdictions restrict the use of electrically charged fencing to the industrial zoning districts. Hillsborough County simply notes that "...electrically charged fences may be used if all requirements of all applicable local, Federal and State laws and regulations are met." City staff is recommending language similar to the City of Tampa's current regulations. [See Attachment No. 2]

Based on the information provided by the applicant, the desire among industrial land owners and tenants to install electrically charged fencing (e.g. Tibbetts Lumber Co. at 3300 Fairfield Avenue South), the preference to allow industrial land owners and tenants to install a safe and effective crime deterrent, city staff is recommending approval of the proposed amendment, as modified and attached.

Compliance with the Comprehensive Plan

The following objectives and policies from the Comprehensive Plan are applicable to the proposed amendment:

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.

Housing Affordability Impact Statement

The proposed amendments will have no impact on housing affordability, availability or accessibility. A Housing Affordability Impact Statement is attached.

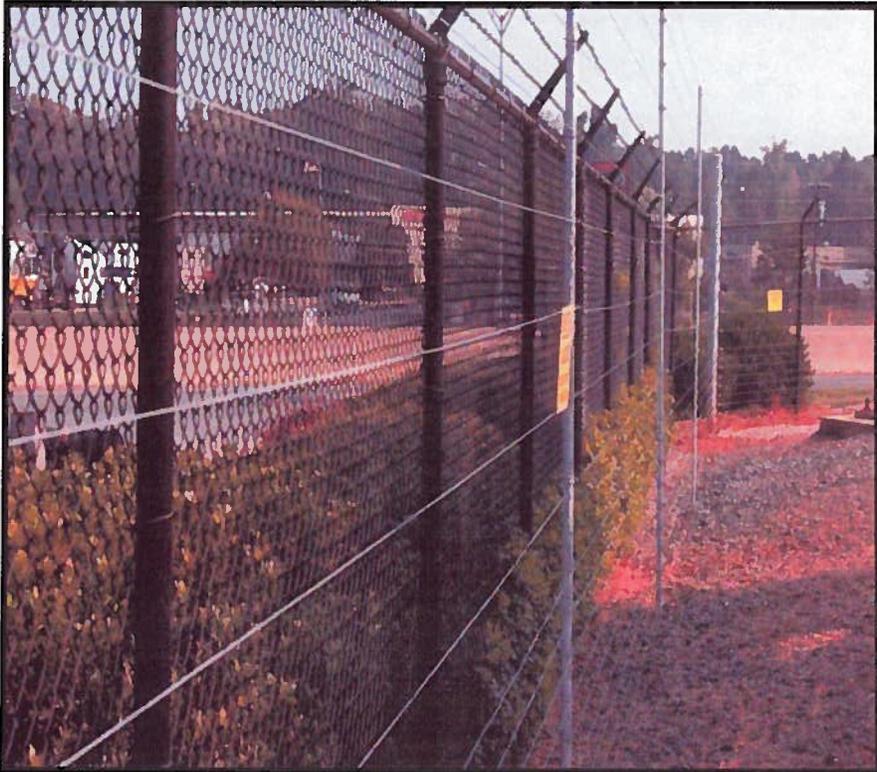
Adoption Schedule

The proposed amendment requires one (1) public hearing, conducted by the City of St. Petersburg City Council. The City Council shall consider the recommendation of the DRC and vote to approve, approve with modification or deny the proposed amendment:

- 04-17-2014: First Reading
- 05-01-2014: Second Reading and Public Hearing

Exhibits and Attachments

1. Pictures
2. Proposed Amendment
3. Housing Affordability Impact Statement



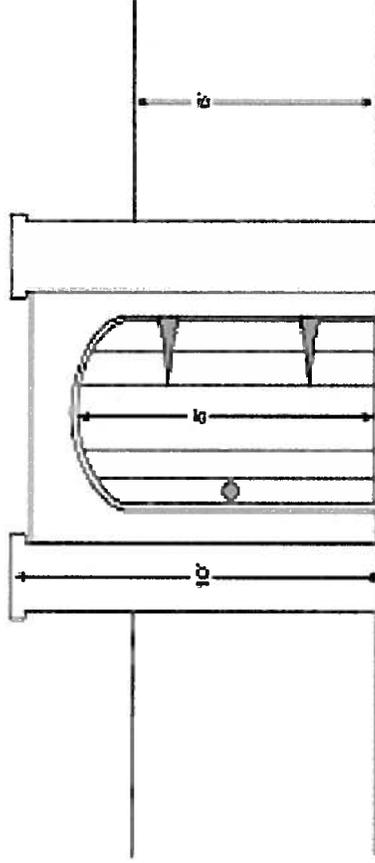
5. DESIGN AND OTHER RELATED REGULATIONS

A. EXEMPTIONS

Fences, walls and hedges on certain properties of the Pinellas County School Board shall be regulated as set forth in an interlocal agreement between the City and the School Board, as may be amended from time to time.

B. ALLOWANCES FOR ADDITIONAL HEIGHT

1. Fences or walls for which a greater height is necessary because of 1) an association with uses that require high fences to protect public safety, such as, but not limited to, driving ranges, utility substations, baseball fields, athletic fields, and swimming pools or 2) a requirement of a state or federal agency, may be allowed subject to a height limit which may be imposed by the POD. Approval of height in excess of that allowed by this Code will be based upon precedent established by previous City approvals, standardized specifications, required security measures, and trajectories for driving ranges and athletic fields. Such fences or walls need not comply with the Design Standards of this section, but shall comply with all landscaping requirements.
2. One (1) additional foot of height is allowed for fence or wall columns which are a maximum of two (2) feet in width and spaced at least six (6) feet apart measured center to center.
3. Two (2) additional feet of height is allowed for a decorative open arched gate which does not exceed 25 feet in width for a vehicular gate or eight (8) feet in width for a pedestrian gate.
4. Four (4) additional feet of height is allowed to accommodate solid arch structures over gates (as shown below) and other passageways for pedestrians and vehicles.



Additional Height for Gates/Arches

5. Two (2) additional feet of height is allowed for decorative lanterns, urns, planters, or sculptural elements above the maximum height allowed for the fence or wall component (e.g. wall, column, or arch) upon which such decorative feature is located.
6. Maximum height may vary by up to six (6) inches to allow for grade changes, clearance under fences for maintenance, footers, other obstacles customary to the use intended to be fenced, and reasonable human error.
7. Up to two sections of fence or wall, not to exceed eight (8) feet in width each, may be allowed two (2) additional feet in height within any side (non-street) or rear yard for lattice, planter boxes, or selective screening of adjoining uses.

	<p>8. Fences, walls, or hedges along the side yard of a residential use which abuts a non-residential use may be six (6) feet in height to within five (5) feet of the front property line.</p> <p>9. Fences or walls for single-family uses which abut Interstate 275 may be eight (8) feet in height.</p> <p>C. DESIGN STANDARDS</p> <p>1. All fences and walls shall comply with the architectural, design, and landscaping requirements of this code.</p> <p>2. All fences and walls shall be installed with the finished side facing towards the exterior or adjoining properties and rights-of-way (excluding alleys). For fences and walls between adjoining properties, this requirement may be waived by the POD upon approval by the adjoining property owners, whose written approval shall be signed or acknowledged before a notary.</p> <p>3. Barbed wire is prohibited at 1) any residential use; 2) any mixed-use having a residential component; 3) any residentially-zoned property (regardless of its developed use); 4) any property zoned DC or CCT-2; and 5) on any property within ten feet of any property zoned or developed with a residential use. Barbed wire shall be oriented toward the interior of the property and included in the overall fence height measurement. Barbed wire is prohibited on any fence within a yard along a major street.</p> <p>4. On properties (excluding industrial, single-family, and duplex uses) visible from any major street, fences and walls shall be decorative or vinyl-coated chain-link (including stands, poles, and rails). Fences which are screened by required landscaping shall be exempt from the decorative or vinyl-coated fencing requirement.</p> <div data-bbox="682 504 1104 1291" data-label="Diagram"> </div> <p>5. All fences except chain-link fences shall have upper and lower rails between posts. A chain-link fence shall have a top rail.</p> <p>6. Fences and walls shall comply with the design requirements established for the zoning district.</p> <p>7. Fences and walls shall be consistent in style and design within any property (e.g. same design in front yard or rear yard), and for yards abutting streets (e.g. same or compatible design and style for both front and street side yards for corner lots). Fences and walls shall be comprised of no more than three materials for panels, posts, rails, columns, and other elements within all yards of any property. Fences and walls in side, rear, and waterfront yards may be comprised of a different material(s) than that used in the front yard.</p>
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8. Fences and walls shall be designed and installed as follows:

- a. Fences shall be designed in accordance with industry standard forms such as: stockade, board-on-board, shadowbox, tongue-and-groove, picket, split rail and chain link. An alternative form may be approved where the POD finds that the proposed form complies with the intent of the provisions of this section and that the form requested is at least the equivalent to the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.
- b. The term *building materials* shall mean industry standard materials normally manufactured for, used and recognized as fencing materials such as: wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, galvanized and vinyl-coated chain link, wood planks or pickets, and vinyl or composite manufactured specifically as fencing materials. An alternative material may be approved where the POD finds that the proposed material complies with the intent of the provisions of this section and that the material requested is at least the equivalent of the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.

9. Fences and walls greater than 100 feet in length shall be articulated by columns or other visual breaks measuring at least two feet in width and spaced no more than 24 feet apart. Landscaping shall be provided in accordance with the landscaping and irrigation section. This design standard shall apply for any portion of a qualifying fence or wall facing a right-of-way (excluding alleys.)

10. The attachment of fabric, shade cloth or other material to a chain link or similar open fence is prohibited except as provided herein. Fabric, shade cloth or other material is not a permitted method for required screening of outdoor storage areas. Fabric, shade cloth or other material may be installed to create a wind barrier for athletic courts or similar situations subject to the following conditions:

- a. Professional installation is required by a licensed contractor;
- b. The proposed material shall be designed to withstand wind resistance with commercial grade seams and attached at grommets designed in a manner consistent with building regulations.

11. Except as otherwise provided in this subsection, it shall be unlawful for any person to construct, maintain, place, install or allow or cause to be constructed, maintained, placed or installed on or about any structure or property any fence, barrier, partition, obstruction or similar structure that is electrically charged or connected with any electrical source in such a manner as to transmit an electrical charge to persons, animals or things which come in contact therewith.

Electrically charged fencing may be used for security purposes in any industrial zoning district or industrial zoned property subject to the following conditions:

- a. Only low-voltage electrical fencing shall be used with a maximum of 12 volts, primary voltage;
- b. Electrically charged fencing shall comply with the height requirements of this section;
- c. Electrically charged fencing shall be completely surrounded by a non-electrical fence or wall. The surrounding non-electrical fence or wall shall be separated from the electrically charged fence by at least three (3) inches;

	<p>d. <u>Electrically charged fencing shall be identified as such with a sign, no larger than one (1) square foot in area, and shall be placed on all sides of the property where the electrically charged fence is located with at least one (1) sign per every sixty (60) linear feet or portion thereof.</u></p> <p>e. <u>Any property with electrically charged fencing shall provide safe access for emergency personnel.</u></p> <p>f. <u>Where any property with electrically charged fencing is abutting a residential use or residentially-zoned property, the electrically charged fence shall be setback a minimum of five (5) feet from any property line abutting the residential use or residentially zoned property.</u></p>
<p>D. STANDARDS FOR MEASUREMENT</p>	<p>1. The height of a fence, wall or hedge shall be measured from 1) the existing natural grade upon which the structure to be measured sits, or 2) the finished grade at the time of subdivision platting. Measurement shall be taken from the abutting property. Where the existing grade of one lot has been modified due to FEMA regulations, measurement shall be made from the mid-point of the existing grade and the FEMA required minimum grade. Where the existing grade of two or more adjacent lots has been modified due to FEMA regulations, measurement shall be made from the new finished grade.</p> <p>2. Except as provided in Section B of this chart, the addition of any material (e.g. screening, flags, lattice, or planters) to a fence or wall which is visible above the fence or wall shall be considered part the fence or wall when measuring overall height.</p>
<p>E. LOCATIONAL CRITERIA</p>	<p>1. Hedge regulations shall only apply to hedges within five (5) feet of a property line of a residential use and within ten (10) feet of a property line for all other uses. This provision shall not include waterfront yards.</p> <p>2. In waterfront yards, a hedge shall not exceed three (3) feet in height within a primary view corridor consisting of the first five (5) feet measured from the waterfront boundary line. The primary view corridor shall additionally include portions of the waterfront yard, on each side of the waterfront yard, located as follows: From a rear corner, measure along the waterfront boundary line for a distance equal to one-half of the depth of the waterfront yard to a point. From that point, extend a straight line to a point where the waterfront setback line intersects the nearer side boundary line, and from that intersection, return to the corner. In the remainder of the waterfront yard there is no limit on the height of hedges.</p> <p>3. Fence and wall heights shall apply in all required yards. Fences and walls shall not exceed the maximum building height within the buildable area.</p> <p>4. In the DC and CCT-2 zoning districts, no fence or wall shall be installed within three (3) feet of any wall on an adjoining property if such wall has one or more windows or doors, and no fence or wall shall impede required emergency egress from a window or door on any property.</p> <p>5. For Through-Lots and other irregular lots, at least one yard shall be considered to be a rear yard for the purpose of allowing fences, walls or hedges. The yard which shall be allowed a rear yard fence, wall, or hedge shall be determined based upon the following order of factors: a) the predominant location of rear yards of other lots in the block, b) the location of the front entry into the house on the subject lot, and c) the relationship of the yard to other yards on abutting properties.</p>

	<p>6. No fence, wall, or hedge shall be installed so as to obstruct passage through a vehicular use area (parking lot, driveway, loading zone, etc.), sidewalk, or right-of-way located on the same property or an adjoining property and existing at the time the fence, wall or hedge is installed; provided, that this provision shall not be deemed to create an obligation on the part of a property owner to give an adjoining property owner a right of ingress-egress where none exists by express agreement or through historic usage or where such obligation has not been imposed by the City as a condition of approval of a development order.</p> <p>7. Fences and walls over four (4) feet in height which are adjacent to a sidewalk shall be setback a minimum of two (2) feet from the edge of the sidewalk, except for fences and walls within DC and CCT-2 zones.</p> <p>8. Fences, walls, and hedges shall comply with visibility at intersection and sight triangle requirements.</p> <p>9. No fence or wall shall be situated along any alley so as to obstruct the use of the alley by the public or to obstruct access to accessory structures (e.g. garages) situated adjacent to alleys.</p> <p>10. No fence or wall shall be allowed on or permitted to overhang a right-of-way.</p> <p>11. Hedges are allowed in the right-of-way so long as no portion of the hedge is within four feet of the curb, or edge of pavement if there is no curb, within one foot of the sidewalk, or higher than four feet, and the hedge complies with the Visibility at Intersections Section.</p>
<p>F. PERMITTED AND MAINTENANCE REQUIREMENTS</p>	<p>1. All walls and fences shall be maintained in a sturdy upright position, in good condition, free from mildew or rot that has substantially penetrated the depth of the fence, free from any broken parts, slats or boards, and with no parts, slats or boards missing.</p> <p>2. The owner of a property where a fence, wall or hedge is located is responsible for maintenance of both sides. Nothing in this section shall be construed to grant any right of entry to an adjoining property which is under separate ownership for the purpose of maintaining a fence, wall or hedge. Nothing in this section shall be construed as creating an obligation to maintain a fence, wall or hedge if access to an adjoining property is necessary for maintenance work and the owner of the adjoining property fails or refuses to grant a right of entry to the owner of the fence for such work at reasonable times despite a request for such right of entry.</p>
<p>G. REQUIRED LANDSCAPING</p>	<p>Where "landscaping" is required by this section, such landscaping shall be in accordance with the Landscaping and Irrigation Section.</p>
<p>H. GRANDFATHERED STATUS</p>	<p>All existing fences and walls which do not comply with the regulations of this section, whether lawful when erected or otherwise, shall be brought into compliance at such time as more than 50 percent of the surface area of the fence or wall within any one yard is replaced.</p> <p>All existing hedges which do not comply with the regulations of this section shall not be deemed grandfathered, but shall be brought into compliance not later than September 30, 2007.</p>

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

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

I. **Initiating Department:** Planning & Economic Development

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

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2012-01).

III. **Impact Analysis:**

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

No (No further explanation required.)

Yes Explanation:

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

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

No (No further explanation required)

Yes Explanation:

IV: Certification

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

CHECK ONE:

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

Deuk A. Kilborn for Dave Goodman
Department Director (signature)

03.29.2014
Date

OR

DEREK S. KILBORN
MANAGER, URBAN PLANNING/HIST. PRES.

- 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

MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of May 1, 2014

TO: The Honorable Bill Dudley, Chair, and Members of City Council

FROM: Joe Zeoli, ^{cds}Interim Director, Downtown Enterprise Facilities Department

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA"), including but not limited to the Aviation Assurances ("Grant Assurances") which are attached to the JPA, to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") Grant in an amount not to exceed \$300,000 for the Airport Maintenance and Rehab Project which inter alia require that the City will make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not exceed \$300,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a transfer of \$10,000 from the Airport Operating Fund (4031) to the Airport Capital Improvement Fund (4033); approving a transfer of \$50,000 within the City Facilities Capital Improvements Fund (3031) from the Infrastructure - TBD (Project #14148) project to the Airport- Maintenance and Rehab Project (Project #TBD); and approving supplemental appropriations from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues in the amount of \$325,000 to the Airport – Maintenance and Rehab Project (Project #TBD); providing an effective date; and providing for expiration.

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

Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use

of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:

All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida

The Florida Department of Transportation ("FDOT") has identified residual aviation grant funds available within the State's 2014 fiscal year. The City was recently contacted by the FDOT if it was interested in accepting any additional funding for eligible projects on the airport. As a condition of accepting the funds, the City must provide a twenty (20%) percent match and the grant must be executed by June 1, 2014.

The City has identified specific maintenance and rehabilitation needs on the airport that could utilize the additional FDOT funds ("Airport - Maintenance and Rehab Project"). Specific projects include continuing rehabilitation of Hangar #1, re-painting of Runway 18/36 and repainting of the exterior, under-roof of the Galbraith Terminal.

The FDOT grant provides up to \$300,000 or eighty (80%) percent of the cost of the project(s). The City's twenty (20%) percent match requirement is \$75,000. The sources of the City's match will come from available funds through multiple sources including \$15,000 from the Airport Capital Fund (4033), \$10,000 from the Airport's Operating Fund (4031) and \$50,000 from the City Facilities Capital Improvements Fund (3031).

Acceptance of any grants requires the City to meet certain grant assurances, including that the City will make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of the JPA

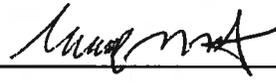
This is a first Reading of the Ordinance.

RECOMMENDATION: The Administration recommends adoption of the Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA"), including but not limited to the Aviation Assurances ("Grant Assurances") which are attached to the JPA, to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") Grant in an amount not to exceed \$300,000 for the Airport Maintenance and Rehab Project which inter alia require that the City will make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not exceed \$300,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a transfer of \$10,000 from the Airport Operating Fund (4031) to the Airport Capital Improvement Fund (4033); approving a transfer of \$50,000 within the City Facilities Capital Improvements Fund (3031) from the Infrastructure - TBD (Project #14148) project to the Airport- Maintenance and Rehab Project

(Project #TBD); and approving supplemental appropriations from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues in the amount of \$325,000 to the Airport – Maintenance and Rehab Project (Project #TBD); providing an effective date; and providing for expiration.

Cost/Funding/Assessment Information: The City receives grant funding in the total amount of \$300,000 to fund eighty (80%) percent of the total project costs. The City's match requirement is \$75,000 or twenty (20%) percent. The match will come through a combination of available City funds including \$10,000 from the Airport Operating Fund (4031), \$15,000 from the Airport Capital Fund (4033) and \$50,000 from Project #14148 of the City Facilities Capital Improvements Fund (3031).

Approvals:

Legal:  Administration: 

Budget: 

Legal: 00193633.doc v. 2

Ordinance No. _____

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Joint Participation Agreement ("JPA"), including but not limited to the Aviation Assurances ("Grant Assurances") which are attached to the JPA, to be executed by the City, as a requirement for receipt of the Florida Department of Transportation ("FDOT") Grant in an amount not to exceed \$300,000 for the Airport Maintenance and Rehab Project which inter alia require that the City will make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of the JPA; authorizing the Mayor or his designee to accept the Grant in an amount not exceed \$300,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a transfer of \$10,000 from the Airport Operating Fund (4031) to the Airport Capital Improvement Fund (4033); approving a transfer of \$50,000 within the City Facilities Capital Improvements Fund (3031) from the Infrastructure - TBD (Project #14148) project to the Airport-Maintenance and Rehab Project (Project #TBD); and approving supplemental appropriations from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues in the amount of \$325,000 to the Airport – Maintenance and Rehab Project (Project #TBD); providing an effective date; and providing for expiration.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

Section Two. The Florida Department of Transportation ("FDOT") has offered the City a grant in the amount of \$300,000 ("Grant"). The Grant is to be used for the Airport – Maintenance and Rehab Project. The grant will provide an eighty percent (80%) match toward the total cost of the project.

Section Three. The restrictions contained in assurances ("Grant Assurances") which are set forth in the grant documents to be executed by the City, as a requirement for receipt of FDOT grants in an amount not to exceed \$300,000, for projects described in Section Two of this ordinance, that require that the City will make

Albert Whitted Airport available as an airport for public use on fair and reasonable terms, maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the date of the JPA are authorized.

Section Four. The Mayor or his designee is authorized to accept grants from the FDOT in an amount not to exceed \$300,000.

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

Section Six. There is hereby approved a transfer of \$10,000 from the Airport Operating Fund (4031) to the Airport Capital Improvement Fund (4033) to provide a portion of the City's match requirement.

Section Seven. There is hereby approved approving a transfer of \$50,000 within the City Facilities Capital Improvements Fund (3031) from the Infrastructure - TBD (Project #14148) project to the Airport Maintenance and Rehab Project to provide a portion of the City's match requirement.

Section Eight. There is hereby approved from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues, the following supplemental appropriations for the Fiscal Year 2014:

Airport - Maintenance and Rehab Project (Project #TBD)	\$325,000
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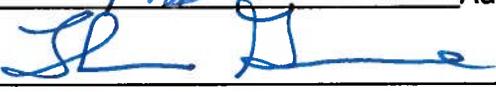
Section Nine. Severability. The provisions of this ordinance shall be deemed to be severable. If any portion of this ordinance is deemed unconstitutional, it shall not affect the constitutionality of any other portion of this ordinance.

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

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

Approvals:

Legal:  Administration: 

Budget: 

Legal: 00193631.doc v. 2

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: April 15, 2014

COUNCIL DATE: May 1, 2014

RE: *Referral to Youth Services Committee – Juvenile Civil Citation Program*

ACTION DESIRED:

Respectfully requesting to refer to the Youth Services Committee a discussion regarding the implementation of a St. Petersburg Civil Citation Program for juveniles.

Wengay Newton, Council Member
District 7

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **April 15, 2014**

COUNCIL DATE: **May 1, 2014**

RE: ***Red Light Camera Refund Workshop***

ACTION DESIRED:

Respectfully requesting City Council, Mayor and City Administration to schedule a workshop to discuss refunds of any and all Red Light Camera citations issued to law abiding citizens where equipment malfunction or short yellow light timing was the cause.

Wengay Newton, Council Member
District 7

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **April 15, 2014**

COUNCIL DATE: **May 1, 2014**

RE: ***Capital Improvement Projects Quarterly Updates***

ACTION DESIRED:

Respectfully requesting Mayor and City Administration to provide **quarterly updates for any and all Capital Improvement Projects**; project budget, percentage of completions and any available project balances.

RATIONAL:

This information is provided to Council only during Budget Clean-up.

Wengay Newton, Council Member
District 7

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **April 15, 2014**

COUNCIL DATE: **May 1, 2014**

RE: ***Red Light Camera Termination Plan***

ACTION DESIRED:

Respectfully requesting Mayor and City Administration to provide a fully detailed plan as to how the Red Light Camera Program will be terminated; time lines of monthly revenue, pending appeal proceedings and when the Red Light Cameras will be turned off.

RATIONAL:

City Council voted 6 to 2 to terminate the contract with American Traffic Solutions (ATS) by September 30, 2014 or when revenue reaches zero dollars. City Attorney John Wolfe stated that the City would need time to wind down the Red Light Camera Program.

Wengay Newton, Council Member
District 7

COUNCIL AGENDA

NEW BUSINESS ITEM

TO: The Mayor and Members of City Council

DATE: April 16, 2014

**COUNCIL
DATE:** May 1, 2014

RE: Median Sponsorship Program

ACTION DESIRED:

Respectfully requesting City Council approval for the creation and implementation of Median Sponsorship Program.

Bill Dudley, Chair
City Council

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: April 18, 2014

COUNCIL DATE: May 1, 2014

RE: *Referral to the Budget, Finance and Taxation Committee*

ACTION DESIRED:

Respectfully requesting a referral to the Budget, Finance and Taxation Committee to consider earmarking funds from the Eastern Weeki Wachee reserve as a sustainable source of Arts funding.

Charlie Gerdes
Council Member

ST. PETERSBURG CITY COUNCIL BUDGET, FINANCE & TAXATION COMMITTEE

Committee Report for April 24, 2014

Members & Alternate: Budget, Finance & Taxation Committee: Chair James R. “Jim” Kennedy, Jr.; Vice-Chair Charles Gerdes; Karl Nurse; Amy Foster and William Dudley (alternate).

Support Staff: Angela Ramirez, Budget Analyst II, Budget Department
Linda Livingston, Accountant III, Finance Department

Call to Order

Approval of Agenda-Approved

Approval of Minutes- March 13, 2014 & March 27, 2014- Approved

1. New / Deferred Business

Procurement Code (Louis Moore)

Louise Moore, Director of Procurement and Supply Management, presented a memorandum for an ordinance deleting and replacing Article V, Division 3 of Chapter 2, Procurement Code (sections 2-237 through 2-260) with a new St Petersburg Procurement Code as well as amending Section 2.426 (3) to be consistent with the emergency procurement procedures. The ordinance also creates division 6 to Article V, Grant Opportunities through Grant Writers to provide a purpose and process to evaluate certain grant opportunities. The new procurement code presented will be updated to fit the electronic age, provide for the changing nature of the supplies and services the city currently procures, and offers the best practices for how construction and technology oriented procurements are to be handled. Communication with supplies and prospective suppliers were also updated. Councilmember Kornell requested that at a later time the values and vision of the city be incorporated into the purpose of the ordinance. Additionally, a copy of these policies and procedures are to be available to City Council upon request as well as a requirement to inform City Council when any changes are made. Councilmember Gerdes additionally requested that language was to be added to the design, construction and delivery section to allow for the city to add or own as part of the bidding process. Section 255 C-5 was to be deleted and section 2-293 will add additional information regarding the impact to the community. Section 291 would also be amended to allow for the language “may provide compensation to grant writer”. Councilmember Nurse requested that the quarterly grant report also include all grants that came to the city from outside entities that were rejected by city staff and administration. Councilmember Nurse moved that Ordinance be approved as currently submitted with additional pending changes included. Motion passed.

Port Business Plan Update (Metz/Miller)

Dave Metz, Interim City Development Administrator, provided the presentation on the discussion of future development opportunities for the City's Port facilities. It was confirmed that short-term plan be the commitment to home port a National Oceanic and Atmosphere Administration (“NOAA”) vessel at the Port of St. Petersburg. These proposed arrangements would include no charges for three years dockage, storage and office space. The recommendation was to continue to operate the Port as a City facility, pursuing an emphasis on marine research, education and technology as a development strategy. Additional long-term goals were discussed and it was recommended to maintain city control. Staff also discussed the short-term use of the cruise terminal building for Port Discovery, pending negotiations. Councilmember Nurse set motion to move forward with these series of recommendation. Committee voted. Motion passed.

3. Continued Business / Deferred Business – None

4. Upcoming Meetings Agenda Tentative Issues

1. May 8, 2014

- a. 2nd Quarter Financial and Budget Report (Fritz/Greene)

2. May 22, 2014

- a. Weeki Wachee Rehabilitation for Twin Brooks Golf Course (McBee/Hollis)
- b. Discussion for us on Tourist Development Tax (Metz)
- c. 2nd Quarter Grants Report (Greene/Ojah Maharaj)

5. Adjournment – Meeting adjourned at 10:15

MEMORANDUM

TO: The Honorable William H. Dudley, Chair and Members of City Council
FROM: Louis Moore, Director, Procurement & Supply Management
DATE: April 25, 2014
RE: Current Draft of New Procurement Code Ordinance

Attached is the current draft of a proposed ordinance that (i) deletes the existing procurement code and replaces it with a new procurement code; (ii) amends sec 2-426 (3) for consistency with the emergency procurement set forth in the new procurement code; and (iii) creates a new Division 6 to Article V, Chapter 2, grant opportunities through grant writers. The attached draft addresses comments made and changes requested at the April 24, 2014 BF&T Council Committee meeting.

A summary of the changes are as follows:

1. Subsection (c) was added to Sec. 2-241. This subsection requires the POD to notify City Council of changes to administrative policies.
2. Language was added to subsection (d) and (e) of Sec. 2-251 to make it clear that such construction delivery methods apply to either City owned or City leased property.
3. After a further review, Administration and Legal determined that it is advisable to modify subsection (c) to Sec. 2-256 rather than delete such subsection due to the fact that purchase of vehicles utilizing the Florida Sheriff's Association or the Florida Association of Counties negotiated purchase program may not fall within the general provisions of Sec. 2-256(b). 00193731 current draft of new procurement code ordinance
4. "Impact to the community" was added to Sec. 2-291(a)(1).
5. In Sec. 2-291(a)(5), (iii) was added to provide that an agreement with a grant writer may provide for compensation to the grant writer.

Finally, City Code Sec 2-426, Emergency powers of Mayor or administrator successor, is attached for your information.

Please feel free to contact me or Macall Dyer if you have any questions or if you wish to further discuss this matter.

Attachments (2)

AN ORDINANCE OF THE CITY OF ST. PETERSBURG DELETING THE EXISTING ARTICLE V, DIVISION 3 OF CHAPTER 2; CREATING A NEW ARTICLE V, DIVISION 3 OF CHAPTER 2, PROCUREMENT CODE; PROVIDING A PURPOSE, INTENT AND DEFINITIONS; SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE PROCUREMENT DEPARTMENT; ESTABLISHING APPROVAL AUTHORITY; CREATING SOURCE SELECTION PROCESSES; IDENTIFYING CONSTRUCTION DELIVERY METHODS; REQUIRING CERTAIN SECURITY FOR THE PROCUREMENT OF SUPPLIES, SERVICES AND CONSTRUCTION; PROVIDING OTHER NECESSARY PROVISIONS TO MAXIMIZE THE COST EFFECTIVE USE OF PUBLIC FUNDS IN THE PROCUREMENT OF SUPPLIES, SERVICES AND CONSTRUCTION AND TO PROVIDE SAFEGUARDS TO ENSURE QUALITY, INTEGRITY AND COMPLIANCE WITH APPLICABLE LAWS; AMENDING SECTION 2-426 (3) TO BE CONSISTENT WITH THE EMERGENCY PROCUREMENT PROCEDURES; CREATING DIVISION 6 TO ARTICLE V, GRANT OPPORTUNITIES THROUGH GRANT WRITERS; PROVIDING A PURPOSE AND PROCESS TO EVALUATE CERTAIN GRANT OPPORTUNITIES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section One. The existing Article V, Division 3 of Chapter 2 of the St. Petersburg City Code is deleted and replaced with a new Article V, Division 3, Sections 2-237 through 2-260 to read as follows:

DIVISION 3. PROCUREMENT CODE

Sec. 2-237. Purpose.

The purpose of this division is to provide for the fair and equitable treatment of all persons and entities involved in the public procurement by the City of supplies, services and construction; to maximize the cost effective use of public funds in procuring supplies, services and construction; to provide safeguards for maintaining a procurement system of quality and integrity; and to ensure procurements are conducted in an open and competitive manner.

Sec. 2-238. Applicability.

This division shall apply to the procurement of supplies, services and construction; the contracts for supplies, services and construction; the disposal of surplus supplies; and to the expenditure of public funds for such purposes, irrespective of the source of those funds. When the procurement involves the expenditure of state or federal assistance, the procurement shall be conducted in accordance with applicable state and federal laws and regulations.

Sec. 2-239. Exemptions.

The provisions of this division shall not apply to the purchase of the following, provided, however, that the procurement of such exempt supplies, services or construction set forth below remains subject to the approval authority authorized by this division and all other applicable laws:

- (a) Groceries, foodstuffs and alcoholic beverages;
- (b) Merchandise for resale in City-operated concessions and retail shops;
- (c) Leasing of concessions within City buildings;
- (d) Professional services;
- (e) Lectures by individuals;
- (f) Legal services, including attorney, paralegal, expert witness, appraisal, and mediator services;
- (g) Police canines;
- (h) Artistic services or works of art;
- (i) Goods and services used to acquire, demolish, construct, rehab, market or maintain properties identified in the neighborhood housing strategy;
- (j) Sponsorship agreements;
- (k) Grant writers, provided that grant writers are subject to the requirements set forth in this chapter (currently Article V, Division 6, City Code);
- (l) Property insurance, provided that the purchase of property insurance must be approved by City Council;
- (m) Financial instruments, including professional services required for the issuance of City debt, debt service, and City investments related thereto, including the selection of investment bankers for the City's underwriting pool and the selection of the City's financial advisor;
- (n) Dues and memberships in trade or professional organizations, registration fees for trade or career fairs, fees and costs for job-related seminars and training;
- (o) Subscriptions, periodicals, newspapers, books and library materials, electronic information, media, maps, pamphlets and similar publications in printed or electronic form, including any advertisements in such materials;
- (p) Water, sewer, telecommunications, electrical, or other utility services subject to government rate control;
- (q) Services related to programs offered through the Parks and Recreation Department (e.g., golf instructors, fee instructors, tutors, and referees);
- (r) Purchase of used equipment;
- (s) Naming rights agreements, provided any naming rights agreement must be approved by City Council;
- (t) Supplies and services with respect to the construction for adapting, renovating or rehabbing for a professional sports tenant (major or minor league) and/or the use, management or operation of facilities currently known as Tropicana Field and Al Lang Field;
- (u) Supplies and services with respect to the operation of the Mahaffey Theater;
- (v) Supplies and services with respect to the construction of tenant improvements and/or the use, management or operation of any municipal pier; and

(w) Computer hardware and software that meets the following criteria:

- (1) The total cost of the purchase does not exceed \$250,000;
- (2) The hardware or software must integrate with existing City hardware or software;
- (3) The hardware or software must have been successfully pilot tested by the Chief Information Officer (CIO) and the methodology and results of the testing must be documented;
- (4) The hardware or software must be a cost-effective solution for the City as determined by the CIO; and
- (5) The hardware or software has been approved by the CIO.

Sec. 2-240. Definitions and Abbreviations.

As used in this division the following terms shall have the meaning ascribed to them, unless the context clearly indicates otherwise:

Best Interest of the City means a judgmental assessment of what will result in a maximum benefit being conferred upon the City.

Construction means the process of (i) building, altering, repairing, improving, or demolishing any public structure, building, or roadway, or (ii) making other improvements to any public real property. Construction does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.

Electronic means electrical, digital, magnetic, optical, electromagnetic, or any other similar technology.

Invitation for Bids means all documents, whether attached or incorporated by reference, utilized for soliciting sealed bids.

Procurement means the buying, purchasing, renting, leasing, or otherwise acquiring of any supplies, services, or construction. Procurement includes all functions that pertain to obtaining any supply, service, or construction, including description of requirements, selection, and solicitation of sources, preparation and award of contract, and all phases of contract administration.

Professional Services means brokerage and financial investing, accounting, auditing, claim review, health services and medical exams, and those professional services defined in F.S. § 287.055 (which include architect, engineering, landscape architecture, and registered surveying).

Request for Proposals or RFP means all documents, whether attached or incorporated by reference, utilized for soliciting proposals.

Responsible Bidder means a person or entity that demonstrates the capability in all respects to fully perform the contract requirements, and the experience, reliability, facilities, equipment, and credit necessary for good faith performance.

Responsive Bidder means a person or entity that has submitted a bid which conforms in all material respects to the requirements set forth in the invitation for bids.

Services means the furnishing of labor, time, or effort by a person or entity, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance. Services does not include employment agreements or collective bargaining agreements.

Specification means any description of the physical or functional characteristics or of the nature of a supply, service, or construction. Specification includes a description of any requirement for inspecting, testing, or preparing a supply, service, or construction for delivery.

Surplus Supplies means any supplies other than expendable supplies no longer having any use to the City. Surplus supplies include obsolete supplies, scrap materials, and nonexpendable supplies that have completed their useful life cycle.

Supplies means all property, including but not limited to equipment, materials, and leases of personal property. Supplies does not include land or a permanent interest in land.

Sec. 2-241. Procurement Department; Duties and Responsibilities.

- (a) The POD shall perform the City's procurement functions and carry out the provisions of this division.
- (b) Consistent with this division, and subject to the approval of the Mayor, the POD shall have the responsibility to prepare administrative policies and operating procedures necessary to govern the procurement, management, control and disposal of all supplies, services and construction to be procured by the City. Such administrative policies and operating procedures shall be in writing and at a minimum, include the following: small purchase procedures; disposal of surplus supplies; sole source procedures; cost principals; tie bids; a list defining minor irregularities and examples thereof; specifications; protest and dispute procedures; contract management; debarment and suspension; Request for Qualifications process; and Request for Information process.

- (c) The POD shall notify City Council of changes to administrative policies, provided, however, that the failure of the POD to notify City Council of changes to administrative policies shall not invalidate any procurement of supplies, services and construction pursuant to this division.

Sec. 2-242. Approval Authority.

Except as otherwise provided by this division, the Mayor shall have the authority to purchase and approve contracts for supplies, services and construction for \$100,000 or less. Purchases and contracts for supplies, services and construction for more than \$100,000 shall require City Council approval.

Sec. 2-243. Specifications.

All specifications issued by the City shall provide for free and open competition and shall not be unduly restrictive. The POD shall promulgate procedures authorized by this division for the standardization, preparation and use of specifications for supplies, services and construction required by the City.

Sec. 2-244. Competitive Sealed Bidding.

- (a) *Condition for use.* Contracts for more than \$100,000 shall be awarded by competitive sealed bidding, except as otherwise provided in this division.
- (b) *Invitation for Bids.* An invitation for bids shall be issued and shall include a purchase description and all contractual terms and conditions applicable to the procurement.
- (c) *Public Notice.* Public notice shall be given for any invitation for bids issued by the City.
- (d) *Bid Opening.* Bids shall be opened publicly at the time, date and place designated in the invitation for bids. The amount of each bid and such other relevant information as the POD deems appropriate, together with the name of each bidder, shall be recorded.
- (e) *Bid Acceptance and Bid Evaluation.* Bids shall be unconditionally accepted without alteration or correction, except as authorized in this section. Bids shall be evaluated based on the requirements and evaluation criteria set forth in the invitation for bids. Requirements and evaluation criteria may include criteria to determine acceptability, such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose.
- (f) *Correction or Withdrawal of Bids, Cancellation of Awards.* Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards based on such bid mistakes, shall be permitted if authorized by this division. After bid opening, no

change in bid prices or other provisions of bids shall be permitted if the POD determines such change would be prejudicial to the best interest of the City or fair competition.

- (g) *Waiver of Irregularities.* In the evaluation of any invitation for bids, the POD may waive minor irregularities authorized by this division.
- (h) *Award.* A contract shall be awarded by appropriate written notice, as specified in the invitation for bids, to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids. If the purchase of supplies, services or construction pursuant to this section requires City Council approval, the POD shall make a report and timely transmit the report and bids to City Council with a recommendation concerning acceptance or rejection thereof, and the City Council shall thereupon approve or disapprove the recommendation of the POD.
- (i) *No Bids Received.* In the event that bids for any supplies, services or construction are solicited and no bids are received at the time and place established by the invitation for bids, City Council shall have the authority to authorize the POD to negotiate directly with potential bidders and enter into a contract for the provision of such supplies, services or construction within prescribed dollar limits as approved by City Council.
- (j) *Cancellation or Rejection of Bids.* An invitation for bids may be cancelled, or any or all bids may be rejected in whole or in part if specified in an invitation for bids, when it is determined by the POD to be in the best interest of the City.
- (k) *Multi-Step Bidding.* When it is considered impractical to initially prepare a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been determined to be technically acceptable under the criteria set forth in the first solicitation.

Sec. 2-245. Electronic Reverse Auction.

- (a) *Determination of Use.* The POD may procure certain supplies, services or construction through a competitive electronic reverse auction bidding process after the POD makes a determination that the use of such process is in the best interest of the City.
- (b) *Invitation for bids.* An invitation for bids by electronic reverse auction shall include a purchase description and all terms and conditions applicable to the procurement.
- (c) *Public Notice.* Public notice shall be given for any invitation for bids by reverse auction issued by the City.
- (d) *Reverse Auction Bidding and Bid Acceptance.* During an invitation for bids by electronic reverse auction, price and ranking shall be known to all bidders, which bidders shall not

be identified by name. Bidders shall have the opportunity to reduce their bid prices during the auction. Bids received by electronic reverse auction shall be accepted electronically at the time, date and in the manner designated in an invitation for bids by electronic reverse auction. At the conclusion of the electronic reverse auction, the record of bid prices received and the name of each bidder shall be posted as specified in the invitation for bids by electronic reverse auction.

- (e) *Award.* A contract shall be awarded by written notice, as specified in the invitation for bids by electronic reverse auction, to the lowest responsible bidder.
- (f) *Cancellation or Rejection of Electronic Bids.* An invitation for bids by electronic reverse auction may be cancelled, or any or all bids may be rejected, when it is determined by the POD to be in the best interest of the City.

Sec. 2-246. Competitive Sealed Proposals/Competitive Negotiations.

- (a) *Condition for use.* A contract for more than \$100,000 may be entered into by use of the competitive sealed proposals/competitive negotiations method when: (i) the POD determines that the complex nature or technical details of a particular procurement make the use of competitive sealed bidding either not practicable or not advantageous to the City; (ii) specifications cannot be fairly or objectively prepared so as to permit competition in a competitive sealed bidding process; (iii) advanced technology or electronic equipment is available from a limited number of sources; or (iv) specifications cannot practicably be prepared except by reference to specifications of the equipment of a single source of supply.
- (b) *Request for Proposals.* A RFP shall be issued and shall include a scope of work or services, proposal requirements and other terms and conditions applicable to the procurement.
- (c) *Public Notice.* Public notice shall be given for any RFP issued by the City.
- (d) *Receipt of Proposals.* Proposals shall be opened publicly at the time, date and place designated in the RFP. After all proposals are opened, a list of each offeror who submitted a proposal shall be prepared.
- (e) *Evaluation Criteria.* A RFP may state the relative importance of price and shall include evaluation criteria. No factors or criteria other than those set forth in the RFP shall be used in the evaluation of the proposals.
- (f) *Selection of Offerors.* Where there are multiple responsive proposals to a RFP, a short-listing of two or more offerors may be made. Negotiations as outlined in this section shall

begin with the selected offerors. If there is only one responsive proposal, negotiations may proceed with a single offeror.

- (g) *Negotiations with Selected Offerors.* As provided in this section, negotiations may be conducted with selected offerors. The negotiations shall be for the purpose of clarifying and understanding proposals and for responses to post-proposal opening and modifications to the RFP specifications which are in the best interest of the City and which do not significantly change the scope or purpose of the project for which the RFP was issued (collectively, "negotiation subjects"). It shall not be considered to be a significant change in scope if the original project scope is reduced to fit within the funds budgeted by the City for the project. However, this subsection shall not be construed to require the City to make such a reduction. During this negotiation process, selected offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals related to negotiation subjects for the purpose of preparing their best and final offer which may be requested and received by the City prior to the conclusion of the negotiation process. Amendments, deletions and additions to the selected offeror's original proposal shall be related to the negotiation subjects only.
- (h) *Waiver of Irregularities.* In the evaluation of a RFP, the POD may waive minor irregularities authorized by this division.
- (i) *Award.* Award shall be made to the selected offeror whose proposal, as reflected in its best and final offer or as reflected in its original proposal (as clarified through the foregoing negotiation process), if no best and final proposal is requested by the City, is determined in writing to be the most advantageous to the City, taking into consideration price and the evaluation criteria set forth in a RFP. If the purchase of supplies, services or construction pursuant to this section requires City Council approval, the POD shall make a report and timely transmit the report and offers to City Council with a recommendation concerning acceptance or rejection thereof, and the City Council shall approve or disapprove the recommendation of the POD.
- (j) *Debriefings.* The POD is authorized to provide debriefings to all offerors who submitted a proposal in response to a RFP.
- (k) *No Proposals Received.* In the event that a RFP for any supplies, services or construction are solicited and no proposals are received on the date, time and place established by a RFP, the City Council shall have the authority to authorize the POD to negotiate directly with potential offerors and enter into a contract for the provision of such supplies, services or construction within prescribed dollar limits as approved by City Council.
- (l) *Cancellation or Rejection of Proposals.* A RFP may be cancelled, or any or all proposals may be rejected when it is determined by the POD to be in the best interest of the City.

Sec. 2-247. Request for Qualifications or Request for Information.

The POD is authorized to solicit qualifications or information in accordance with the administrative policies and operating procedures authorized by this division.

Sec. 2-248. Small Purchases.

Any procurement for \$100,000 or less may be made in accordance with small purchase procedures authorized in this division. A purchase shall not be artificially divided so as to constitute a small purchase under this section.

Sec. 2-249. Sole Source Procurement.

- (a) *Condition for Use.* Sole source procurement may be used to purchase supplies, services or construction when such supply, service or construction is available from only one source and must be made in accordance with the sole source procedures authorized by this division. A requirement for a particular proprietary item does not justify sole source procurement if there is more than one potential bidder or offeror for that item. Examples when a sole source procurement may be used shall include but not be limited to the following:
- (1) Where the compatibility of equipment, accessories, or replacement parts is the paramount consideration;
 - (2) Where a sole supplier's item is needed for trial use or testing;
 - (3) Where public utility services are to be procured;
 - (4) Where the item is a used item which is subject to immediate sale;
 - (5) Where additional supplies or services are needed to complete an ongoing task; or
 - (6) Where the item is a component or replacement part for which there is no commercially available substitute and which can be purchased only from the manufacturer or distributor.
- (b) *Determination.* The determination as to whether the procurement shall be made as a sole source shall be made in writing by the POD.
- (c) *Negotiations.* The POD shall conduct negotiations with the sole source supplier, as appropriate, as to price, delivery, and the term and conditions of the award.
- (d) *Approvals.* If the purchase of supplies, services or construction pursuant to this section requires City Council approval, the POD shall make a report and timely transmit the report and the offer to City Council with a recommendation concerning acceptance or rejection thereof, and the City Council shall approve or disapprove the recommendation of the POD.

Sec. 2-250. Emergency Procurement.

- (a) In emergency situations, the Mayor shall have the authority to waive the requirements and procedures set forth in this division, negotiate and execute contracts or otherwise effect purchases for supplies, services and construction in excess of the amounts otherwise provided in this division. For purposes of this section, the term "emergency situations" shall mean:
- (1) A disruption of essential operations or conditions adversely affecting the safety, health or security of persons or property, where it is considered unfeasible to remedy such disruption or conditions through the use of normal competitive bidding procedures; or
 - (2) An instance where the Mayor determines that an emergency exists in regard to the purchase of any commodity or letting of any contract, so that the delay to giving opportunity for competitive bidding would be detrimental to the best interest of the City; or
 - (3) A state of emergency has been declared by the governor or president for an area which includes the City.
- (b) In all instances where the Mayor invokes the authority of this section, the Mayor shall formally advise City Council of such action during the next regularly scheduled session of City Council.

Sec. 2-251. Construction Delivery Methods and Source Selection.

Unless otherwise required by this division or applicable laws, the POD is authorized to use a construction delivery method set forth in this section. In determining which construction delivery method to use, consideration shall be given to the City's requirements and resources.

- (a) *Design-Bid-Build.* The design documents shall be prepared by a person or entity providing professional services pursuant to F.S. § 287.055. The POD shall award a construction contract by the competitive sealed bidding process set forth in this division. In the event the lowest responsive and responsible bid for a construction project exceeds available funds or the design professional's estimate, the POD is authorized, when time or economic considerations preclude resolicitation of work of a reduced scope, to negotiate an adjustment of the bid price with the lowest responsive and responsible bidder in order to bring the bid within the amount of available funds. Any such adjustments shall be based only upon eliminating independent deductive items specified in the invitation for bids.
- (b) *Construction Management At-Risk.* The POD shall award a contract for construction management at-risk by using one of the following processes:

- (1) The process permitted by F.S. § 255.103; or
 - (2) The competitive sealed proposals/competitive negotiations process set forth in this division.
- (c) *Design-Build*. The POD shall award a design-build contract by using one of the following processes:
- (1) The process permitted by F.S. § 287.055; or
 - (2) The process permitted by F.S. § 255.20; or
 - (3) The competitive sealed proposals/competitive negotiations process set forth in this division; or
 - (4) The Florida Department of Transportation's Low Bid Design-Build (LBDB) process; or
 - (5) Any other process permitted by administrative policies that is substantially similar to subsection (c)(4) above and compliant with applicable laws.
- (d) *Design-build-operate-maintain*. The POD shall award a design-build-operate-maintain contract (for either City owned or City leased property) by use of a competitive sealed proposals/competitive negotiations process set forth in this division.
- (e) *Design-build-finance-operate-maintain*. The POD shall award a design-build-finance-operate-maintain contract (for either City owned or City leased property) by use of a competitive sealed proposals/competitive negotiations process set forth in this division.

Sec. 2-252. Types of Contracts; Term.

Any type of contract which shall promote the best interest of the City may be used for the procurement of supplies, services or construction, provided all required approvals for use of such contract are obtained. The term of any contract shall be for a period of time that is determined by the POD to be in the best interest of the City, provided that the initial term of a contract and renewal options are set forth in the solicitation documents, and further, provided that the term complies with the City Charter and all applicable laws.

Sec. 2-253. Bid Security.

The POD may require bid security for the procurement of supplies, services or construction if the POD determines that requiring such security is in the best interest of the City. Bid security shall be in the form and amount specified in the invitation for bids.

Sec. 2-254. Contract Security.

- (a) *Public Construction Contracts*. Except as otherwise provided in this section, all public construction contracts awarded by the City shall require the contractor to obtain a public construction bond conforming with the minimum requirements set forth in F.S. § 255.05 in a form acceptable to the City Attorney.

- (b) *Waiver of Public Construction Bond.* Unless prohibited by any applicable laws, for public construction contracts less than \$100,000, the POD may waive the requirement that the contractor shall obtain a public construction bond if the POD determines that such waiver is justified based on the size and complexity of the project, and that such waiver is in the best interest of the City.
- (c) *Other Contracts.* The POD may require a performance and payment bond from a successful bidder or selected offeror as security to the City for faithful performance of a contract and as security for the payment to all persons performing labor or furnishing materials in connection with a contract in a form acceptable to the City Attorney.
- (d) *Alternative Form of Security.* In lieu of a public construction bond or performance and payment bond required by this section, a contractor, successful bidder or selected offeror may provide the City with an irrevocable letter of credit or other financial security acceptable to the POD, permitted by applicable laws and in a form acceptable to the City Attorney.
- (e) *Authority to Require Additional Security.* Nothing in this section shall be construed to limit the authority of the POD to require additional security in addition to the security required by this section.

Sec. 2-255. Unsolicited Offers.

- (a) *Defined.* For purposes of this section, the term “unsolicited offer” means any offer other than one submitted in response to a solicitation by the City.
- (b) *Processing of Unsolicited Offers.* Any unsolicited offer received by the City shall be sent to the POD in charge of procurement. The POD shall have the authority with respect to evaluation, acceptance, and rejection of such unsolicited offers.
- (c) *Conditions for Consideration.* The conditions set forth below are required before the POD will evaluate an unsolicited offer:
 - (1) Must be in writing;
 - (2) Must be sufficiently detailed to allow a judgment to be made concerning the potential utility of the offer to the City;
 - (3) Must be unique or innovative to City use;
 - (4) Must demonstrate that the proprietary character of the offering warrants consideration of the use of sole source procurement; and
 - (5) May be subject to testing under terms and conditions specified by the City.
- (d) *Evaluation.* If based on the requirements set forth in this section, the POD recommends that the City accept the unsolicited offer, the sole source procedures set forth in this division shall be followed.

Sec. 2-256. Cooperative Purchasing.

The POD shall have the authority to utilize the following methods to join with other governmental entities in cooperative purchasing, to utilize the contracts of other governmental entities and to purchase vehicles when to do so is in the best interest of the City as determined by the POD.

- (a) *Joint Bids.* The POD shall have the authority to solicit bids or proposals on behalf of, or to participate with, other government entities in a cooperative joint process, if it is deemed by the POD to be in the best interest of the City to do so.
- (b) *Piggybacking.* The POD shall have the authority to piggyback utilizing a contract of other government entities, including local governments, other state governments, local governments in other states, federal agencies of the United States, consortiums and any not-for-profit entity comprised of more than one such unit, if it is deemed by the POD to be in the best interest of the City to do so, and provided that such contract was awarded on the basis of a competitive process substantially equivalent to those specified in this division.
- (c) *Purchase of Vehicles.* In addition to the source selection processes set forth in this division, the POD may purchase vehicles from selected entities providing vehicles pursuant to the Florida Sheriff's Association and Florida Association of Counties negotiated purchase program.

Sec. 2-257. Authority to Debar or Suspend.

After reasonable notice to the person or entity involved and reasonable opportunity for that person or entity to be heard, the POD, after consultation with the affected user(s) and the City Attorney, shall have authority to debar a person or entity for cause from consideration for award of contracts, provided that such debarment shall not be for a period of more than three years, or to suspend a person or entity from consideration for award of contracts if there is probable cause for debarment, provided that the suspension shall not be for a period exceeding three months. The authority to debar or suspend shall be exercised in accordance with this division and applicable laws.

Sec. 2-258. Disposal of Surplus Supplies.

The POD shall have the authority to sell or dispose of surplus supplies by the methods and procedures authorized in this division and all applicable laws, including but not limited to F.S. § 274.

Sec. 2-259. Waiver.

City Council may waive any provision of this division by a resolution receiving at least five (5) affirmative votes.

Sec. 2-260. Compliance with Applicable Laws.

All City employees, elected and appointed officials, and all persons or entities (e.g., officers, employees, agents and representatives of entities) participating in any public procurement by the City pursuant to this division are subject to all applicable federal, state and local laws, regulations and penalties which include but are not limited to bid tampering, bribery, corruption, misrepresentation, false statements and laws governing the conduct of City employees, elected officials and appointed officials.

Section Two. Section 2-426 (3) of the St. Petersburg City Code is hereby amended as follows:

Sec. 2-426. Emergency powers of Mayor or administrator successor.

- (3) Utilize all available resources of the City government as reasonably necessary to cope with the emergency, including emergency procurement of supplies, services and construction authorized in this Chapter (currently section 2-250, City Code). ~~expenditures not to exceed a cumulative total of \$500,000.00 unless a higher limit is authorized by resolution of City Council or by unanimous written authorization of the City Council members able to attend an emergency meeting upon not less than 24 hours' notice if less than a quorum are able to attend.~~

For the purposes of this subsection, the limit on emergency expenditures shall not be construed as imposing a limit on overtime compensation for City employees who are required to work overtime.

Section Three. The St. Petersburg City Code is hereby amended by adding Division 6 to Chapter 2, Article V to read as follows:

Division 6 – GRANT OPPORTUNITIES THROUGH GRANT WRITERS

Sec. 2-290. Purpose.

The purpose of this division is to establish a process for grant writers who desire to pursue grant opportunities for the City.

Sec. 2-291. Process.

- (a) *Process.* To ensure that grant opportunities that the City pursues are beneficial and do not impose certain restrictions or obligations on the City, any grant writer who desires to prepare and submit a grant that may benefit the City is subject to the following:
- (1) A grant writer shall, at grant writer's sole cost and expense, submit a proposed grant opportunity, including the grant application, impact to the community and a list of all restrictions, obligations and other important details of the grant (collectively, "Grant Submittal") to the POD.

- (2) The POD shall review the Grant Submittal within a reasonable period of time after receipt of the Grant Submittal and consult with the departments that will be impacted from the grant if awarded.
- (3) The POD shall present the Grant Submittal to a grant review panel.
- (4) Following a grant review panel meeting, the POD shall brief the Mayor on the Grant Submittal and provide the Mayor the summary prepared by the grant review panel pursuant to the requirements of this division. It shall be at the sole discretion of the Mayor to decide whether to proceed with the Grant Submittal.
- (5) If the Mayor determines that the City should proceed with the Grant Submittal, the grant writer shall be required to enter into an agreement with the City. The City Attorney's Office shall prepare an agreement which shall set forth the duties and responsibilities of the grant writer and include other terms and conditions deemed appropriate by the City Attorney's Office. The agreement (i) shall require the grant writer to complete and submit the grant application (which shall include all other required documents), (ii) may require the grant writer to be responsible for administering, implementing and ensuring compliance with the grant if received, and (iii) may provide for compensation to the grant writer.

Sec. 2-292. Grant Review Panel.

A grant review panel shall be created upon receipt of a Grant Submittal. There shall be at least five members who are selected by the Mayor on each grant review panel. Each grant review panel shall be responsible for reviewing a Grant Submittal and preparing a summary which shall include potential benefits, constraints, restrictions and obligations on the City if such grant is awarded. Such summary shall not include a recommendation on whether the City should or should not apply for such grant.

Sec. 2-293. Approval.

If the City is awarded a grant as a result of a grant application submitted pursuant to this division, City Council shall in its sole discretion, by resolution, vote on whether to accept or reject the grant.

Sec. 2-294. Acknowledgment of Grant Writer.

The risk of rejection of any Grant Submittal is inherent in the process. By submitting a Grant Submittal pursuant to this division, the grant writer acknowledges and agrees that the grant writer shall have no recourse against the City, and the City shall have no liability whatsoever, in the event of rejection of a Grant Submittal pursuant to this division.

Sec. 2-295. No Applicability to City Prepared Grant Applications.

Nothing in this division shall apply to grant applications prepared and submitted by the City or grant opportunities pursued by the City.

Section Four. Words that are ~~struck through~~ shall be deleted from the existing City Code and words that are underlined shall be added to the existing City Code. Provisions not specifically amended shall continue in full force and effect.

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

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

Approved as to form and content:

City Attorney (designee)

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Sec. 2-426. Emergency powers of Mayor or administrator successor.

During the declared state of emergency, the Mayor is authorized to take the following actions:

- (1) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, explosives, and combustibles.
- (2) Establish curfews, including, but not limited to, the prohibition of or restrictions on pedestrian and vehicular movement, standing and parking, except for the provision of designated, essential services, such as fire, police, emergency medical services and hospital services including the transportation of patients, utility emergency repairs and emergency calls by physicians.
- (3) Utilize all available resources of the City government as reasonably necessary to cope with the emergency, including emergency expenditures not to exceed a cumulative total of \$500,000.00 unless a higher limit is authorized by resolution of City Council or by unanimous written authorization of the City Councilmembers able to attend an emergency meeting upon not less than 24 hours' notice if less than a quorum are able to attend.
For the purposes of this subsection, the limit on emergency expenditures shall not be construed as imposing a limit on overtime compensation for City employees who are required to work overtime.
- (4) Declare certain areas off limits.
- (5) Make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.
- (6) Establish emergency operations centers and shelters in addition to or in place of those provided for in the City's emergency plan.
- (7) Declare that during an emergency it shall be unlawful and a municipal ordinance violation for any person to use the fresh water supplied by the City for any purpose other than cooking, drinking or bathing.
- (8) Declare that during an emergency it shall be unlawful and a municipal ordinance violation for any person operating within the City to charge more

than the normal average retail price for any merchandise, goods, or services sold during the emergency. The average retail price as used herein is defined to be that price at which similar merchandise, goods, or services were being sold during the 90 days immediately preceding the emergency or the wholesale cost plus the mark-up percentage that was being charged for similar merchandise, goods or services during the 90 days immediately preceding the emergency.

(9)

Confiscate merchandise, equipment, vehicles or other property needed to alleviate the emergency. Such property shall be returned or compensation for the property shall be made within 60 days, any such compensation to be based upon the customary value charged for the property during the 90 days immediately preceding the emergency.

(10)

Request emergency assistance and resources from higher levels of government, other local governments and/or other agencies, in accordance with the State comprehensive emergency management plan and/or the statewide mutual aid agreement and/or in accordance with the needs of the City and the resources available.

(11)

Order the removal of disaster-generated debris in accordance with this division.

(Code 1992, § 2-327; Ord. No. 197-G, § 3, 5-11-1995; Ord. No. 944-G, § 1(2-327), 9-3-2009; Ord. No. 1030-G, § 3, 9-22-2011)

SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of May 1, 2014

To: The Honorable William H. Dudley, Chair and Members of City Council

Subject: Approving an increase to the allocation for water and sewer supplies to HD Supply Waterworks, LTD (HDSW) in the amount of \$475,000. These additional funds will increase the total contract amount from \$1,300,000 to \$1,775,000.

Explanation: On June 18, 2009, City Council approved a three-year blanket purchase agreement with two one-year renewals. The second and final renewal is effective through June 30, 2014. Expenditures to date are exceeding the forecast of \$1,300,000 annually because of increased stock usage due to the reduction of backlogged water and sewer maintenance projects.

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

The Procurement Department, in cooperation with Water Resources Department, recommends:

Original Allocation	\$ 1,300,000
Increased Allocation	<u>475,000</u>
Revised Allocation	\$1,775,000

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001), Water Resources Department (4202117, 4202129, 4202145, 4202169, 4202173, 4202177, 4202181, 4202205), as well as various capital improvement projects in the Water Resources Capital Projects Fund (4003).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION APPROVING AN INCREASE TO THE ALLOCATION IN THE AGREEMENT WITH HD SUPPLY WATERWORKS, LTD. IN AN AMOUNT NOT TO EXCEED \$475,000 FOR A REVISED TOTAL AMOUNT NOT TO EXCEED \$1,775,000 FOR WATER AND SEWER SUPPLIES; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 18, 2009, City Council approved a three-year agreement (Blanket Agreement) with HD Supply Waterworks, Ltd. ("Vendor") for water and sewer supplies pursuant to Bid No. 6801 dated April 1, 2009; and

WHEREAS, the planned requirements through the remainder of the agreement will cause the contract amount to exceed the total estimated contract amount; and

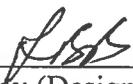
WHEREAS, an increase in the allocation of funds in the Agreement with the Vendor is needed; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources Department, recommends approval of this increase.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that an increase to the allocation in the Agreement with HD Supply Waterworks, Ltd. in an amount not to exceed \$475,000 for a revised total amount not to exceed \$1,775,000 for water and sewer supplies 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)

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 1, 2014

To: The Honorable William H. Dudley, Chair and Members of City Council

Subject: Awarding a three-year blanket purchase agreement to ThyssenKrupp Elevator Corporation, for elevator maintenance and repair services at a cost not to exceed \$228,000.

Explanation: The Procurement Department received four bids for elevator maintenance and repair services for 31 elevators at City facilities.

The vendor will provide preventative maintenance and repair services including inspections, reporting, adjusting, lubricating, replacing worn parts, testing, calibrating, and issuing certificates of operation as per all manufacturers' recommendations and specifications. Elevators are located at Albert Whitted Airport Terminal and Tower, City Hall, City Hall Annex, Roberts Recreation and Sunshine Centers, Fire Headquarters, Water Resources Cosme Water Plant, Water Resources Lift Stations, Police Headquarters, Police Annex, Coliseum, Libraries, Municipal Services Center and Sunken Gardens.

The Procurement Department recommends for award:

ThyssenKrupp Elevator Corporation.....\$228,000
Three-years @ \$76,000/year

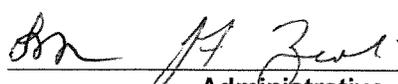
ThyssenKrupp Elevator Corporation has met the specifications, terms and conditions of IFB No. 7597 dated January 6, 2014. The vendor has satisfactorily performed similar services for the City in the past. A blanket purchase agreement will be issued and will be binding only for actual services rendered. The agreement will be effective through May 31, 2017 with two one-year renewal options.

Otis Elevator is not recommended for award due to proposing significantly higher monthly costs on the 13 elevators included on their bid response. Pioneer Elevator Company is not recommended for award because they did not meet the requirement for providing a minimum of two service and repair technicians located within the county. Also, Pioneer is not an authorized reseller of original equipment manufacturers' (OEM) repair parts and materials.

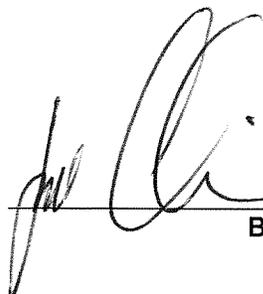
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Municipal Office Building Fund (5005), Real Estate & Property Management Department (360), City Hall (360-2613) [\$13,860], Municipal Services Center (360-2617) [\$46,800]; Water Resources Operating Fund (4001), Water Resources Department (420) [\$12,024]; Downtown Enterprise Facilities Department (282), Coliseum Operating Fund (1205) [\$6,480], Airport Operating Fund (4031) [\$19,440], Sunken Gardens Fund (1207) [\$7,320]; and the General Fund (0001), Police Department (140) [\$39,744], Library Department (200) [\$17,280], Parks & Recreation Department (190) [\$6,480], Fire Department (150) [\$3,240].

Attachments: Bid Tabulation
Resolution

Approvals:



Administrative



Budget

City of St. Petersburg
Bid Tabulation
Procurement and Supply Management

Item No.	City Facility	Equipment	Model	Qty.	UOM	Unit Price	Extended Price	Thyssen Krupp Elevator Corporation Tampa, FL Terms: Net 30 Delivery: Not Specified	Pioneer Elevator, LLC Orlando, FL Terms: 2%10 Net 30 Delivery: 30 Days	Otis Elevator Company Tampa, FL Terms: Net 30 Delivery: 1 Day	Kone Elevator & Escalators, Inc. Tampa, FL Terms: 2%10 Net 30 Delivery: 30 Days
						Unit Price	Extended Price	Unit Price	Unit Price	Unit Price	Extended Price
Maintenance and Repairs at the following Sites:											
1	Albert Whitted Airport	ThyssenKrupp	TAC20	36	MO	\$100.00	\$3,600.00	\$120.00	\$125.00	\$125.00	\$4,500.00
2	Albert Whitted Airport	ThyssenKrupp	TAC20	36	MO	100.00	3,600.00	120.00	125.00	125.00	4,500.00
3	Albert Whitted Airport	Kone Passenger	EcoSpace	36	MO	200.00	7,200.00	300.00	175.00	175.00	6,300.00
4	City Hall Annex	Garaventa Genesis, Vertical Wheelchair Lift	SW168	36	MO	50.00	1,800.00	105.00	50.00	50.00	1,800.00
5	City Hall	Otis Model	E411MMS	36	MO	200.00	7,200.00	280.00	225.00	225.00	8,100.00
6	Coliseum	Access Vertical Porch Lift	unknown	36	MO	50.00	1,800.00	90.00	50.00	50.00	1,800.00
7	Coliseum	Kone Passenger	HH Series	36	MO	100.00	3,600.00	90.00	125.00	125.00	4,500.00
8	Fire Hdqtrs	Delta Passenger	unknown	36	MO	100.00	3,600.00	90.00	125.00	125.00	4,500.00
9	Main Library	1978 Quiltronic Passenger #26914	2C2L	36	MO	100.00	3,600.00	90.00	125.00	125.00	4,500.00
10	Main Library	1963 Eastern Dumbwaiter #8736	unknown	36	MO	50.00	1,800.00	90.00	50.00	50.00	1,800.00
11	Main Library	1963 Eastern Dumbwaiter #8737	unknown	36	MO	50.00	1,800.00	90.00	50.00	50.00	1,800.00
12	Main Library	1998 Concord Wheel Chair Lift #55787	PAL	36	MO	100.00	3,600.00	90.00	50.00	50.00	1,800.00
13	Minor Lake Library	1996 Kone Passenger	5510-66	36	MO	100.00	3,600.00	120.00	125.00	125.00	4,500.00
14	Municipal Services Center	Otis Model	411MV	36	MO	300.00	10,800.00	260.00	350.00	350.00	12,600.00
15	Municipal Services Center	Otis Model	411MV	36	MO	300.00	10,800.00	260.00	350.00	350.00	12,600.00
16	Municipal Services Center	Otis Model	411MV	36	MO	300.00	10,800.00	260.00	350.00	350.00	12,600.00
17	Municipal Services Center	Otis Model	335M	36	MO	275.00	9,900.00	260.00	350.00	350.00	12,600.00
18	Municipal Services Center	Otis Model	335M	36	MO	275.00	9,900.00	260.00	350.00	350.00	12,600.00
19	Municipal Services Center	Otis Model	335M	36	MO	275.00	9,900.00	260.00	350.00	350.00	12,600.00
20	Police Hdqtrs	Otis Passenger-East Bldg, East Car, 5 stops, 3000 lbs, State License #8650	3500	36	MO	190.00	6,840.00	184.00	200.00	200.00	7,200.00
21	Police Hdqtrs	Otis Passenger - East Bldg, West Car, 5 stops, 2500 lbs, State License #8651	LRV3-2511	36	MO	190.00	6,840.00	184.00	125.00	125.00	4,500.00
22	Police Hdqtrs	Otis Passenger West Bldg, South, 4 stops, State License #36249	LRV3-2511	36	MO	120.00	4,320.00	184.00	200.00	200.00	7,200.00
23	Police Hdqtrs	Otis Passenger, A car, 5 stops, State License #25064	H-800	36	MO	130.00	4,680.00	184.00	125.00	125.00	4,500.00
24	Police Hdqtrs	Otis Passenger, B car, 5 stops, State License #25065	H-800	36	MO	130.00	4,680.00	184.00	125.00	125.00	4,500.00
25	Police Annex	Otis Model 211, 2 stops, State License #60451	211	36	MO	100.00	3,600.00	184.00	125.00	125.00	4,500.00
26	Roberts Recreation Center	ThyssenKrupp	TAC20	36	MO	100.00	3,600.00	90.00	125.00	125.00	4,500.00
27	Sunshine Center	1977 Montgomery Passenger	unknown	36	MO	100.00	3,600.00	90.00	125.00	125.00	4,500.00
28	Sunken Gardens	Kone Passenger	HH Series	36	MO	100.00	3,600.00	120.00	125.00	125.00	4,500.00
29	Water Resources - Cosme	1955 Montgomery Freight #2713	3138	36	MO	190.00	6,840.00	184.00	200.00	200.00	7,200.00
30	Water Resources - Cosme	1955 Montgomery Dumbwaiter	unknown	36	MO	50.00	1,800.00	90.00	100.00	100.00	3,600.00
31	Water Resources - Tierra Verde/Lift Station	1981 Punitronics Manlift	ML400FE	12	QTRTRY	100.00	1,200.00	90.00	90.00	90.00	1,080.00
32	Water Resources - Isla Del Sol Lift Station	1981 Punitronics Manlift	ML400FE	12	QTRTRY	100.00	1,200.00	90.00	90.00	90.00	1,080.00
						SubTotal:	\$159,900.00	\$179,028.00	\$182,700.00	\$182,700.00	
						2%/10, Net 30 Discount:	3,198.00	0	3,654.00	3,654.00	
						Total:	\$156,702.00	\$179,028.00	\$179,046.00	\$179,046.00	
						Hourly Labor Rate:	\$325.00	\$235.00	\$200.00	\$200.00	

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF A THREE-YEAR AGREEMENT (BLANKET AGREEMENT) WITH TWO ONE-YEAR RENEWAL OPTIONS TO THYSSENKRUPP ELEVATOR CORPORATION FOR ELEVATOR MAINTENANCE AND REPAIR SERVICES AT A TOTAL COST NOT TO EXCEED \$228,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received four bids for elevator maintenance and repair services for 31 elevators at City facilities pursuant to IFB No. 7597 dated January 6, 2014; and

WHEREAS, ThyssenKrupp Elevator Corporation has met the requirements of IFB No. 7597; and

WHEREAS, the Procurement & Supply Management Department recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the bid is accepted and the award of a three-year agreement (Blanket Agreement) with two one-year renewal options to ThyssenKrupp Elevator Corporation for elevator maintenance and repair services at a total cost not to exceed \$228,000 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this agreement will be effective through May 31, 2017.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

**ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of May 1, 2014**

To: The Honorable William H. Dudley, Chair and Members of City Council

Subject: Accepting a bid from Aqua-Aerobic Systems, Inc. in the amount of \$108,963.35 for floating mechanical aerators.

Explanation: The Procurement Department received two bids for the floating mechanical aerators. The vendor will provide three new floating propeller-type mechanical aerators, which will be installed at the Northwest Water Reclamation Facility. The aerators are used in the sewage treatment process to facilitate mixing and to supply oxygen to the organisms used in the process. The equipment circulates the mixed liquid by drawing it through a volute and intake cone and "flinging" it outward through a diffusion head. The process thereby transfers oxygen into the liquid.

The aerators will replace aerators and platforms that were more than 30 years old. The old platforms have been dismantled and the aerators/mixers were removed. The new aerators will be installed by the city.

Bids were opened on November 5, 2013 and are tabulated as follows:

Aquaturbo System, Inc. (Springdale, AR).....	\$100,678.02
Aqua-Aerobic Systems, Inc. (Loves Park, IL)	\$108,963.35

Aqua-Aerobic Systems, Inc. the most qualified bidder has met the specifications, terms and conditions of Bid No. 7561 dated October 14, 2013. A Purchase Order will be issued and will be binding for the actual equipment purchased.

Aquaturbo Systems, Inc. the apparent low bidder was determined to be non-responsive as they are not registered with Florida State Division of Corporations.

Cost/Funding/Assessment Information: Funds are available in the Water Resources Capital Improvement Fund WRF NW Floating Aerators FY14 Project No. 14446.

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN (BLANKET AGREEMENT) TO AQUA-AEROBIC SYSTEMS, INC. FOR THE PURCHASE OF FLOATING MECHANICAL AERATORS AT A TOTAL COST NOT TO EXCEED \$108,963.35; 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 two bids for floating mechanical aerators pursuant to Bid No. 7561 dated October 14, 2014; and

WHEREAS, Aqua-Aerobic Systems, Inc. has met the requirements of Bid No. 7561; and

WHEREAS, the Procurement & Supply Management Department recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the bid is accepted and the award of an (Blanket Agreement) to Aqua-Aerobic Systems, Inc. for floating mechanical aerators at a total cost not to exceed \$108,963.35 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)

ST. PETERSBURG CITY COUNCIL
Consent Agenda

May 1, 2014

TO: The Honorable Bill Dudley, Chair and Members of City Council

SUBJECT: A resolution appointing the City Council Member from District 8 as the representative for the "City Council Member for the Zone" category on the Board of Commissioners of the Enterprise Zone Development Agency (EZDA) to fill the remainder of the unexpired term expiring on April 20, 2015; appointing Michael Andon as the representative for the "Business operating in the Enterprise Zone" category on the Board of Commissioners of the EZDA; reappointing Duncan McClellan as the representative for the "Resident of the Enterprise Zone" category on the Board of Commissioners of the EZDA; and reappointing Robert L. Williams as the representative of the local "Local Financial/Insurance Agency" category on the Board of Commissioners of the EZDA, all to serve a four year term expiring April 20, 2018; reappointing Karl Nurse as Chair and Robert L. Williams, III as Vice-Chair of the Board of Commissioners of the EZDA; and providing an effective date.

EXPLANATION: On April 20, 1995, pursuant to the Florida Enterprise Zone Act (Florida Statutes, Chapter 290), City Council adopted Ordinance 194-G, creating the St. Petersburg Enterprise Zone Development Agency ("EZDA") and appointing its initial Board of Commissioners. The EZDA is responsible for assisting in the marketing of the Enterprise Zone; overseeing and monitoring the implementation of the Enterprise Zone incentives; identifying and recommending ways to remove regulatory barriers; and identifying the financial resources or assistance available to eligible businesses in the Enterprise Zone.

Florida Statutes require that the EZDA have between eight (8) and thirteen (13) Commissioners and include representation from the following: a chamber of commerce, a private industry council, a nonprofit community-based organization, residents of the area, businesses operating within the Enterprise Zone, a financial or insurance business, a local code enforcement agency, and a local law enforcement agency. In addition, members of the City Council may be included. Ordinance 194-G originally established an EZDA Board ("Board") consisting of eleven (11) members; however, on October 23, 1997, City Council approved Ordinance 299-G which expanded the Board to thirteen (13) members. EZDA Commissioners serve four (4) year staggered terms and in accordance with Ordinance 194-G must be appointed by resolution of the City Council. A vacancy occurring during a term shall be filled for the unexpired term. City Council is also required to designate a Chair and Vice-Chair from among the Commissioners. On January 22, 2009, Ordinance 299-G was amended to allow the EZDA to appoint two alternates to the board, to help ensure that a quorum will be present at meetings.

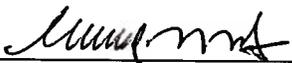
CURRENT SITUATION: At the February 19, 2014 meeting, the EZDA voted unanimously to appoint the City Council member from District 8 to the "City Council Member for the Zone" seat for the remainder of the unexpired term expiring on April 20, 2015; to appoint Michael Andon to the "Business operating in the Enterprise Zone" seat; to reappoint Duncan McClellan to the "Resident of the Enterprise Zone" seat; to reappoint Robert L. Williams to the local "Local Financial/Insurance Agency" seat on the Board of Commissioners of the EZDA, all to serve a four year term expiring April 20, 2018; to reappoint Karl Nurse as Chair and Robert L. Williams, III as Vice-Chair of the Board of Commissioners of the EZDA. Unless extended by the Florida Legislature, the Enterprise Zone program is scheduled to sunset on December 31, 2015. If the program sunsets, the City will disband the EZDA.

RECOMMENDATION: Administration recommends adoption of the attached resolution appointing the City Council member from District 8 as the representative for the "City Council Member for the Zone" category on the Board of Commissioners of the Enterprise Zone Development Agency (EZDA) to fill the remainder of the unexpired term expiring on April 20, 2015; appointing Michael Andon as the representative for the "Business operating in the Enterprise Zone" category on the Board of Commissioners of the EZDA; reappointing Duncan McClellan as the representative for the "Resident of the Enterprise Zone" category on the Board of Commissioners of the EZDA; and reappointing Robert L. Williams as the representative of the local "Local Financial/Insurance Agency" category on the Board of Commissioners of the EZDA, all to serve a four year term expiring April 20, 2018; reappointing Karl Nurse as Chair and Robert L. Williams, III as Vice-Chair of the Board of Commissioners of the EZDA.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Resolution

Administrative :

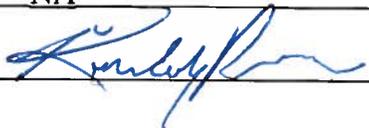


09

Budget:

NA

Legal:



RESOLUTION NO. 2014- _____

A RESOLUTION APPOINTING THE CITY COUNCIL MEMBER OF DISTRICT 8 "CITY COUNCIL MEMBER FOR THE ZONE" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE ENTERPRISE ZONE DEVELOPMENT AGENCY (EZDA) TO FILL THE REMAINDER OF THE UNEXPIRED TERM EXPIRING ON APRIL 20, 2015; APPOINTING MICHAEL ANDON AS THE REPRESENTATIVE FOR THE "BUSINESS OPERATING IN THE ENTERPRISE ZONE" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE EZDA; REAPPOINTING DUNCAN MCCLELLAN AS THE REPRESENTATIVE FOR THE "RESIDENT OF THE ENTERPRISE ZONE" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE EZDA; AND REAPPOINTING ROBERT L. WILLIAMS AS THE REPRESENTATIVE OF THE LOCAL "LOCAL FINANCIAL/INSURANCE AGENCY" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE EZDA, ALL TO SERVE A FOUR YEAR TERM EXPIRING APRIL 20, 2018; REAPPOINTING KARL NURSE AS CHAIR AND ROBERT L. WILLIAMS, III AS VICE-CHAIR OF THE BOARD OF COMMISSIONERS OF THE EZDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 20, 1995, City Council adopted Ordinance 194-G, creating the Enterprise Zone Development Agency for the City of St. Petersburg ("EZDA");

WHEREAS, pursuant to the Florida Enterprise Zone Act provisions of Chapter 290, Florida Statutes, the Board of Commissioners of the EZDA must have between eight (8) and thirteen (13) members and must have an appointed Chair and Vice-Chair; and

WHEREAS, City Council has previously established a membership of thirteen (13); and

WHEREAS, there is one (1) vacancy for an unexpired term on the Board of Commissioners of the EZDA in the category of City Council Member for the Zone (District 8), one (1) vacancy for an expired term in the category of Business in the Enterprise Zone, one (1) vacancy for an expired term in the category of Resident in the Enterprise Zone, and one (1) vacancy for an expired term in the category of Financial/Insurance Agency; and

WHEREAS, the EZDA has recommended appointees for the positions to the Board of Commissioners of the EZDA in the categories of City Council for the Zone (District 8), Business in the Enterprise Zone, Resident in the Enterprise Zone and Financial/Insurance Agency; and

WHEREAS, the EZDA has recommended reappointing Karl Nurse, Chair and Bob Williams, Vice-Chair of the Board of Commissioners of the EZDA; and

WHEREAS, City Administration has recommended appointment for the four (4) positions to the Board of Commissioners of the EZDA in the categories of City Council for the Zone (District 8), Business in the Enterprise Zone, Resident in the Enterprise Zone and Financial/Insurance Agency; and

WHEREAS, Commissioners to the EZDA are appointed by resolution of the City Council and the positions of Chair and Vice-Chair of the Board of Commissioners of the EZDA are designated by resolution of the City Council.

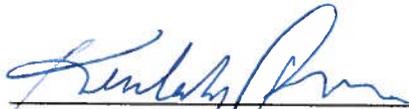
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of St. Petersburg, Florida, that the City Council member from District 8 is appointed as the representative for the "City Council Member for the Zone" category on the Board of Commissioners of the Enterprise Zone Development Agency (EZDA) to fill the remainder of the unexpired term expiring on April 20, 2015; Michael Andon is appointed as the representative for the "Business operating in the Enterprise Zone" category on the Board of Commissioners of the EZDA; Duncan McClellan is reappointed as the representative for the "Resident of the Enterprise Zone" category on the Board of Commissioners of the EZDA; and Robert L. Williams is reappointed as the representative of the local "Local Financial/Insurance Agency" category on the Board of Commissioners of the EZDA, all to serve a four year term expiring April 20, 2018; Karl Nurse is reappointed as Chair and Robert L. Williams, III as Vice-Chair of the Board of Commissioners of the EZDA.

<u>Organization</u>	<u>Appointee</u>	<u>Effective</u>	<u>Expiration</u>
City Council Member from Zone	District 8 CC Member	05/01/14	04/20/15
Business in Enterprise Zone	Michael Andon	05/01/14	04/20/18
Resident in Enterprise Zone	Duncan McClellan	05/01/14	04/20/18
Financial/Insurance Agency	Robert L. Williams	05/01/14	04/20/18

This Resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:

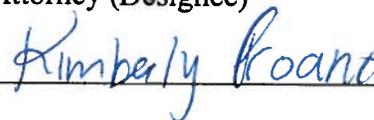
APPROVED BY:



City Attorney (Designee)



Dave Goodwin, Director
Planning & Economic Development Dept.

By: 

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 1, 2014

TO: The Honorable Bill Dudley, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to execute a Parking Space Use Agreement with the Cathedral Church of St. Peter, Inc. for the purpose of providing sixteen (16) parking spaces located in City Hall Parking Lot No. 4; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management received a request from the City's Transportation and Parking Management Department to prepare a Parking Space Use Agreement ("Agreement") between the City and the Cathedral Church of St. Peter, Inc. ("St. Peter's"). The Agreement shall provide sixteen (16) parking spaces ("Parking Spaces") to St. Peter's for its staff, visitors and invitees. The Agreement has a three (3) year term; however, it may be terminated without cause by either party with ninety (90) days written notice. The parking fee is four hundred eighty dollars (\$480) per month, plus applicable sales tax, and the parking fee shall be adjusted annually by increases in the Consumer Price Index.

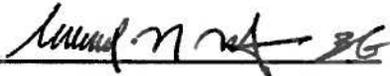
The Parking Spaces are located in City Hall Parking Lot No. 4 at the east end, and shall be made available to St. Peter's during weekdays from 7:30 AM to 5:30 PM. The City has reserved the right to use the Parking Spaces after 5:30 PM daily, including weekends. St. Peter's has been using the Parking Spaces under a month-to-month agreement which commenced on May 1, 2002.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a Parking Space Use Agreement with the Cathedral Church of St. Peter, Inc. for the purpose of providing sixteen (16) parking spaces located in City Hall Parking Lot No. 4; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Map and Resolution

APPROVALS: Administration:



Budget:

N/A

Legal:



(As to consistency w/attached legal documents)

Legal: 00192628.doc V. 1

Resolution No. 2014 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A PARKING SPACE USE AGREEMENT WITH THE CATHEDRAL CHURCH OF ST. PETER, INC. FOR THE PURPOSE OF PROVIDING SIXTEEN (16) PARKING SPACES LOCATED IN CITY HALL PARKING LOT NO. 4; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management received a request from the City's Transportation and Parking Management Department to prepare a Parking Space Use Agreement ("Agreement") between the City and the Cathedral Church of St. Peter, Inc. ("St. Peter's"); and

WHEREAS, the Agreement shall provide sixteen (16) parking spaces ("Parking Spaces") to St. Peter's for its staff, visitors and invitees; and

WHEREAS, the Agreement has a three (3) year term; however, it may be terminated without cause by either party with ninety (90) days written notice; and

WHEREAS, the parking fee is four hundred eighty dollars (\$480) per month, plus applicable sales tax, and the parking fee shall be adjusted annually by increases in the Consumer Price Index; and

WHEREAS, the Parking Spaces are located in City Hall Parking Lot No. 4 at the east end and shall be made available to St. Peter's during weekdays from 7:30 AM to 5:30 PM; and

WHEREAS, St. Peter's has been using the Parking Spaces under a month-to-month agreement which commenced on May 1, 2002; and

WHEREAS, the City has reserved the right to use the Parking Spaces after 5:30 PM daily and weekends.

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 Parking Space Use Agreement with the Cathedral Church of St. Peter, Inc. for the purpose of providing sixteen (16) parking spaces located in City Hall Parking Lot No. 4; and to execute all documents necessary to effectuate same.

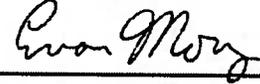
This Resolution shall become effective immediately upon its adoption.

LEGAL:



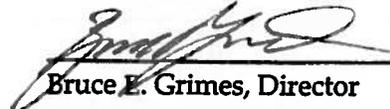
City Attorney (Designee)
Legal: 00192628.doc V. 1

APPROVED BY:



for Joseph Kubicki, Director
Transportation and Parking Management

APPROVED BY:



Bruce E. Grimes, Director
Real Estate and Property Management

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 1, 2014

TO: The Honorable Bill Dudley, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to sell three (3) surplus, unimproved City-owned parcels located at approximately 2201 First Avenue North, 2245 First Avenue North and 2163 First Avenue North, St. Petersburg, to Nick Pavonetti for \$290,000, and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management Department received an offer from Nick Pavonetti ("Buyer") to purchase the three (3) surplus unimproved City-owned parcels located at approximately 2201 First Avenue North, 2245 First Avenue North and 2163 First Avenue North, St. Petersburg ("Property"). These parcels are not contiguous as shown on the attached illustration. The Buyer's proposed plan is to build sixteen (16) townhomes on two (2) of the parcels and a single-family home on one (1) of the parcels. The Buyer has been directly involved in the development of several townhome, condominium and single-family home development projects. Some of the condominium and townhome projects include the Victory Lofts and Grand Central on Kennedy in the Channel District in Tampa, Station Square in Downtown Clearwater and Central 16 in St. Petersburg.

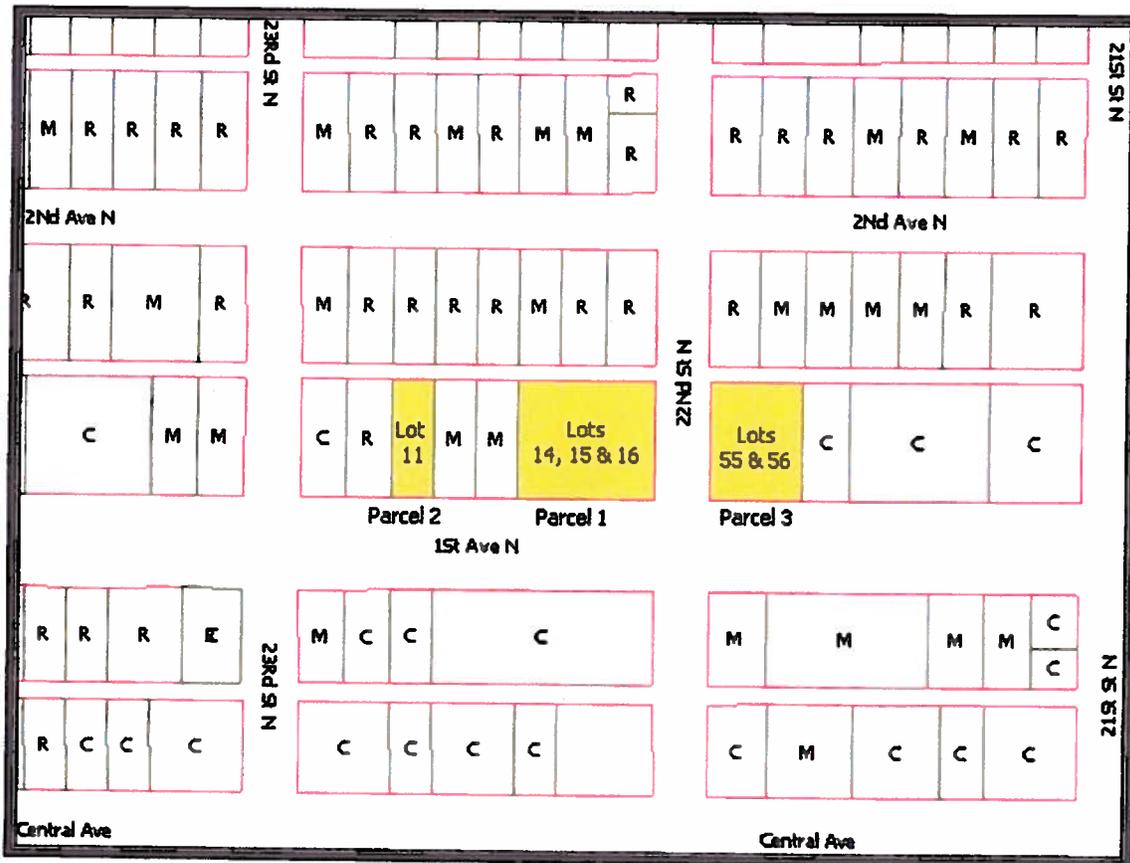
In April 1999, the City's Housing and Community Development Department ("Housing") entered into an agreement with the Asian Family & Community Empowerment Center, Inc. ("FACE"), to use U.S. Department of Housing and Urban Development ("HUD") Community Development Block Grant ("CDBG") funds to acquire the former SPIFFS property, which is the Property that is the subject of this transaction. Over the years, Asian FACE offered a variety of services to persons within the community; however, in 2005, they informed the City that their resources had declined which impacted their ability to continue to provide services to the community and requested to convey the Property to the City. Subsequently, Asian FACE conveyed the Property to the City via deed in lieu of foreclosure in May 2006.

In August 2012, Housing received a letter from HUD requesting the City to close the CDBG project related to the Property. At the September 20, 2012 meeting, City Council approved a supplemental appropriation from the unappropriated balance of the Housing Capital Improvement Program to the CDBG Reimbursement Program Strategy Project, which satisfied HUD's request to close the project and unencumbered the Property from the imposed federal restrictions.

In October 2012, the Property was declared surplus real estate after appropriate City Departments were queried.

Parcel No. 1 has lot dimensions of ±148.4 ft. x 127 ft. for a land area of ±18,847 sq. ft.; Parcel No. 2 has lot dimensions of ±45 ft. x 127 ft. for a lot area of ±5,715 sq. ft.; and Parcel No. 3 has lot dimensions of ±101.5 ft. x 127 ft. for a lot area of ±12,891 sq. ft. The parcels are zoned CRT-1 (Corridor Residential Traditional District).

ILLUSTRATION



- Parcel 1:** 2201 – 1st Avenue North / Parcel I.D. No.: 23/31/16/78390/018/0140
Lots 14, 15, & 16, Block 18, ST. PETERSBURG INVESTMENT CO. SUB.
- Parcel 2:** 2245 – 1st Avenue North / Parcel I.D. No.: 23/31/16/78390/018/0110
Lot 11, Block 18, ST. PETERSBURG INVESTMENT CO. SUB.
- Parcel 3:** 2163 – 1st Avenue North / Parcel I.D. No.: 24/31/16/77328/000/0550
Lots 55 & 56, ROYAL PALM PARK

APPRAISAL REPORT

PARCEL 1: 2201 1st Ave No (Tax ID 23/31/16/78390/018/0140)
PARCEL 2: 2245 1st Ave No (Tax ID 23/31/16/78390/018/0110)
PARCEL 3: 2163 1st Ave No (Tax ID 23/31/16/77328/000/0550)
St. Petersburg, FL 33713

CITY OF ST. PETERSBURG
REAL ESTATE AND PROPERTY MANAGEMENT
P.O. BOX 2841
ST. PETERSBURG, FL 33731

R & W ENTERPRISES, INC.
2186 COFFEE POT BLVD. NE
ST. PETERSBURG, FLORIDA 33704

Dan K. Richardson, PhD., MAI
Cert Gen #RZ735 (Florida)

Dan K. Richardson, PhD MAI
R & W ENTERPRISES, INC.
Appraisal and Planning Consultants
March 4, 2014

Real Estate and Property Management
P.O. Box 2841
St. Petersburg, Florida 33731
Attn: Bruce E. Grimes, Director

Re: Appraisal for the following vacant parcels:
Parcel 1: 2001 1st Ave No (Tax ID 23/13/16/78390/018/0140)
Parcel 2: 2245 1st Ave No (Tax ID 23/13/16/78290/018/0110)
Parcel 3: 2163 1st Ave No (Tax ID 23/16/16/77328/000/0550)

Dear Mr. Grimes:

Pursuant to Appraisal Agreement with the City of St. Petersburg dated February 19, 2014 and Notice to Proceed dated February 21, 2014, I am submitting an appraisal of the three vacant parcels identified above. The accompanying report describes the data, analysis, and conclusions relevant to this narrative appraisal of the three vacant parcels individually and as a whole to a single buyer.

The undersigned hereby certifies he has no past, present, nor contemplated future interest in this property being valued for this City of St. Petersburg project. It is further certified that neither the employment to make this appraisal nor the compensation thereof, is contingent upon the value reported. Both the client and the intended user are the City's Real Estate and Property Management Division.

A personal inspection of the subject property and all the comparable sales has been made and, to the best of my knowledge and belief, the statements, analyses, and opinions contained within this appraisal report are correct (subject to the statement of Assumptions and Limiting Conditions. After careful consideration of this information, it is my opinion that the subject property's market value as of February 26, 2014 was:

Parcel 1 (Fee Simple)
TWO HUNDRED SEVEN THOUSAND THREE HUNDRED DOLLARS
(\$207,300)

Parcel 2 (Fee Simple)
SIXTY-FIVE THOUSAND SEVEN HUNDRED DOLLARS
(\$65,700)

Real Estate Property Management
Attn: Bruce E. Grimes, Director

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Parcel 3 (Fee Simple)
ONE HUNDRED FORTY-ONE THOUSAND EIGHT HUNDRED DOLLARS
(\$141,800)

Parcel 1-3 Combined (Fee Simple)
TWO HUNDRED NINETY THOUSAND DOLLARS
(\$290,000)

Respectfully Submitted,



Dan K. Richardson, PhD, MAI
Cert Gen #RZ735 (Florida)

CITY OF St. PETERSBURG, FLORIDA

CERTIFICATE OF VALUATION

Parcel No.: 1
Road: 1st Avenue North
Tax No: 23/31/16/78390/018/0140

I hereby certify:

That I have personally inspected the property herein appraised and that I have afforded the property owner the opportunity to accompany me at the time of inspection, I have also made a personal field inspection of the comparable sales relied upon in making said appraisal, the subject and comparable sales relied upon in making said appraisal were as represented by the photographs contained in said appraisal.

To the best of my knowledge and belief, the statements contained in the appraisal herein are true and the information upon which the opinion expressed therein is correct; subject to limiting conditions therein.

I understand that such appraisal is to be used in connection with the acquisition of property for the construction of right-of-way and related facilities by Manatee County.

My appraisal has been made in conformity with the appropriate State laws, regulations, policies and procedures applicable for the appraisal of right-of-way for such purposes; and to the best of my knowledge no portion of the property value entered on this certificate consists of items that are non-compensable under established law of the State of Florida.

Neither my employment nor my compensation for making this appraisal and report is in any way contingent upon the values reported herein.

I have no direct or indirect present or contemplated future interest in such property or in any benefit from the acquisition of such property appraised. I have not performed services, as an appraiser, or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

I have not revealed the findings and results of such appraisal to anyone other than the proper officials of Manatee County, Florida and I will not do so until so authorized by Manatee County officials, or until I am required by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

My opinion of the market value for the part taken and damages, if any, of the property appraised as of the 26th day of February, 2014, is \$207,300 based upon my independent appraisal and the exercise of my professional judgment.

Market value should be allocated as follows:

LAND	\$ <u>207,300</u>
IMPROVEMENTS	\$ <u>-0-</u>
DAMAGES AND/OR	
COST TO CURE	\$ <u>-0-</u>
TOTAL	\$ <u>207,300</u>

March 4, 2014

DATE



Dan K. Richardson, PhD, MAI
Cert Gen #RZ735 (Florida)

CITY OF St. PETERSBURG, FLORIDA

CERTIFICATE OF VALUATION

Parcel No.: 2
Road: 1st Avenue North
Tax No: 23/31/16/78390/018/0110

I hereby certify:

That I have personally inspected the property herein appraised and that I have afforded the property owner the opportunity to accompany me at the time of inspection, I have also made a personal field inspection of the comparable sales relied upon in making said appraisal, the subject and comparable sales relied upon in making said appraisal were as represented by the photographs contained in said appraisal.

To the best of my knowledge and belief, the statements contained in the appraisal herein are true and the information upon which the opinion expressed therein is correct; subject to limiting conditions therein.

I understand that such appraisal is to be used in connection with the acquisition of property for the construction of right-of-way and related facilities by Manatee County.

My appraisal has been made in conformity with the appropriate State laws, regulations, policies and procedures applicable for the appraisal of right-of-way for such purposes; and to the best of my knowledge no portion of the property value entered on this certificate consists of items that are non-compensable under established law of the State of Florida.

Neither my employment nor my compensation for making this appraisal and report is in any way contingent upon the values reported herein.

I have no direct or indirect present or contemplated future interest in such property or in any benefit from the acquisition of such property appraised. I have not performed services, as an appraiser, or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

I have not revealed the findings and results of such appraisal to anyone other than the proper officials of Manatee County, Florida and I will not do so until so authorized by Manatee County officials, or until I am required by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

My opinion of the market value for the part taken and damages, if any, of the property appraised as of the 26th day of February, 2014, is \$ 65,700 based upon my independent appraisal and the exercise of my professional judgment.

Market value should be allocated as follows:

LAND	\$ <u>65,700</u>
IMPROVEMENTS	\$ <u>-0-</u>
DAMAGES AND/OR	
COST TO CURE	\$ <u>-0-</u>
TOTAL	\$ <u>65,700</u>

March 4, 2014

DATE



Dan K. Richardson, PhD, MAI
Cert Gen #RZ735 (Florida)

CITY OF St. PETERSBURG, FLORIDA

CERTIFICATE OF VALUATION

Parcel No.: 3
Road: 1st Avenue North
Tax No: 24/31/16/77328/000/0550

I hereby certify:

That I have personally inspected the property herein appraised and that I have afforded the property owner the opportunity to accompany me at the time of inspection, I have also made a personal field inspection of the comparable sales relied upon in making said appraisal, the subject and comparable sales relied upon in making said appraisal were as represented by the photographs contained in said appraisal.

To the best of my knowledge and belief, the statements contained in the appraisal herein are true and the information upon which the opinion expressed therein is correct; subject to limiting conditions therein.

I understand that such appraisal is to be used in connection with the acquisition of property for the construction of right-of-way and related facilities by Manatee County.

My appraisal has been made in conformity with the appropriate State laws, regulations, policies and procedures applicable for the appraisal of right-of-way for such purposes; and to the best of my knowledge no portion of the property value entered on this certificate consists of items that are non-compensable under established law of the State of Florida.

Neither my employment nor my compensation for making this appraisal and report is in any way contingent upon the values reported herein.

I have no direct or indirect present or contemplated future interest in such property or in any benefit from the acquisition of such property appraised. I have not performed services, as an appraiser, or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

I have not revealed the findings and results of such appraisal to anyone other than the proper officials of Manatee County, Florida and I will not do so until so authorized by Manatee County officials, or until I am required by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

My opinion of the market value for the part taken and damages, if any, of the property appraised as of the 26th day of February, 2014, is \$141,800 based upon my independent appraisal and the exercise of my professional judgment.

Market value should be allocated as follows:

LAND	\$ <u>141,800</u>
IMPROVEMENTS	\$ <u>-0-</u>
DAMAGES AND/OR	
COST TO CURE	\$ <u>-0-</u>
TOTAL	\$ <u>141,800</u>

March 4, 2014

DATE



Dan K. Richardson, PhD, MAI
Cert Gen #RZ735 (Florida)

CITY OF St. PETERSBURG, FLORIDA

CERTIFICATE OF VALUATION

Parcel Nos.: 1-3 Combined
Road: 1st Avenue North
Tax No: 23/31/16/78390/018/0140
23/31/16/78390/018/0110
24/31/16/77328/000/0550

I hereby certify:

That I have personally inspected the property herein appraised and that I have afforded the property owner the opportunity to accompany me at the time of inspection, I have also made a personal field inspection of the comparable sales relied upon in making said appraisal, the subject and comparable sales relied upon in making said appraisal were as represented by the photographs contained in said appraisal.

To the best of my knowledge and belief, the statements contained in the appraisal herein are true and the information upon which the opinion expressed therein is correct; subject to limiting conditions therein.

I understand that such appraisal is to be used in connection with the acquisition of property for the construction of right-of-way and related facilities by Manatee County.

My appraisal has been made in conformity with the appropriate State laws, regulations, policies and procedures applicable for the appraisal of right-of-way for such purposes; and to the best of my knowledge no portion of the property value entered on this certificate consists of items that are non-compensable under established law of the State of Florida.

Neither my employment nor my compensation for making this appraisal and report is in any way contingent upon the values reported herein.

I have no direct or indirect present or contemplated future interest in such property or in any benefit from the acquisition of such property appraised. I have not performed services, as an appraiser, or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

I have not revealed the findings and results of such appraisal to anyone other than the proper officials of Manatee County, Florida and I will not do so until so authorized by Manatee County officials, or until I am required by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

My opinion of the market value for the part taken and damages, if any, of the property appraised as of the 26th day of February, 2014, is \$290,000 based upon my independent appraisal and the exercise of my professional judgment.

Market value should be allocated as follows:

LAND	\$ 290,000
IMPROVEMENTS	\$ -0-
DAMAGES AND/OR	
COST TO CURE	\$ -0-
TOTAL	\$ 290,000

March 4, 2014

DATE



Dan K. Richardson, PhD, MAI
Cert Gen #RZ735 (Florida)

SUPPLEMENT TO CERTIFICATE OF THE APPRAISAL

Parcels: 1-3
Project: 1st Avenue North
Tax ID: 23/31/16/78390/018/0140; 23/31/16/78390/018/0110;
24/31/16/77328/000/050

I, the undersigned appraiser, do hereby additionally certify that:

- To the best of my knowledge and belief, the statements of fact contained in this appraisal report, upon which the analysis, opinions, and conclusions expressed herein are based, are true and correct. This appraisal report sets forth all the limiting conditions (imposed by the terms of my appraisal assignment or by the undersigned) affecting the analysis, opinion and conclusions contained in this report.
- This report has been made in conformity with and is subject to the requirements of the Uniform Standards of Professional Appraisal Practice. The report is also subject to an in conformance with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this appraisal report is subject to the requirements of the Appraisal Institute and to the Real Estate Appraisal Board relating to the review by its duly authorized representatives. This requirement may be waived in the case of condemnation appraisal reports, and then they will only be released to the property officials, and/or until I am released from this obligation by having publicly testified as to such findings.
- As of the date of this report, I have completed the requirements of the continuing education programs of the Appraisal Institute and am competent to conduct an appraisal of this type of property.
- As of the date of this report, I have been certified by the State of Florida Real Estate Appraisal Board as a Certified General Appraiser (#RZ735).

Certified By:



Dan K. Richardson, PhD, MAI
Cert Gen #RZ735 (Florida)
March 4, 2014

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Comparable Land Sales Map
Comparable Land Sales Information Sheets
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PROPERTY ADDRESS OR LOCATION

The subject property is six platted lots arranged into three sites located at the northwest and northeast corner of 1st Avenue North and 22nd Street North as well as a single lot off-corner on the north side of 1st Avenue North approximately 238.4 feet west of 22nd Street North in St. Petersburg, Florida.

PROPERTY OWNERS NAME AND ADDRESS

No title work was provided with this appraisal assignment; therefore, it is specifically assumed that the owner of record retains clear title to the subject property. The client identified the subject property ownership as the City of St. Petersburg.

LEGAL DESCRIPTION

The legal description for the subject property was provided by the City of St. Petersburg (i.e., client) as follows:

PARCEL #1: Lots 14-16, Block 18, St Petersburg Investment Company Subdivision, according to map or plat thereof as recorded in Plat Book 1, Page 16, Public Records of Pinellas County, Florida.

PARCEL #2: Lot 11, Block 18, St Petersburg Investment Company Subdivision, according to map or plat thereof as recorded in Plat Book 1, Page 16, Public Records of Pinellas County, Florida.

PARCEL #3: Lots 55 and 56, Royal Palm Park Subdivision, according to map or plat thereof as recorded in Plat Book 10, Page 56, Public Records of Pinellas County, Florida.

PROPERTY INSPECTION

An inspection of the subject property was conducted by Dr. Dan K. Richardson, MAI, on February 26, 2014, the date of value.

TYPE OF PROPERTY

The subject property was vacant and unimproved. It was divided into groups of one, two, and three platted lots all of which had frontage on 1st Avenue North. Parcel 1 (i.e., 3 lots) and Parcel 3 (i.e., 2 lots) formed respectively the northwest and northeast corners of the signalized intersection of 1st Avenue North and 22nd Street North. Parcel 2 is an off-corner, 45-wide single lot.

HISTORY OF PROPERTY

Subject property has sold within the past five years:

Yes [] No [x]

According to information provided on the Pinellas County Property Appraiser's website, there were no sales involving the subject property within the past five years. The last transfer of title was a Warranty Deed from St. Petersburg International Folk Fair Society, Inc. to Asian Family & Community Empowerment Center, Inc. on April 30, 1999 and recorded on May 4, 1999 in OR Book 10503, Page 1179 of the Public Records of Pinellas County, Florida

No title search was provided by the appraiser's client, City of St. Petersburg.

DESCRIPTION OF THE PROPERTY

Partial Taking []; Entire Taking [x]; Vacant [x]; Improved []

[x] Street Lights	[x] Septic Tank	[x] Electric Service
[x] Telephone	[x] Public Sewer	[] Well & Pump
[x] Curbs	[x] Public Sidewalks	[x] Paved Street(s)
[x] Storm Drains	[x] Public Water	

1. Area: According to the Pinellas County Property Appraiser, the three subject parcels are sized as follows:
Parcel 1: 18,847 SF; (0.431 acres)
Parcel 2: 5,715 SF; (0.131 acres)
Parcel 3: 12,891 SF; (0.296 acres)
2. Shape: Rectangular
3. Dimensions: Parcel 1: 148.4'x 127';
Parcel 2: 45'x 127'; and
Parcel 3: 101.5'x 127'
4. Ingress/Egress: All three component lots of the subject property have access from 1st Avenue North as well as an alley at the rear. Parcels 1 and 3 at the signalized corner have additional access from 22nd Street North.
5. Topography: The subject property is at road grade. The terrain is mostly cleared upland.
6. Flood Plain Data: According to FEMA Panel No. 12103C-0218G, dated September 3, 2003, the site is located in Flood Zone "X", an area outside of 500-year flood hazard.

7. Drainage: Site drainage appears to be adequate.
8. Soil: Based upon surrounding development, the soils appear capable of supporting a suburban use of the subject property.
9. Utilities on Site: The property has available public electricity, telephone, potable water and sewer.
10. Site Improvements: None
11. Easements, encroachments and restrictions: No title work was provided and no easements were noted on the plat provided by the client.
12. Building Improvements: None
13. Property: Leased; Rented; NA
NA, Vacant Land

SUBJECT PHOTOGRAPHS

Photo #1 - View Northwest at Southeast Corner - Parcel 1:
Photo taken by Dan K. Richardson on February 26, 2014



Photo #2 - View Southeast from Northwest Corner - Parcel 1
Photo taken by Dan K. Richardson on February 26, 2014



Photo #3 - View North across 1st Avenue North at Parcel 2:
Photo taken by Dan K. Richardson on February 26, 2014



Photo #4 - View South from Alley at Parcel 2:
Photo taken by Dan K. Richardson on February 26, 2014



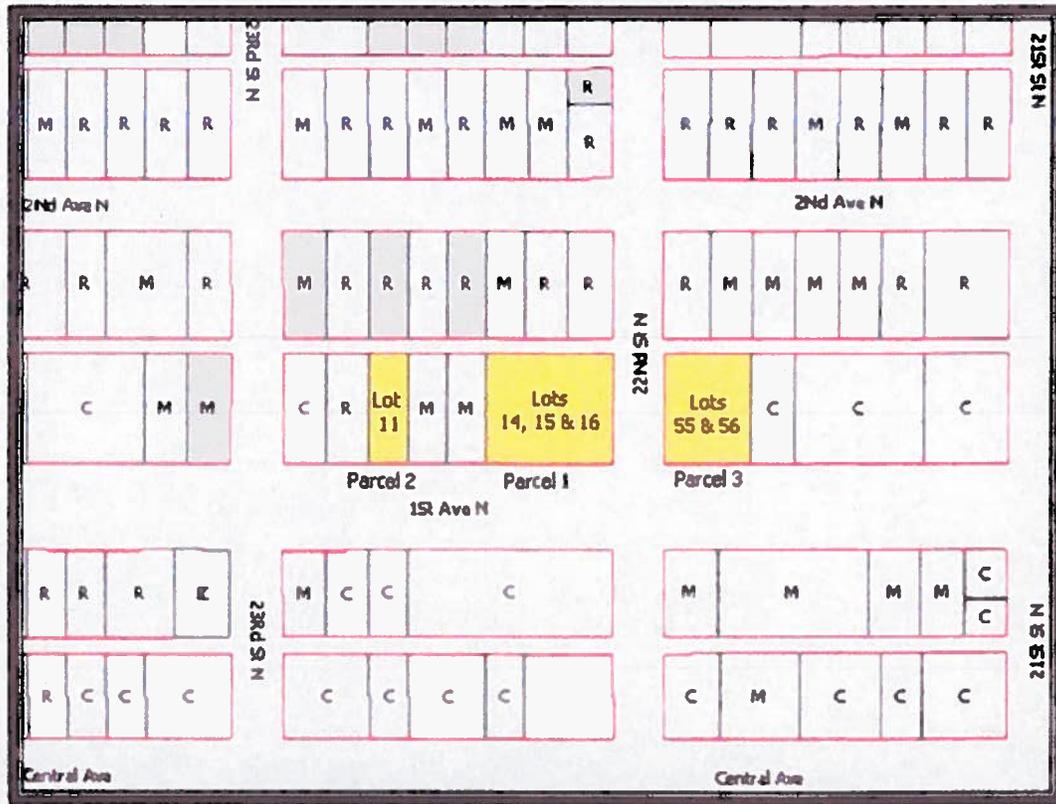
Photo #5 - View Northwest at Southeast Corner - Parcel 3
Photo taken by Dan K. Richardson on April 29, 2013



Photo #6 - View Southeast from Alley at Northeast Corner-Parcel 3
Photo taken by Dan K. Richardson on February 26, 2014



Plat of Subject Property



Aerial of Subject Property



ZONING

The subject property is zoned "CRT-1", Corridor Residential Traditional District. The intent of the CRT District is to Encourage development of townhomes, condominiums, apartment buildings, and mixed-use buildings that are appropriately scaled to the context of the corridor and to facilitate conversion of remaining single-family homes to offices or limited retail uses.

The CRT-1 District permitted uses include: single and multi-family dwellings, group homes, bed and breakfast, nursing home, bank without drive-thru, mixed use, offices, personal service facilities, studios, health club, adult day care, funeral home, church, library, meeting hall, and schools.

Development standards in the CRT-1 District include:

Maximum Density	24-36/DUA(higher in Activity Ctr.)
Lot Size	4,500 SF
Width	None
Setbacks:	
Front	15'
Side	5'
Rear	5' (7.5' with alley)
Maximum Height	36' (48' in Activity Ctr.)
Maximum Impervious Surface	0.75

Many of the land uses in the CRT-1 District require administrative or special permits especially those grandfathered uses seeking modification or remodeling. The subject parcels are all legally conforming vacant building sites.

LAND USE PLANNING AND CONCURRENCE

The City of St. Petersburg Land Use Plan designated the subject parcels to be Community Redevelopment District Land use. This land use category permits from 24 to 40 Dwelling Units/Gross Acre (DUA) with maximum nonresidential densities ranging from 0.35 to 2.0 F.A.R. This land use permits a range of mixed uses consistent with those uses identified in the zoning discussion above.

The land use designation for the subject parcels established urban neighborhood is unlikely to change in the near future.

SCOPE OF THE APPRAISAL

Sales of vacant lots located on major thoroughfares in the subject neighborhood and similar listings were researched for this appraisal. Those sales similar in size and highest and best use were considered the most appropriate. The time period of this land sales search involved sales for which information was available that occurred from 2011 through 2013 as well as listings current as of the date of value. Each sale was investigated and verified with a knowledgeable party involved. Land sales were selected for comparison with the subject parcel on the basis of their recent sale date, lot size, and corridor commercial and multi-family highest and best use. Among the rather limited number of recent urban land sales, three were identified, verified, inspected, and included in this analysis of the subject's land value. Listings of comparable urban sites were considered but none were considered comparable to the subject property. Since all three comparable land sales occurred after the major market decline in 2009, no time adjustment was warranted.

This appraisal report is presented in a reporting format valuing the subject property in its entirety as a whole as defined in the Uniform Standards of Professional Appraisal Practice (USPAP).

MARKET VALUE DEFINITION

According to the *Dictionary of Real Estate Appraisal*, published by the Appraisal Institute (Fourth Edition), the following definition of Market Value is utilized within this report:

"The most probable price in cash, as of a specified date, financial arrangements equivalent to cash, or in other precisely revealed terms, for which the appraised property will sell in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under duress."

DATE OF VALUE The date of value of the subject property is February 26, 2014.

DATE OF THE REPORT The date of this appraisal report is March 4, 2014.

DESCRIPTION AND ANALYSIS OF GENERAL AREA AND NEIGHBORHOOD Manatee County Area and Neighborhood Description

See Addenda

HIGHEST AND BEST USE ANALYSIS

Highest and best use is defined by the *Dictionary of Real Estate Appraisal*, fourth edition, as published by The Appraisal Institute as follows:

"The reasonable probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility and maximum profitability."

[x] same as present use, [] different from present use.

Land as vacant: Mixed Use

Property as Improved: NA, Vacant

In considering the highest and best use of the subject property, uses that are physically possible, legally permissible, financially feasible, and maximally productive must be considered. The subject property size, location, and surrounding land characteristics support a mixed multi-family residential or small scale commercial use of the property.

Highest and Best use, as a Vacant site:

Physically Possible: The subject parcels contain, respectively, 18,847 SF, 5,715 SF, and 12,891 SF and are located on the north side of 1st Avenue North at 22nd Street North in east-central St. Petersburg. Public water, sewer, telephone, trash removal and storm drainage are presently available and believed to be adequate. Soil conditions were suitable for development of the site. The subject parcels are predominately cleared, flat upland with no obvious wetland areas.

Legally Permissible: The zoning was CRT-1, Corridor Residential Traditional and the Land Use Plan designation was Community Redevelopment that permits mixed residential and commercial uses. The zoning restricts use of the subject parcels to multi-family residential and limited retail, personal service, and office uses. Each of the subject parcels conforms with the zoning's minimum lot size and; therefore, they are legally conforming lots. Future Land Use designation permits mixed use of the subject property.

Financially Feasible: The subject neighborhood is an established urban area with a stable urban population base that can support mixed multi-family residential uses and various smaller scale commercial retail and office uses. The slow recovery from the current economic malaise, with its lack of access to acquisition and development funding, has begun to stabilize demand for development for well located vacant sites in urban areas. Some densities of residential development are beginning to become financially feasible and some small-scale commercial uses are returning to corridor locations.

Maximally Productive: (most profitable use) - Site size and zoning constraints indicate that the existing subject parcels have a maximally productive use for mixed residential and commercial development with multi-family densities ranging from

24 - 36 dwelling units per acre. Therefore, the highest and best use of the site, as vacant, is for mixed-use development involving either multi-family residential or small-scale commercial uses.

Highest and Best Use, as Improved:

Subject property was unimproved.

APPROACHES TO VALUE OMITTED AS NOT APPLICABLE

[] MARKET [X] COST [X] INCOME

The Market Approach was used to value the subject parcels as a mixed use development sites. The Cost and Income Approaches were not applicable for valuing the subject land.

ESTIMATE OF LAND VALUE

The value of vacant land can best be estimated by the direct sales comparison approach based upon the subject site's highest and best use. By using the sales comparison approach, which compares the subject site to similar properties that have recently sold, a value estimate for the subject site can be estimated. This approach is applied using several steps.

1. Research, confirm and analyze recent sales considered comparable to the subject site.
2. Adjust the sales selected for analysis for the subject property utilizing appropriate techniques.
3. Estimate an appropriate unit of comparison such as price per square foot, acre or unit to apply to the subject property.
4. Estimate a final value conclusion using the available information.

The reliability of this technique is dependent upon the degree of comparability of each sale to the subject, markets conditions at the time of sale, verification of pertinent data, and the absence of unusual conditions that influence the sale.

In this analysis of the subject parcels containing 18,847 SF, 5,715 SF, and 12,891 SF of land will each be valued at its mixed use highest and best use relying on sales of similar mixed use land.

Collection of Comparable Land Sales

Vacant Land Sales

For the three subject parcels ranging in size from 5,715 to 15,720 SF that support mixed commercial and multi-family residential use, it was necessary to find recent land sales suitable as substitute or alternative sites for such use. Research identified three land sales for use in this analysis of land value for the subject parcels. Among the three comparable land sales: the most recent is located about 1¼ miles northwest on the 5th Avenue North corridor, another is located on nearby 5th Avenue North, and one is located about one-third mile east of the subject parcels on the 1st Avenue North corridor. Each comparable was researched, verified, and field inspected prior to inclusion in this analysis of land value.

A summary of the adjustments and conclusions regarding each of the three comparable land sales can be found on the Summary of Vacant Land Comparables and Adjustment Grids for each subject parcel that follows.

Reference to the Comparable Land Sales Map, individual summaries of comparable land sales, and supporting market data analyses are incorporated in the addenda section.

**LAND SALES GRID
PARCEL 1**

COMPARABLE LAND SALES GRID
PARCEL ID #23-31-16-78390-018-0140

Subject	1	2	3				
Parcel #	Sale #1	Sale #2	Sale #3				
OR Blk/Pg (Instrument No.)	18263-0194	17503-1286	17323-2642				
Date of Sale / Value	Feb-14	Dec-13	Aug-11				
Owner/Grantor	City of St. Petersburg	Linda B. Price	Florida Bank				
Owner / Grantee	NA	Boley Centers, Inc.	1700 Central LLC				
			Circle K Stores, Inc.				
Location	2201 1st Avenue No St. Petersburg, FL	3638 5th Avenue No St. Petersburg, FL	1700 1st Avenue No St. Petersburg, FL				
			3445 5th Avenue No St. Petersburg, FL				
Site Characteristics:							
Land Area, SF	18,847	10,972	Irregular				
Land Area, AC	0.433	0.252	NA				
Terrain	Level/Cleared	Level/Cleared	Level/Cleared				
Access	Corner	Off-Corner	Corner				
Lot Dimensions	148.4'x 127'	105'x 104.5'	Irregular				
Width-to-Depth Ratio	0.86	1.00	NA				
Utilities	Water/Sewer	Water/Sewer	Water/Sewer				
Zoning	CRT-1	CRT-1	DC-2				
Current/Proposed Use	Vacant	Vacant	Vacant				
Sale Price	NA	\$124,900	\$320,000				
			\$250,000				
Price Per Square Foot	\$11.38	\$10.67	\$15.90				
Property Rights	Fee Simple	Similar	Similar				
Financing	Cash Equivalent	Similar	Similar				
Conditions of Sale	Arm's-Length	Similar	Similar				
Date of Sale (Mkt Conditions)	Current	0.00%	0.00%				
			Assemblage -25%				
Normalized Sales Price		\$124,900	\$320,000				
			\$187,500				
Normalized Unit of Comparison, NSF	\$11.38	\$10.67	\$11.93				
Location	2201 1st Avenue No	Similar	0%	Superior	-5%	Superior	-10%
Access	Corner	Inferior	5%	Similar	0%	Similar	0%
Shape	Rectangular	Similar	0%	Inferior	5%	Similar	0%
Size	18,847	Superior	-5%	Inferior	5%	Similar	0%
Utilities (Water/Sewer)	Water/Sewer	Similar	0%	Similar	0%	Similar	0%
Zoning	CRT-1	Similar	0%	Superior	-5%	Similar	0%
Net Adjustment			0%		0%		-10%
Adjusted Price Per SF	\$11.38	\$10.67	\$10.73				

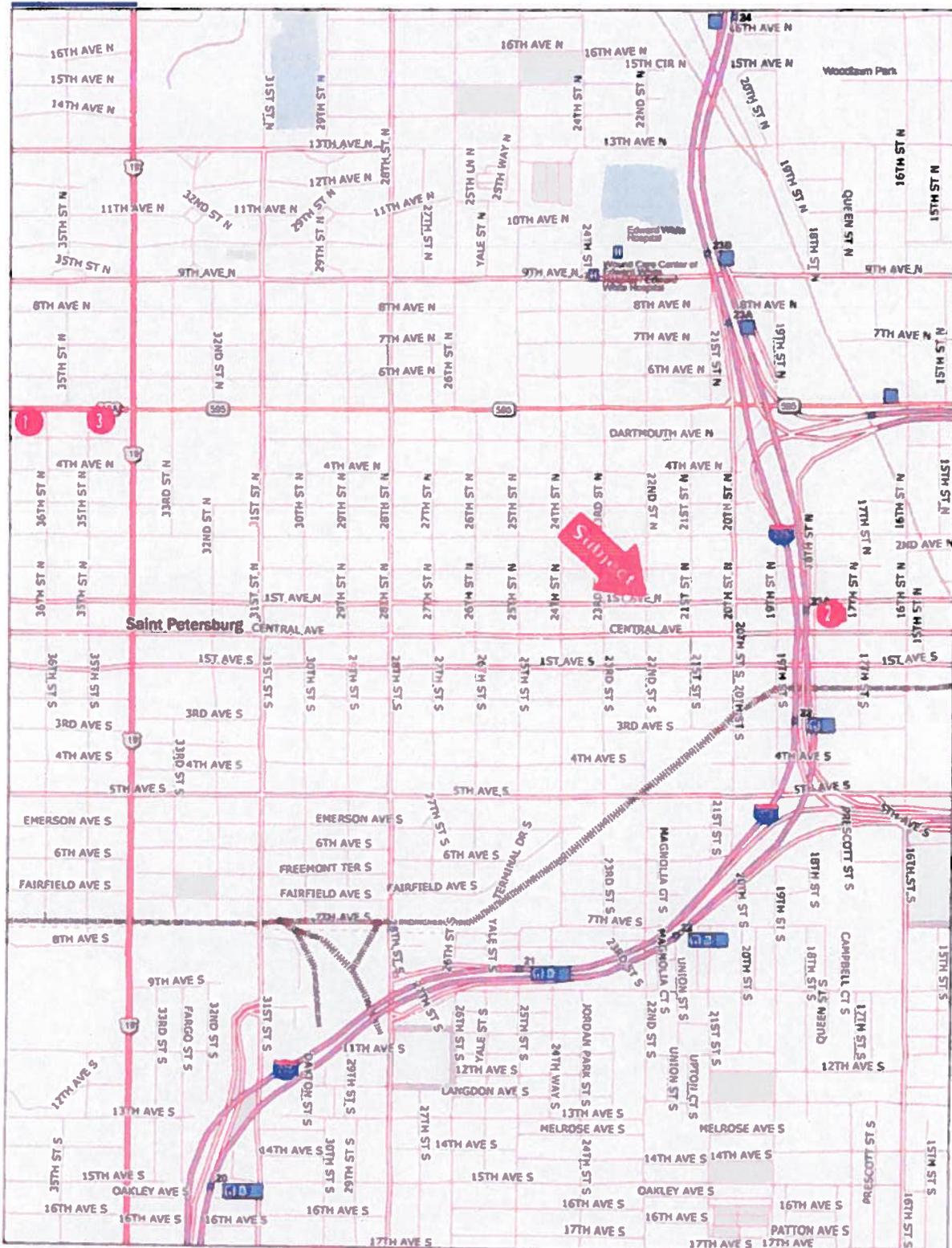
**LAND SALES GRID
PARCEL 2**

COMPARABLE LAND SALES GRID							
PARCEL ID #23-51-16-78390-018-0110							
2245 1st Avenue North							
	Subject	1	2	3			
	Parcel 2	Sub #1	Sub #2	Sub #3			
OR Bk/Pg (Instrument No.)		18263-0194	17503-1286	17323-2642			
Date of Sale / Value	Feb-14	Dec-13	Feb-12	Aug-11			
Owner/Grantor	City of St Petersburg	Linda B. Price	Florida Bank	Dung T. Nguyen			
Owner / Grantee	NA	Boley Centers, Inc.	1700 Central LLC	Circle K Stores, Inc.			
Location	2245 1st Avenue No St. Petersburg, FL	3638 5th Avenue No St. Petersburg, FL	1700 1st Avenue No St. Petersburg, FL	3445 5th Avenue No St. Petersburg, FL			
Site Characteristics:							
Land Area, SF	5,715	10,972	30,000	15,720			
Land Area, AC	0.131	0.252	0.689	0.361			
Terrain	Level/Cleared	Level/Wooded	Level/Cleared	Level/Cleared			
Access	Off-Corner	Off-Corner	Corner	Corner			
Lot Dimensions	45'x 127'	105'x 104.5'	Irregular	150'x 104.8'			
Width-to-Depth Ratio	2.82	1.00	NA	0.70			
Utilities	Water/Sewer	Water/Sewer	Water/Sewer	Water/Sewer			
Zoning	CRT-1	CRT-1	DC-2	CRT-1			
Current/Proposed Use	Vacant	Vacant	Vacant	Vacant			
Sale Price	NA	\$124,900	\$320,000	\$250,000			
Price Per Square Foot		\$21.85	\$10.67	\$15.98			
Property Rights	Fee Simple	Similar	Similar	Similar			
Financing	Cash Equivalent	Similar	Similar	Similar			
Conditions of Sale	Arm's-Length	Similar	Similar	Assemblage	-25%		
Date of Sale (Mkt Conditions)	Current	0.00%	0.00%	0.00%			
Normalized Sales Price		\$124,900	\$320,000	\$187,500			
Normalized Unit of Comparison, \$/SF		\$21.85	\$10.67	\$11.95			
Location	2245 1st Avenue No	Similar	0%	Superior	-5%	Superior	-10%
Access	Off-Corner	Similar	0%	Superior	-5%	Superior	-5%
Shape	Rectangular	Similar	0%	Inferior	5%	Similar	0%
Size	5,715	Inferior	5%	Inferior	20%	Inferior	10%
Utilities (Water/Sewer)	Water/Sewer	Similar	0%	Similar	0%	Similar	0%
Zoning	CRT-1	Similar	0%	Superior	-5%	Similar	0%
Net Adjustment			5%		5%		-5%
Adjusted Price Per SF		\$21.95	\$11.20	\$11.45			

**LAND SALES GRID
PARCEL 3**

COMPARABLE LAND SALES GRID:							
PARCEL ID #24-31-16-77328-000-0550							
2163 1st Avenue North							
Subject	1	2	3				
Parcel #	Sub #1	Sub #2	Sub #3				
OR Bk/Pg (Instrument No.)	18263-0194	17503-1286	17323-2642				
Date of Sale / Value	Feb-14	Dec-13	Feb-12	Aug-11			
Owner/Grantor	City of St. Petersburg	Linda B. Price	Florida Bank	Dung T. Nguyen			
Owner / Grantee	NA	Boley Centers, Inc.	1700 Central LLC	Circle K Stores, Inc.			
Location	2163 1st Avenue No St. Petersburg, FL	3638 5th Avenue No St. Petersburg, FL	1700 1st Avenue No St. Petersburg, FL	3400 5th Avenue No St. Petersburg, FL			
Site Characteristics:							
Land Area, SF	12,891	10,972	30,000	15,720			
Land Area, AC	0.296	0.252	0.689	0.361			
Terrain	Level/Cleared	Level/Wooded	Level/Cleared	Level/Cleared			
Access	Signalized Corner	Off-Corner	Corner	Corner			
Lot Dimensions	101.5'x 127'	105'x 104.5'	Irregular	150'x 104.8'			
Width-to-Depth Ratio	1.25	1.00	NA	0.70			
Utilities	Water/Sewer	Water/Sewer	Water/Sewer	Water/Sewer			
Zoning	CRT-1	CRT-1	DC-2	CRT-1			
Current/Proposed Use	Vacant	Vacant	Vacant	Vacant			
Sale Price	NA	\$124,900	\$320,000	\$250,000			
Price Per Square Foot	\$11.38	\$11.38	\$10.67	\$15.90			
Property Rights	Fee Simple	Similar	Similar	Similar			
Financing	Cash Equivalent	Similar	Similar	Similar			
Conditions of Sale	Arm's-Length	Similar	Similar	Assemblage -25%			
Date of Sale (Mkt Conditions)	Current	0.00%	0.00%	0.00%			
Normalized Sales Price		\$124,900	\$320,000	\$187,500			
Normalized Unit of Comparison, S/SI	S/SI	S/SI	S/SI	S/SI			
Location	2163 1st Avenue No	Similar	Superior	-5%	Superior	-10%	
Access	Corner	Inferior	Similar	0%	Similar	0%	
Shape	Rectangular	Similar	Inferior	5%	Similar	0%	
Size	12,891	Superior	Inferior	5%	Similar	0%	
Utilities (Water/Sewer)	Water/Sewer	Similar	Similar	0%	Similar	0%	
Zoning	CRT-1	Similar	Superior	-5%	Similar	0%	
Net Adjustment				0%	0%	-10%	
Adjusted Price Per SF	\$11.38	\$11.38	\$10.67	\$10.75			

LAND SALES MAP



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 www.delorme.com

Scale 1:16,000
 1" = 1,333.3 ft Data Zoom 13-6

EXPLANATION OF ADJUSTMENTS

The preceding transactions are a recent sampling of comparable sales of land with a mixed commercial and multi-family residential highest and best use, located along major commercial corridors in the east-central portion of the City of St. Petersburg. In order to allow comparison between the comparable sales analyzed and the three subject parcels, it was necessary to adjust the sales for characteristic differences between them and the subject parcels. Note that the subject land was analyzed on a price per square foot unit of comparison since land suitable for mixed commercial-residential development was found to be viewed by the "market" on this basis.

Of the various land sales that were researched, three were selected for analysis because they were the most comparable noted from the local market for size, location, and desirability. These three comparables had an unadjusted price range of \$10.67 to \$15.90 per square foot with an average of \$12.65 per square foot. Specific considerations in this land sales analysis are discussed in the following paragraphs.

Adjustments were provided to compensate for important value-influencing differences between the subject property and the comparable sales. Adjustments were made in a specific sequence. Financing terms were considered first, then any aberrant conditions of sale, and, finally, time or market-price level adjustments.

These three adjustments were made first in order to bring each comparable sale to a "current" basis before considering further required adjustments. Other adjustments were then made for physical characteristics such as size, location, width-depth, utilities, and access. The first three elements of comparison are sufficiently important as to warrant an explanation of each.

Financing Terms - The sales price of one property may differ from that of an identical property due to different financing arrangements. More favorable financing usually has the effect of increasing the sale price.

During the time frame of this report, mortgage interest rates varied from 3.5% to 5.5% for land agreement for deed loans and were relatively stable. Any financing falling within this range was considered "typical market financing" and did not require any adjustment. Financing below the 3.5% base rate, therefore,

usually required a "Cash Equivalent" adjustment. All of the comparable sales were sold for cash; therefore, adjustments for financing were not warranted.

Conditions of Sale - This adjustment pertains to any atypical condition that would cause the sale price to be measurably higher or lower than it would have been in the absence of the unusual condition. Atypical conditions sometimes involve transactions between relatives or corporations and their owners.

Special income tax situations could also necessitate a "condition of sale" adjustment. In this instance, all of the comparable sales analyzed represented arm's length transactions transferring the unencumbered fee simple estate in the property. However, Sale #3 was an important component of an assembled convenience store building site; therefore, it was adjusted 25% downward for assemblage premium.

Market Conditions - This adjustment is often referred to as the "time" adjustment. Among the three comparables, one occurred in 2013, one occurred in 2012 and one occurred in 2011. An evaluation of residential land sales and listings and, more especially market participants, in the Manatee County market suggested a major decline in the market during 2009 and a stabilizing trend through 2013. Since all three comparable land sales occurred after the 2009 adjustment in the market, the comparable land sales did not support a specific decline in unit sale prices.

Physical Adjustments - Differences in physical characteristics involving parcel location, access, shape, size, utility service, and zoning/land use between the comparable sales and subject property were considered after the implementation of any transactional adjustments.

The **locations** of the comparable sales varied relative to that of the subject parcels. Two of the three comparable land sales had superior locations. Sale 2 is located in the downtown area and warranted a negative 5% location adjustment. Sale 3 is located near the 34th Street/US Highway 19 corridor and warranted negative 10% location adjustment. Sale 1 warranted no location adjustment.

The three subject parcels included two corner sites and one off-corner site. For subject corner Parcels 1 and 3, Sale 1's inferior off-corner access warranted a 5% upward adjustment. For off-corner subject Parcel 2, Sales 2 and 3 had superior corner access that warranted downward 5% adjustments.

The **sizes** of the subject parcels ranged from 5,715 to 18,847 SF and the comparable sales ranged from 10,972 to 30,000 SF. For the larger multi-lot subject Parcels 1 and 3, Sale 1 was smaller and it was adjusted downward 5% for size. Sale 2 was significantly larger and it was adjusted upward 5% for size. Sale 3 was similar in size and warranted no adjustment. For the smaller, 1-lot subject Parcel 2, all the comparable land sales were adjusted upward from 5% to 20% because of their larger sizes and corresponding lower unit values.

The **shape** and configuration of comparable land Sale 2 varied slightly with that of the subject parcels and warranted a positive 5% shape adjustment. The other two comparable land sales were rectangular or assembled into rectangular sites; therefore, they warranted no shape adjustments.

Public utilities, with the possible exception of roadways, which have the greatest impact on land use and market value may be potable water and wastewater treatment facilities. The ability to "tap in" to water and sewer lines that provide adequate flow characteristics and are connected to treatment facilities with adequate capacity to absorb additional demand is sometimes an advantage reflected in the selling price of land located in proximity to public water and sewer services. The three subject parcels and all three comparable land sales were served by a full complement of utilities; therefore, no utility adjustments were necessary.

The **zoning and land use** designations for the comparable land sales all permit multi-family residential and small-scale commercial uses. However, Sale 2 has superior DC-2 zoning that warranted a negative 5% adjustment for its more intense highest and best use.

Discussion of Selected Sales Used For Comparison

Sale 18263-0194 (Sale #1) is located the south side of 5th Avenue North east of 37th Street North in the City of St. Petersburg. The site has a physical address of 3638 5th Avenue North. The site includes 2 platted lots and contains 10,972 SF, or 0.252 acres and is rectangular in shape. This property sold on December 20, 2013 for \$124,9000. The sale property was vacant and was acquired by a developer in order to build multi-family affordable housing. This comparable sale indicated a unit price of \$11.38/SF for land.

This sale was considered a "substitute or alternative" property for a potential buyer of the subject in terms of location, access, utilities, zoning, and highest and best use. It required no transactional and two adjustments for differences in physical characteristics relative to subject Parcels 1 and 3 that resolved to zero net adjustments. For subject Parcel 2, no transactional and one adjustment for physical differences resolved to a positive 5% net adjustment. After adjustments, this sale produced a unit price of \$11.38/SF for subject Parcels 1 and 3. It indicated a unit price of \$11.95/SF for the smaller subject Parcel 2.

Sale 17503-1286 (Sale #2) is located the south side of 1st Avenue North and north side of Central Avenue on the east side of 18th Street North in the City of St. Petersburg. The site has no physical address on the 1700 block of Central Avenue. The site includes 6 platted lots and contains 30,000 SF, or 0.689 acres and is "L" shaped bisected by an alley. This property sold on

February 28, 2012 for \$320,000. The sale property was vacant and was acquired by a developer for investment. This comparable sale indicated a unit price of \$10.67/SF for land.

This sale was considered a "substitute or alternative" property for a potential buyer of the subject in terms of location, access, utilities, zoning, and highest and best use. It required no transactional and four adjustments for differences in physical characteristics relative to subject Parcels 1 and 3 that resolved to zero net adjustments. For subject Parcel 2, no transactional and five adjustments for physical differences resolved to a positive 5% net adjustment. After adjustments, this sale produced a unit price of \$10.67/SF for subject Parcels 1 and 3. It indicated a unit price of \$11.20/SF for the smaller subject Parcel 2.

Sale 17323-2642 (Sale #3) is located at the southeast corner of 5th Avenue North and 35th Street North in the City of St. Petersburg. The site has a physical address of 3445 5th Avenue North as part of the assembled block at the southwest corner of U.S. Highway 19 and 5th Avenue North. The site contains 15,720 SF, or 0.431 acres and is rectangular shaped. This property sold on August 3, 2011 for \$250,000. The sale property was vacant and was acquired by a C-Store company as part of its site assemblage. This comparable sale indicated a unit price of \$11.93/SF for land after deducting a 25% assemblage premium.

This sale was considered a "substitute or alternative" property for a potential buyer of the subject in terms of location, access, utilities, zoning, and highest and best use. It required one transactional and one adjustment for differences in physical characteristics relative to subject Parcels 1 and 3 that resolved to negative 10% net adjustments. For subject Parcel 2, one transactional and three adjustments for physical differences resolved to a negative 5% net adjustment. After adjustments, this sale produced a unit price of \$10.73/SF for subject Parcels 1 and 3. It indicated a unit price of \$11.33/SF for the smaller subject Parcel 2.

Reconciliation of Indicated Land Values

Land Value Conclusion

The three comparable land sales indicated an adjusted range of value for subject Parcels 1 and 3 of \$10.67 to \$11.38 per square foot with an average of \$10.93 per square foot. Equal weight in reconciliation was placed on all three comparable land sales because they indicated a relatively narrow range of value for Parcels 1 and 3.

The three comparable land sales indicated an adjusted range of value for subject Parcel 2 of \$11.20 to \$11.95 per square foot with an average of \$11.51 per square foot. Equal weight in reconciliation was placed on all three comparable land sales because they indicated a relatively narrow range of value for Parcel 2.

After adjustments and careful consideration of the foregoing data, it was my opinion that the value of the subject Parcels 1 and 3 was \$11.00 per square foot and for subject Parcel 2 was \$11.50/SF. Hence, the market value of the subject, effective February 26, 2014, was calculated as follows:

<u>Subject Property</u>	<u>Area</u>	<u>Unit</u>	<u>Price</u>	<u>Indicated Value</u>	<u>Rounded</u>
Parcel 1	18,847	SF	\$11.00	\$ 207,317	\$ 207,300
Parcel 2	5,715	SF	\$11.50	\$ 65,723	\$ 65,700
Parcel 3	12,891	SF	\$11.00	\$ 141,800	\$ 141,800
Retail Market Value Indication:					\$ 414,800

The above referenced "Retail Market Value" represents the individual market value of each separate subject parcel. Were these three parcels combined into a sale in bulk to a single buyer, a discount of 30% is reflected in a combined market value of \$290,360; say, \$290,000.

Indicated Value of Combined Parcels by Sales Comparison Approach

\$290,000

RECONCILIATION OF VALUE INDICATIONS

Introduction

Reconciliation is the final step in the valuation process in which alternate value indications are evaluated and the most meaningful, defensible conclusion is selected as a final value estimate. The approaches are examined for appropriateness, accuracy, and quantity of evidence. Any differences or inconsistencies in the analyses and conclusions are explained. The following value conclusions were indicated by the approach to value employed in this appraisal.

Cost Approach		NA
Sales Comparison Approach	\$	290,000
Income Approach	\$	NA

Sales Comparison Approach - Reconciliation

The sales comparison approach is the most direct approach to value, and is the most easily understood. Its strength rests in the availability of comparable market sales. Three recent comparable land sales were identified and analyzed in comparison with the subject property. The three land sales included multi-lot sales all located on major thoroughfares within the City of St. Petersburg in areas similar to the subject neighborhood. They presented a tighter range of indicated value after adjustments for differences in their transactional and physical characteristics relative to the subject property. As a consequence, this approach was given primary weight in the valuation process.

Final Conclusion of Value - Reconciliation

Based upon the investigation and analyses outlined above and giving weight to the direct sales comparison approach, it was concluded that as of February 26, 2014, the market value of the subject property was \$290,000.

FINAL CONCLUSION OF MARKET VALUE OF THE COMBINED PROPERTY

\$290,000

McCormick, Braun, & Seaman

Real Estate Appraisers & Consultants

1262 Dr. Martin Luther King, Jr. Street North

St. Petersburg, Florida 33704

Phone: (727) 821-6601

Fax: (727) 823-5625

June 11, 2013

Ms. Diane Bozich
Real Estate & Property Management
City Of St. Petersburg
P.O. Box 2842
St. Petersburg, Florida 33731

RE: A Summary Appraisal Report
Our File #13299 A-C
2201, 2245 & 2163 1st Avenue North
St. Petersburg, Florida 33713

Dear Ms. Bozich:

We have prepared individual appraisal reports on the three lots listed above, as of June 7, 2013.

The estimated values of the subject sites are:

2201 1 st Avenue North	18,847 SF MOL	\$ 205,000
2245 1 st Avenue North	5,715 SF MOL	\$ 37,000
2163 1 st Avenue North	<u>12,941 SF MOL</u>	<u>\$ 140,000</u>
	37,503 SF MOL	\$ 382,000 or \$10.19 PSF

Per your request, we have estimated the "discounted sell-out or bulk sale to a single buyer".

Typically, when purchasing vacant land for development, a developer will pay a lower price per square foot for larger parcels. Another factor to consider is that the sites are not contiguous. As such, developers will not attain the same economies of scale they would from a contiguous parcel.

In our appraisals we concluded that the highest and best use of 2201 & 2163 1st Avenue North would be multi-family development. The site at 2245 1st Avenue North is much smaller and, we feel, its highest and best use would be single family development. This would also negatively influence what a typical developer would pay for the three subject sites.

Ms. Diane Bozich
Page 2

RE: A Summary Appraisal Report
Our File #13299 A-C
2201, 2245 & 2163 1st Avenue North
St. Petersburg, Florida 33713

Considering the size and configuration of the subject sites as well as the difference in the highest and best use of the three sites, based on our analysis of the market, we feel that an investor purchasing all three parcels would discount the aggregate value by 25%. The indicated discounted value is:

$\$10.19 \text{ PSF} - \$2.55 (25\%) = \$7.64 \text{ PSF} \times 37,503 \text{ SF MOL} = \$286,523$
Rounded to: **\$285,000**

Extraordinary Assumptions: In estimating the Discounted Bulk Sales value of the subject lots, we have made the extraordinary assumption that the three subject lots would be sold to a single buyer. If the subject lots are sold otherwise, the values reported herein could be affected.

Hypothetical Conditions: We have not made any hypothetical conditions in valuing the subject property.

Note: This update should be considered an integral part of the appraisals for the individual parcels (Our File #13299 A-C) in order to conform to all guidelines and attached thereto. All Extraordinary Assumptions, Hypothetical Conditions and Limiting Conditions apply.

If you have any further questions feel free to contact us.

McCORMICK, BRAUN, & SEAMAN



Ronald W. Braun, MAI
State-Certified General
Real Estate Appraiser RZ1761
Licensed Real Estate Broker



Donald J. Terrana
State-Certified General
Real Estate Appraiser RZ2486
Licensed Real Estate Salesman



A VACANT RESIDENTIAL LOT

LOCATED AT:

2201 1ST AVENUE NORTH
ST. PETERSBURG, FL 33713

FOR:

MS. DIANE BOZICH
REAL ESTATE AND PROPERTY MANAGEMENT/CITY OF ST. PETERSBURG
P.O. BOX 2842
ST. PETERSBURG, FL 33731

AS OF:

JUNE 7, 2013

BY:

DONALD J. TERRANA
STATE - CERTIFIED GENERAL
REAL ESTATE APPRAISER
R22486

LAND APPRAISAL REPORT

Main File No. 13299-A

Borrower <u>N/A</u>		File No. 13299-A	
Property Address <u>2201 1ST AVENUE NORTH</u>		Census Tract <u>218 00</u>	Map Reference <u>23-31-16</u>
City <u>ST. PETERSBURG</u>	County <u>PINELLAS</u>	State <u>FL</u>	Zip Code <u>33713</u>
Legal Description <u>ST. PETERSBURG INVESTMENT CO. SUB BLK 18, LOTS 14, 15 & 16, PG 1, PG 16.</u>			
Sale Price \$ <u>N/A</u>	Date of Sale <u>N/A</u>	Loan Term <u>yes</u>	Property Rights Appraised <input checked="" type="checkbox"/> Fee <input type="checkbox"/> Leasehold <input type="checkbox"/> De Minimis PUD
Actual Real Estate Taxes \$ <u>0</u>	(yr) <u>0</u>	Loan charges to be paid by seller \$ <u>N/A</u>	Other sales concessions
Lender/Client <u>CITY OF ST PETERSBURG</u>		Address	
Occupant <u>VACANT</u>	Appraiser <u>DONALD J. TERRANA</u>	Instructions to Appraiser <u>"AS IS"</u>	

Location	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	<input type="checkbox"/> Rural	Employment Stability Convenience to Employment Convenience to Shopping Convenience to Schools Adequacy of Public Transportation Recreational Facilities Adequacy of Utilities Property Compatibility Protection from Detrimental Conditions Police and Fire Protection General Appearance of Properties Appeal to Market
Built Up	<input checked="" type="checkbox"/> Over 75%	<input type="checkbox"/> 25% to 75%	<input type="checkbox"/> Under 25%	
Growth Rate	<input type="checkbox"/> Fully Dev.	<input checked="" type="checkbox"/> Rapid	<input type="checkbox"/> Steady	
Property Values	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Slow	
Demand/Supply	<input type="checkbox"/> Shortage	<input checked="" type="checkbox"/> In Balance	<input type="checkbox"/> Declining	
Marketing Time	<input checked="" type="checkbox"/> Under 3 Mos.	<input type="checkbox"/> 4-6 Mos.	<input type="checkbox"/> Oversupply	
Present Land Use	<input checked="" type="checkbox"/> 80% 1 Family	<input type="checkbox"/> 10% 2-4 Family	<input type="checkbox"/> 10% Apts	
Change in Present Land Use	<input type="checkbox"/> % Industrial	<input type="checkbox"/> % Vacant	<input type="checkbox"/> % Condo	
	<input type="checkbox"/> % Commercial	<input type="checkbox"/> %	<input type="checkbox"/> 20% Commercial	
	<input type="checkbox"/> Not Likely	<input type="checkbox"/> Likely (*)	<input type="checkbox"/> Taking Place (*)	
Predominant Occupancy	<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	<input type="checkbox"/> % Vacant	
Single Family Price Range	\$ <u>40</u> to \$ <u>340</u>		Predominant Value \$ <u>130</u>	
Single Family Age	NEW yrs. to <u>80</u> yrs		Predominant Age <u>80</u> yrs.	

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): **THE SUBJECT IS LOCATED AT THE NORTHWEST CORNER OF 22ND ST N & 1ST AVE N IN ST. PETERSBURG, FLORIDA. THIS IS AN AREA OF RESIDENTIAL AND COMMERCIAL USES. 1ST AVENUE NORTH IS A BUSY ONE WAY STREET CONNECTING DOWNTOWN WITH THE GULF BEACHES. THE TREND IN THIS AREA HAS BEEN TO DEMOLISH OLDER SINGLE FAMILY IMPROVEMENTS AND DEVELOP MULTI-FAMILY OR OFFICE USES.**

Dimensions 148.4 X 127 PER PUB RECS = 18,847 Sq. Ft. or Acres Corner Lot

Zoning classification CRT-1 CORRIDOR RESIDENTIAL TRADITIONAL DISTRICT Present Improvements do do not conform to zoning regulations

Highest and best use Present use Other (specify) SEE ADDENDUM

Elec. Public Other (Describe) PRIVATE

Gas PRIVATE

Water

San. Sewer UNDERGROUND ELECT. & TEL

Off Site Improvements: Street Access Public Private; Surface ASPHALT; Maintenance Public Private; Storm Sewer Curb/Gutter Street Lights Sidewalks

Topo LEVEL; Size AVERAGE FOR AREA; Shape RECTANGLE; View RESIDENTIAL; Drainage TYPICAL

Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): See attached addenda.

The undersigned has reviewed three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject. If a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	2201 1ST AVENUE NORTH ST. PETERSBURG	1700 BLK 1ST AVE N ST. PETERSBURG, FL	3444 5TH AVE N ST. PETERSBURG, FL	3838 5TH AVE N ST. PETERSBURG, FL
Proximity to Subject		8 MILES E	1.1 MILES NW	1.1 MILES NW
Sales Price	\$ N/A	\$ 320,000	\$ 280,000	\$ 140,000
Price		\$ 10.07 PSF	\$ 18.00 PSF	\$ 12.77
Date Source	INSPECTION	ORB 17503, PAGE 1285	ORB 17323, PAGE 2942	MLS# T2548836
Date of Sale and Time Adjustment	DESCRIPTION	DESCRIPTION +/- 18 Adjst	DESCRIPTION +/- 18 Adjst	DESCRIPTION +/- 18 Adjst
	N/A	02/12	8/11	LISTING
Location	GOOD	SUPERIOR -10%	SIMILAR	SIMILAR
Site/View	18,847 SF	30,000 SF +2%	15,720 SF	10,857 SF
ZONING	CRT-1	SUPERIOR -8%	SIMILAR	SIMILAR
SHAPE	RECTANGLE	IRREGULAR +5%	SIMILAR	SIMILAR
Sales or Financing Concessions	NONE		SEE BELOW -20%	LISTING -10%
Net Adj. (Total)		+ - : \$ -5%	+ - : \$ -20%	+ - : \$ -10%
Indicated Value of Subject		\$ 10.14 PSF	\$ 12.72 PSF	\$ 11.49 PSF

Comments on Market Data: **SALE #1 WAS ADJUSTED FOR LOCATION BECAUSE IT ALSO HAS FRONTAGE ON CENTRAL AVE. SALE #2 WAS PURCHASED FOR THE EXPANSION OF A GAS STATION/CONVENIENCE STORE. WE FEEL THAT THE BUYER PAID A PREMIUM AND SALE #2 WAS ADJUSTED DOWNWARD 20%. LISTING #3 WAS ADJUSTED DOWNWARD 10% TO REFLECT THE ANTICIPATED SALES PRICE.**

Comments and Conditions of Appraisal: **ADJUSTMENTS WERE ALSO REQUIRED FOR SITE SIZE, ZONING AND SHAPE. THE GREATEST WEIGHT HAS BEEN PLACED ON ADJUSTED CLOSED SALES #1 & #2.**

BASED ON THE ABOVE COMPARABLES WE ESTIMATE THE VALUE OF THE SUBJECT SITE TO BE: **18,847 SF X \$11.00 PSF = \$207,317, ROUNDED TO \$205,000.**

Final Reconciliation: **THE SALES COMPARISON APPROACH IS THE ONLY APPLICABLE APPROACH TO VALUING VACANT LAND.**

I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF JUNE 7 2019 to be \$ 205,000

DONALD J. TERRANA Appraiser(s) State-Cert Gen RZ3485

RONALD W. BRAUN, MAI Review Appraiser State-Cert Gen RZ1761

Did Did Not Physically Inspect Property

Supplemental Addendum

File No. 13299-A

Borrower/Client	N/A		
Property Address	2201 16TH AVENUE NORTH		
City	ST. PETERSBURG	County	PINELLAS
State	FL	Zip Code	33713
Client	CITY OF ST. PETERSBURG		

HIGHEST & BEST USE: THE SUBJECT IS ZONED CRT-1 OR CORRIDOR RESIDENTIAL TRADITIONAL DISTRICT. THIS ZONING ALLOWS FOR SINGLE AND MULTI-FAMILY RESIDENTIAL USES AS WELL AS OFFICES, MEDICAL OFFICES, BANKS (WITHOUT DRIVE THRU LANES) CHURCHES AND FUNERAL HOMES. AS A RESULT OF THE RECENT DOWNTURN IN THE COMMERCIAL REAL ESTATE MARKET, THERE IS A HIGH INVENTORY OF OFFICE AND OTHER LIGHT COMMERCIAL PROPERTIES. ANY NEW DEVELOPMENT OF COMMERCIAL USES IS OCCURRING IN WELL ESTABLISHED COMMERCIAL AREAS.

THE ZONING ALLOWS A DENSITY OF 1 UNIT PER 1,615 PSF OF LAND OR UP TO 10 UNITS FOR THE SUBJECT SITE.

WE FEEL THAT THE HIGHEST AND BEST USE OF THE SUBJECT SITE IS DEVELOPMENT OF A MULTI-FAMILY USE.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

* Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach of its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

ADDRESS OF PROPERTY APPRAISED: 2201 1ST AVENUE NORTH, ST. PETERSBURG, FL 33713

APPRAISER:

Signature: 
 Name: DORADO J. TERRANA
 Date Signed: 8/10/2013
 State Certification #: CERT GEN R22488
 or State License #: _____
 State: FL
 Expiration Date of Certification or License: 11/14

SUPERVISORY APPRAISER (only if required):

Signature: 
 Name: RONALD W. BRAUN, MAI
 Date Signed: 8/10/2013
 State Certification #: CERT GEN R21781
 or State License #: _____
 State: FL
 Expiration Date of Certification or License: 11/14

Did Did Not Inspect Property

Subject Photos

Borrower/Client	N/A				
Property Address	2201 1ST AVENUE NORTH				
City	ST. PETERSBURG	County	PINELLAS	State	FL Zip Code 33713
Client	CITY OF ST. PETERSBURG				



SUBJECT SITE LOOKING WEST
2201 1ST AVENUE NORTH



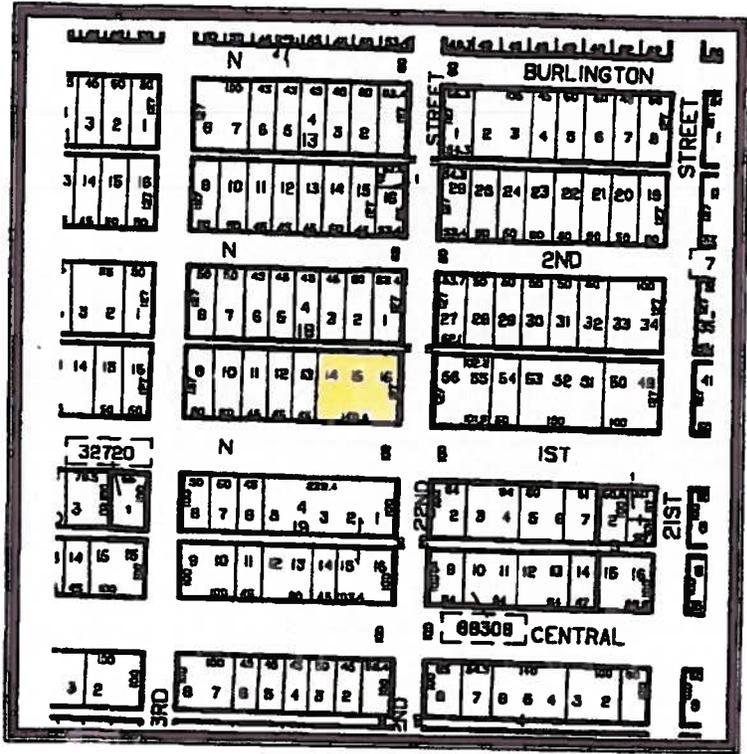
STREET SCENE
1ST AVE N



STREET SCENE
22ND ST N

MCCORMICK, BRAUN, & SEAMAN

SUBJECT PLAT MAP



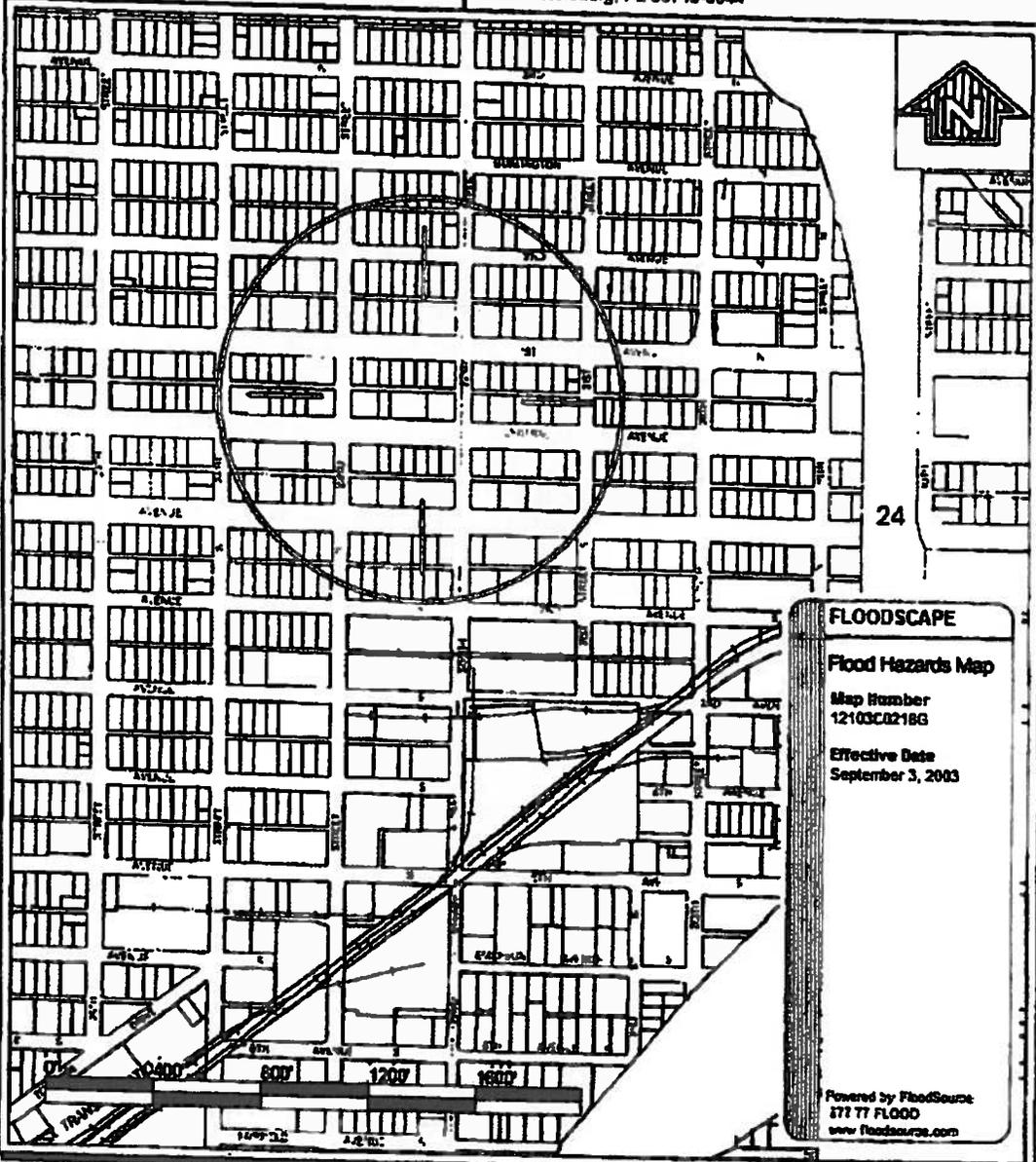
InterFlood



www.interflood.com • 1-800-252-6633

Prepared for:
McCormick, Braun, & Seaman

2201 Central Ave
Saint Petersburg, FL 33713-8844



FLOODSCAPE

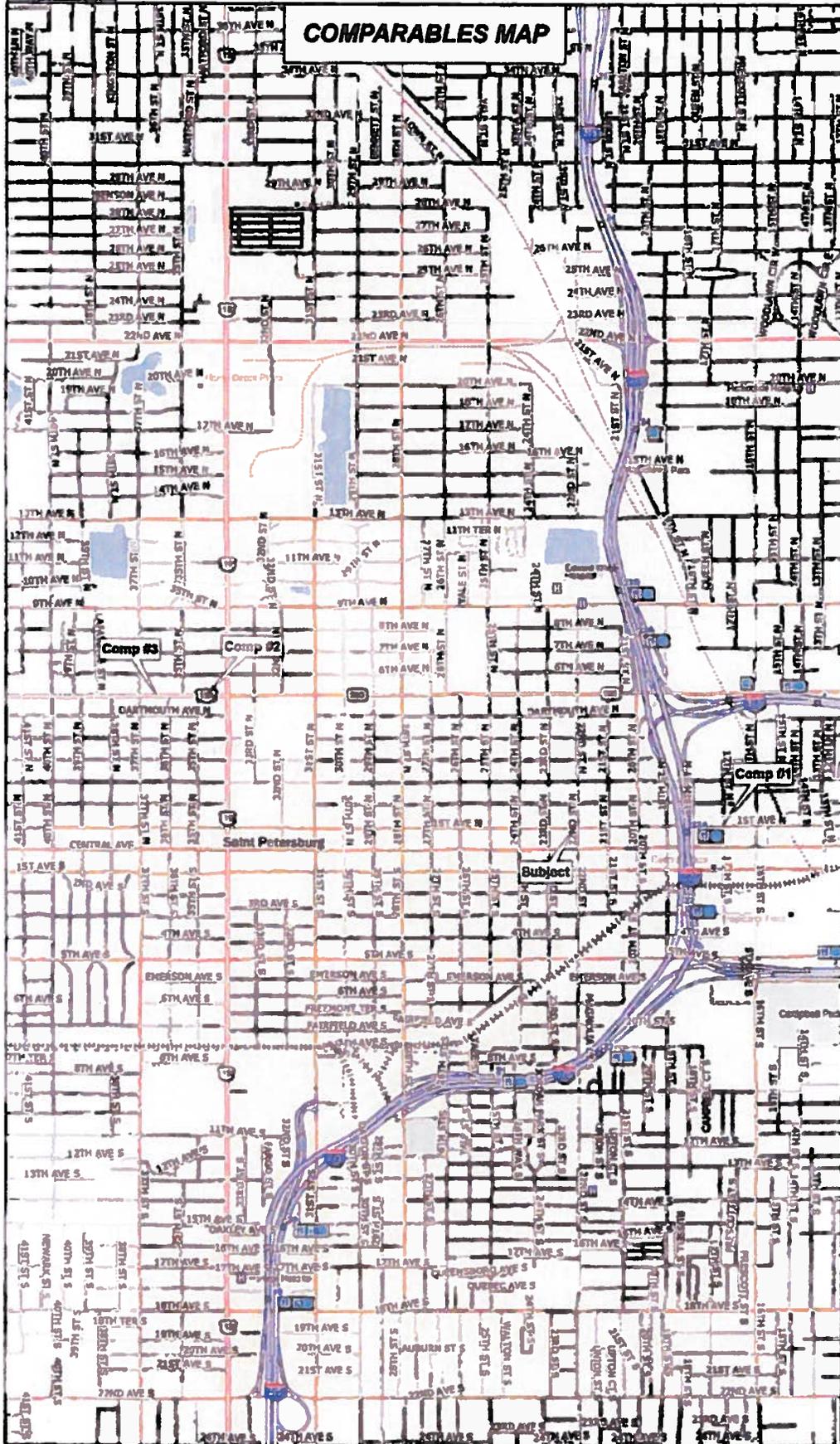
Flood Hazards Map

Map Number
12103C02183

Effective Date
September 3, 2003

Powered by FloodSource
377 77 FLOOD
www.floodsource.com

COMPARABLES MAP



Data used subject to license.

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www.delorme.com



CERTIFICATION

We Certify that, to the best of our knowledge and belief:

- * The statements of fact contained in this report are true and correct.
- * The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial and unbiased professional analyses, opinions, and conclusions.
- * We have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- * We have no bias with respect to the property that is the subject of this appraisal report or to the parties involved with this assignment.
- * Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- * Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- * We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.
- * The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
- * The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- * The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- * No one provided significant real property appraisal assistance to the person signing this certification.
- * Donald J. Terrana inspected the subject property, analyzed the data and prepared the value conclusion.
- * As of the date of this report, Ronald W. Braun, MAI has completed the continuing education program of the Appraisal Institute.

 Date: 6/13/13
Ronald W. Braun, MAI
Cert Gen RZ1761
Licensed Real Estate Broker

 Date: 6/13/13
Donald J. Terrana
Cert Gen RZ2486
Licensed Real Estate Salesman

APPRAISER QUALIFICATIONS

RONALD W. BRAUN

EDUCATION: Bachelor of Science, Business Administration 1973
University of Florida, Gainesville, Florida
Graduate School of Banking of the South
Louisiana State University, Baton Rouge, LA

PROFESSIONAL ASSOCIATIONS: Member Appraisal Institute - MAI - 1995
Certificate # 10698

APPRAISAL COURSES: USPAP Core Law Update/2012
National USPAP/2012
Commercial Appraisal Productivity Seminar/2012
Discounted Cash Flow Model/2011
Supervisor Trainee Roles & Rules/2010
REO Appraisal: Appraisal of Residential Property Foreclosure/2009
Business Practices and Ethics/2009
Commercial Appraisal Engagement & Review Seminar/2009
Property Tax Assessments/2009
Subdivision Valuation/2009
Maintaining Control: Dealing w/Client Pressure/2008
Developing & Growing an Appraisal Practice/2008
USPAP Standards & Ethics/2006
Business Practices & Ethics/2005
Market Analysis & Site To Do Business/2005
Attacking & Defending An Appraisal In Litigation/2003
State of the Valuation Profession/2001

MEMBERSHIPS: St. Petersburg Chamber of Commerce
Leadership Florida Alumni

FLORIDA REGISTRATION: Cert Gen RZ1761
Licensed Real Estate Broker # 0351969

EXPERIENCE: McCormick, Braun, and Seaman
1996 to Present

Glenn E. McCormick Company, Inc., St. Petersburg, Florida
Senior Vice President/1991 - 1995

P.S.C.U. Service Centers, Inc., St. Petersburg, Florida
Executive Vice President/1988 - 1990

Citizens and Southern National Bank, St. Petersburg, Florida
Retail Division Manager/1973 - 1988

AC# 6409816

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BOARD

SEQ# L12092604713

DATE	BATCH NUMBER	LICENSE NBR
09/26/2012	128098673	R21761

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

BRAUN, RONALD W
1262 DR. MLK JR. STREET NORTH
ST PETERSBURG FL 33705

RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

APPRAISER QUALIFICATIONS

DONALD J. TERRANA

EDUCATION:

Bachelor of Arts, 1981
University of South Florida, St. Petersburg, Florida
Cook School of Real Estate, F.R.E.C. Course I

APPRAISAL COURSES:

National USPAP Update Course/2010
Florida State Law for Real Estate Appraisers/2010
Florida Supervisor Trainee Roles & Rules/2010
Introduction to Expert Witness Testimony/2010
Ad Valorem Tax Consultation/2010
How to Analyze & Value Income Properties/2010
Cost Approach/2008
Florida Dirty Dozen/2008
Florida Disclosures & Disclaimers/2006
Fannie Mae Revisions & The Appraiser/2005
Factory-Built Housing/2004
National USPAP Update Equivalent/2004
Florida Laws & Regulations/2004
Certified General Appraisal Course 3/AB III/June2000
Residential Course II/AB II/November/1999
Residential Course II/AB IIB/November/1999
FREAB Licensed Residential Appraisals AB1/1996

FLORIDA REGISTRATIONS:

Cert Gen RZ2486
Licensed Real Estate Salesman #0494132

EMPLOYMENT:

McCormick, Braun, & Seaman
Staff Appraiser
September 1996 - Present
St. Petersburg, Florida

Special Magistrate to the Pinellas County
Value Adjustment Board
2007-Present

Appraisal's Inc.
December 2007 - Present
St. Petersburg, Florida

Keller Williams/Landmark Realty
September 2000 - March 2005
St. Petersburg, Florida

AC# 6465130

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12101603144

DATE	BATCH NUMBER	LICENSE NBR
10/16/2012	128123063	RZ2486

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

TERRANA, DONALD J
1262 9TH ST N
ST PETERSBURG

FL 33705

RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY



A VACANT RESIDENTIAL LOT

LOCATED AT:

2163 1ST AVENUE NORTH
ST. PETERSBURG, FL 33713

FOR:

MS. DIANE BOZICH
REAL ESTATE AND PROPERTY MANAGEMENT/CITY OF ST. PETERSBURG
P.O. BOX 2842
ST. PETERSBURG, FL 33731

AS OF:

JUNE 7, 2013

BY:

DONALD J. TERRANA
STATE - CERTIFIED GENERAL
REAL ESTATE APPRAISER
R22488

McComick, Bruzi, & Seaman

LAND APPRAISAL REPORT

Main File No. 13299-C

File No. 13299-C

Borrower N/A Census Tract 218.00 Map Reference 23-31-18
 Property Address 2163 1ST AVENUE NORTH
 City ST. PETERSBURG County PINELLAS State FL Zip Code 33713
 Legal Description ROYAL PALM PARK LOTS 85 & 86, PB 10, PG 26
 Sale Price \$ N/A Date of Sale N/A Loan Term _____ yrs. Property Rights Appraised Fee Leasehold De Minimis Plus
 Actual Real Estate Taxes \$ 0- (yr) Loan charges to be paid by seller \$ N/A Other sales concessions _____
 Lender/Client CITY OF ST. PETERSBURG Address _____
 Occupant VACANT Appraiser DONALD J. TERRANA Instructions to Appraiser "AS IS"

Location Built Up <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural Growth Rate <input type="checkbox"/> Fully Dev. <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> 25% to 75% <input type="checkbox"/> Steady <input type="checkbox"/> Under 25% Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining Demand/Supply <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Oversupply Marketing Time <input checked="" type="checkbox"/> Under 3 Mos. <input type="checkbox"/> 4-8 Mos. <input type="checkbox"/> Over 8 Mos.	Present Land Use <u>80% 1 Family</u> <u>10% 2-4 Family</u> <u>10% Apts.</u> <u>0% Condo</u> <u>20% Commercial</u> % Industrial _____ % Vacant _____ Change in Present Land Use <input type="checkbox"/> Not Likely <input type="checkbox"/> Likely (*) <input type="checkbox"/> Taking Place (*) (*) From _____ To _____ Predominant Occupancy <input type="checkbox"/> Owner <input type="checkbox"/> Tenant _____ % Vacant _____ Single Family Price Range \$ <u>40</u> to \$ <u>340</u> Predominant Value \$ <u>130</u> Single Family Age <u>NEW</u> yrs to <u>90</u> yrs. Predominant Age <u>90</u> yrs.	<table border="0"> <tr> <td>Employment Stability</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Employment</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Shopping</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Schools</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Adequacy of Public Transportation</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Recreational Facilities</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Adequacy of Utilities</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Property Compatibility</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Protection from Detrimental Conditions</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Police and Fire Protection</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>General Appearance of Properties</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Appeal to Market</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Employment Stability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Employment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Shopping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Public Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreational Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Utilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Protection from Detrimental Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police and Fire Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Appearance of Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appeal to Market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): **THE SUBJECT IS LOCATED AT THE NORTHEAST CORNER OF 22ND ST N & 1ST AVE N IN ST. PETERSBURG, FLORIDA. THIS IS AN AREA OF RESIDENTIAL AND COMMERCIAL USES. 1ST AVENUE NORTH IS A BUSY, ONE WAY STREET CONNECTING DOWNTOWN WITH THE GULF BEACHES. THE TREND IN THIS AREA HAS BEEN TO DEMOLISH OLDER SINGLE FAMILY IMPROVEMENTS AND DEVELOP MULTI-FAMILY OR OFFICE USES.**

Dimensions 101.5 x 102.32 X 127 PER PLAT = 12,941 Sq. Ft. or Acres Corner Lot
 Zoning classification CRT-1 CORRIDOR RESIDENTIAL TRADITIONAL DISTRICT Present Improvements do do not conform to zoning regulations
 Highest and best use Present use Other (specify) SEE APPENDIX
 Public Other (Describe) _____
 Etc. Street Access Public Private Other _____
 Gas PRIVATE Surface ASPHALT Concrete _____
 Water Maintenance Public Private _____
 San. Sewer Storm Sewer Storm Combined _____
 Sidewalk Street Lights _____
 Underground Elect. & Tel. _____
 Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): See attached exhibits.

The undersigned has reviewed three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	2163 1ST AVENUE NORTH ST. PETERSBURG	1700 BLK 1ST AVE N ST. PETERSBURG, FL	3444 5TH AVE N ST. PETERSBURG, FL	3636 5TH AVE N ST. PETERSBURG, FL
Proximity to Subject		5 MILES E	1.1 MILES NW	1.1 MILES NW
Sales Price	\$ N/A	\$ 320,000	\$ 250,000	\$ 140,000
Price		\$ 19.87 PSF	\$ 15.00 PSF	\$ 12.77
Data Source	INSPECTION	ORB 17803, PAGE 1288	ORB 17323, PAGE 2642	ML 58 T2648838
Date of Sale and Time Adjustment	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
	N/A	02/12	8/11	LISTING
Location	GOOD	SUPERIOR	SIMILAR	SIMILAR
Site/View	12,941	30,000 SF	15,720 SF	10,067 SF
ZONING	CRT-1	SUPERIOR	SIMILAR	SIMILAR
SHAPE	RECTANGLE	IRREGULAR	SIMILAR	SIMILAR
Sales or Financing Concessions	NONE	SEE BELOW	20%	LISTING
				10%
Net Adj. (Total)		+ - \$ -5%	+ - \$ -20%	+ - \$ -10%
Indicated Value of Subject		\$ 10.14 PSF	\$ 12.72 PSF	\$ 11.49 PSF

Comments on Market Data: **SALE #1 WAS ADJUSTED FOR LOCATION BECAUSE IT ALSO HAD FRONTAGE ON CENTRAL AVE. SALE #2 WAS PURCHASED FOR THE EXPANSION OF A GAS STATION/CONVENIENCE STORE. WE FEEL THAT THE BUYER PAID A PREMIUM AND SALE #2 WAS ADJUSTED DOWNWARD 20%. LISTING #3 WAS ADJUSTED DOWNWARD 10% TO REFLECT THE ANTICIPATED SALES PRICE.**
 Comments and Conditions of Appraisal: **ADJUSTMENTS WERE ALSO REQUIRED FOR SITE SIZE, ZONING AND SHAPE. THE GREATEST WEIGHT HAS BEEN PLACED ON ADJUSTED CLOSED SALES #1 & #2.**
 BASED ON THE ABOVE COMPARABLES WE ESTIMATE THE VALUE OF THE SUBJECT SITE TO BE: **12,941 SF X \$11.00 PSF = \$142,351, ROUNDED TO \$140,000.**
 Final Reconciliation: **THE SALES COMPARISON APPROACH IS THE ONLY APPLICABLE APPROACH TO VALUING VACANT LAND.**

I CERTIFY THE MARKET VALUE, AS REQUIRED, OF SUBJECT PROPERTY AS OF JUNE 7, 2013 to be \$ 140,000

DONALD J. TERRANA ROYAL D.W. BRAUN, MAI
 Appraiser(s) State-Cert Gen RZ1486 Review Appraiser State-Cert Gen RZ1761 Old Did Not Physically Inspect Property

Supplemental Addendum

File No. 13299-C

Borrower/Client	N/A			
Property Address	2183 1ST AVENUE NORTH			
City	ST. PETERSBURG	County	PINELLAS	State FL Zip Code 33713
Client	CITY OF ST. PETERSBURG			

HIGHEST & BEST USE: THE SUBJECT IS ZONED CRT-1 OR CORRIDOR RESIDENTIAL TRADITIONAL DISTRICT. THIS ZONING ALLOWS FOR SINGLE AND MULTI-FAMILY RESIDENTIAL USES AS WELL AS OFFICES, MEDICAL OFFICES, BANKS (WITHOUT DRIVE THRU LANES) CHURCHES AND FUNERAL HOMES. AS A RESULT OF THE RECENT DOWNTURN IN THE COMMERCIAL REAL ESTATE MARKET, THERE IS A HIGH INVENTORY OF OFFICE AND OTHER LIGHT COMMERCIAL PROPERTIES. ANY NEW DEVELOPMENT OF COMMERCIAL USES IS OCCURRING IN WELL ESTABLISHED COMMERCIAL AREAS.

WE FEEL THAT THE HIGHEST AND BEST USE OF THE SUBJECT SITE IS DEVELOPMENT OF A MULTI-FAMILY USE. THE ZONING ALLOWS A DENSITY OF 1 UNIT PER 1,815 PSF OF LAND OR UP TO 7 UNITS FOR THE SUBJECT SITE.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implied in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

* Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that effect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she becomes aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia, except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report, therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

ADDRESS OF PROPERTY APPRAISED: 2163 1ST AVENUE NORTH, ST. PETERSBURG, FL 33713

APPRAISER:

Signature: 
 Name: DONALD J. TERRANA
 Date Signed: 6/10/2013
 State Certification #: CERT GEN RZ2486
 or State License #: _____
 State: FL
 Expiration Date of Certification or License: 11/14

SUPERVISORY APPRAISER (only if required):

Signature: 
 Name: RONALD W. BRAUN, MAI
 Date Signed: 6/10/2013
 State Certification #: CERT GEN RZ1781
 or State License #: _____
 State: FL
 Expiration Date of Certification or License: 11/14

Did Did Not Inspect Property

Subject Photos

Borrower/Client	N/A		
Property Address	2163 1ST AVENUE NORTH		
City	ST. PETERSBURG	County	PINELLAS State FL Zip Code 33713
Client	CITY OF ST. PETERSBURG		



SUBJECT SITE LOOKING EAST
2163 1ST AVENUE NORTH



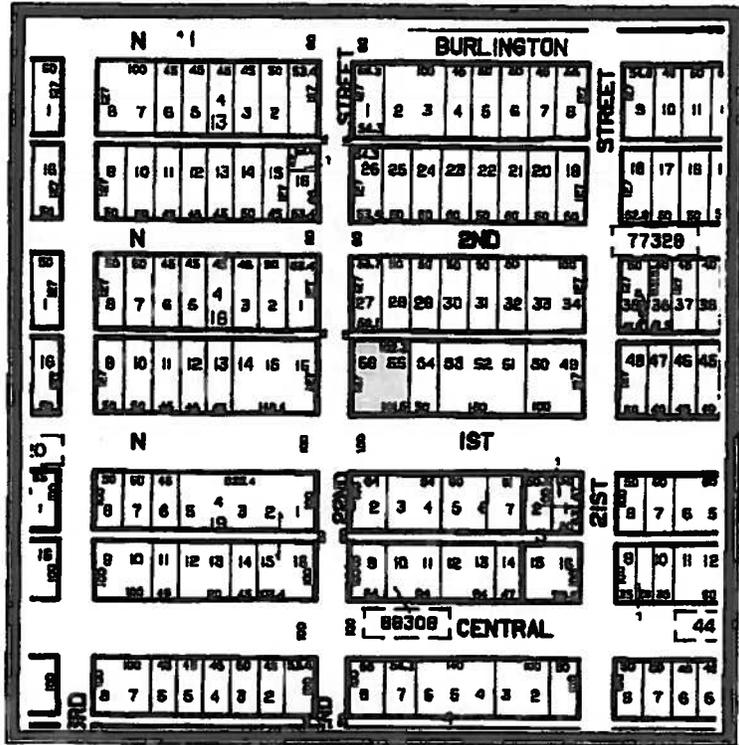
STREET SCENE
1ST AVE N

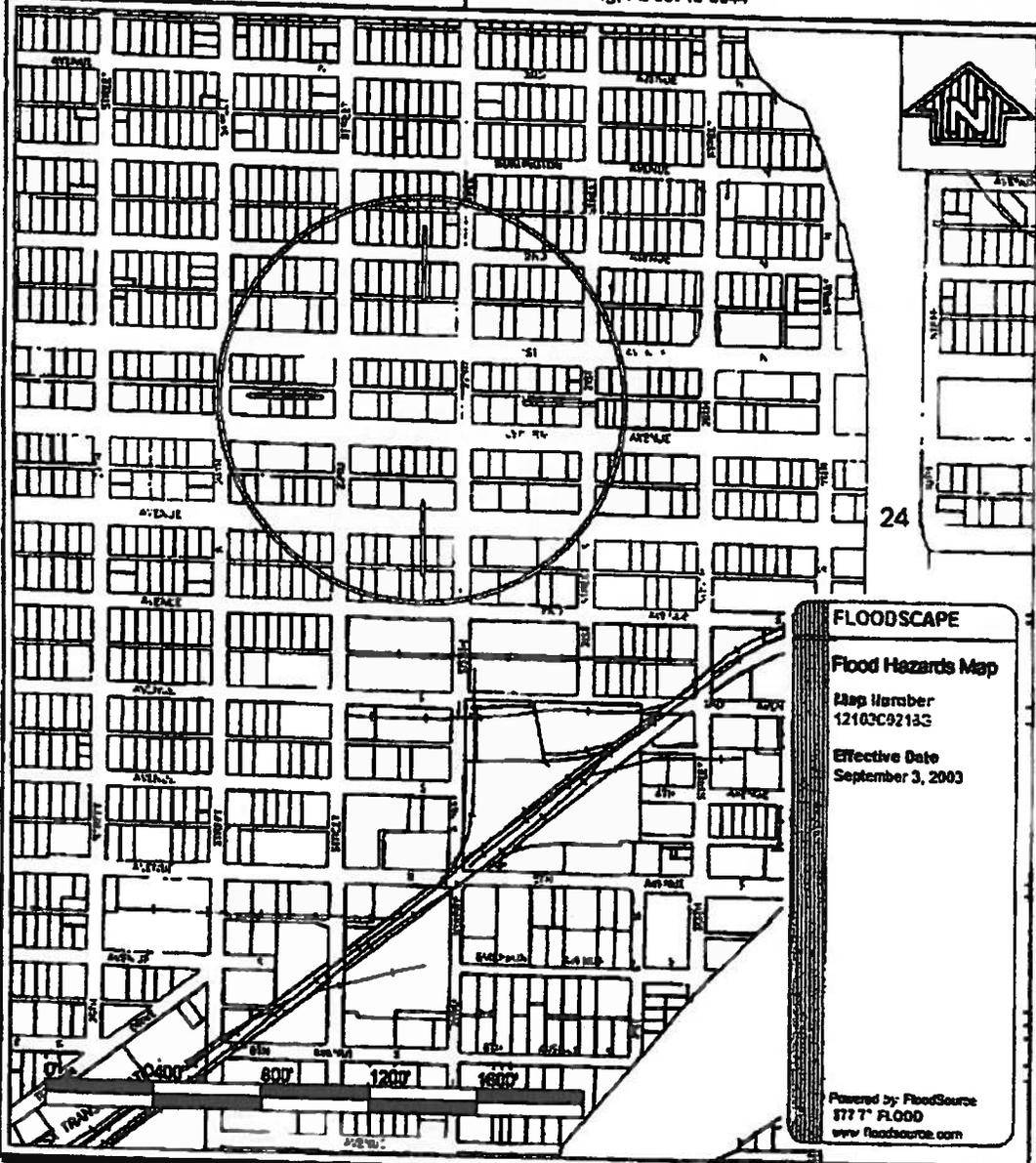


STREET SCENE
22ND ST N

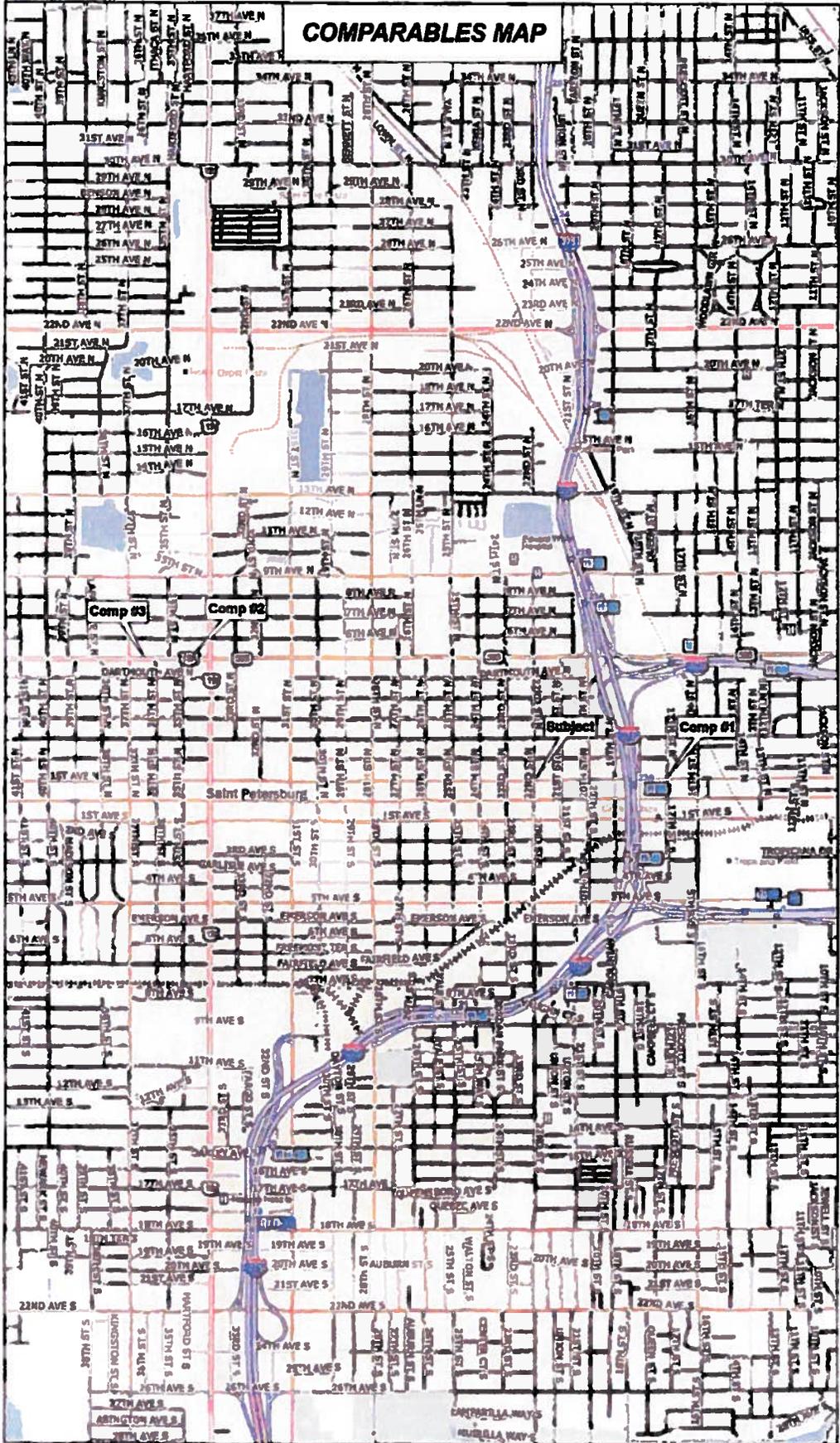
McCORMICK, BRAUN, & SEAMAN

SUBJECT PLAT MAP





COMPARABLES MAP



Data use subject to license.

© DeLorme, DeLorme Street Atlas USA® 2011.

www.delorme.com

Scale 1" = 1,888.7 ft

Date Zoom 13-2

CERTIFICATION

We Certify that, to the best of our knowledge and belief:

- * The statements of fact contained in this report are true and correct.
- * The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial and unbiased professional analyses, opinions, and conclusions.
- * We have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- * We have no bias with respect to the property that is the subject of this appraisal report or to the parties involved with this assignment.
- * Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- * Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- * We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.
- * The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
- * The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- * The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- * No one provided significant real property appraisal assistance to the person signing this certification.
- * Donald J. Terrana inspected the subject property, analyzed the data and prepared the value conclusion.
- * As of the date of this report, Ronald W. Braun, MAI has completed the continuing education program of the Appraisal Institute.


Date: 6/13/13
Ronald W. Braun, MAI
Cert Gen RZ1761
Licensed Real Estate Broker


Date: 6/13/13
Donald J. Terrana
Cert Gen RZ2486
Licensed Real Estate Salesman

APPRAISER QUALIFICATIONS

RONALD W. BRAUN

EDUCATION: Bachelor of Science, Business Administration 1973
University of Florida, Gainesville, Florida
Graduate School of Banking of the South
Louisiana State University, Baton Rouge, LA

PROFESSIONAL ASSOCIATIONS: Member Appraisal Institute - MAI - 1995
Certificate # 10698

APPRAISAL COURSES: USPAP Core Law Update/2012
National USPAP/2012
Commercial Appraisal Productivity Seminar/2012
Discounted Cash Flow Model/2011
Supervisor Trainee Roles & Rules/2010
REO Appraisal: Appraisal of Residential Property Foreclosure/2009
Business Practices and Ethics/2009
Commercial Appraisal Engagement & Review Seminar/2009
Property Tax Assessments/2009
Subdivision Valuation/2009
Maintaining Control: Dealing w/Client Pressure/2008
Developing & Growing an Appraisal Practice/2008
USPAP Standards & Ethics/2006
Business Practices & Ethics/2005
Market Analysis & Site To Do Business/2005
Attacking & Defending An Appraisal In Litigation/2003
State of the Valuation Profession/2001

MEMBERSHIPS: St. Petersburg Chamber of Commerce
Leadership Florida Alumni

FLORIDA REGISTRATION: Cert Gen RZ1761
Licensed Real Estate Broker # 0351969

EXPERIENCE: McCormick, Braun, and Seaman
1996 to Present

Glenn E. McCormick Company, Inc., St. Petersburg, Florida
Senior Vice President/1991 - 1995

P.S.C.U. Service Centers, Inc., St. Petersburg, Florida
Executive Vice President/1988 - 1990

Citizens and Southern National Bank, St. Petersburg, Florida
Retail Division Manager/1973 - 1988

AC# 6409816

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12092604713

DATE	BATCH NUMBER	LICENSE NBR
09/26/2012	128098673	RE1751

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

BRAUN, RONALD W
1262 DR. MLK JR. STREET NORTH
ST PETERSBURG FL 33705

RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

APPRAISER QUALIFICATIONS

DONALD J. TERRANA

EDUCATION:

Bachelor of Arts, 1981
University of South Florida, St. Petersburg, Florida
Cook School of Real Estate, F.R.E.C. Course I

**APPRAISAL
COURSES:**

National USPAP Update Course/2010
Florida State Law for Real Estate Appraisers/2010
Florida Supervisor Trainee Roles & Rules/2010
Introduction to Expert Witness Testimony/2010
Ad Valorem Tax Consultation/2010
How to Analyze & Value Income Properties/2010
Cost Approach/2008
Florida Dirty Dozen/2008
Florida Disclosures & Disclaimers/2006
Fannie Mae Revisions & The Appraiser/2005
Factory-Built Housing/2004
National USPAP Update Equivalent/2004
Florida Laws & Regulations/2004
Certified General Appraisal Course 3/AB III/June2000
Residential Course II/AB II/November/1999
Residential Course II/AB IIB/November/1999
FREAB Licensed Residential Appraisals AB1/1996

**FLORIDA
REGISTRATIONS:**

Cert Gen RZ2486
Licensed Real Estate Salesman #0494132

EMPLOYMENT:

McCormick, Braun, & Seaman
Staff Appraiser
September 1996 - Present
St. Petersburg, Florida

Special Magistrate to the Pinellas County
Value Adjustment Board
2007-Present

Appraisal's Inc.
December 2007 - Present
St. Petersburg, Florida

Keller Williams/Landmark Realty
September 2000 - March 2005
St. Petersburg, Florida

AC# 6465130

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BOARD

SEQ# L12101603144

DATE	BATCH NUMBER	LICENSE NBR
10/16/2012	128123063	RZ2486

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

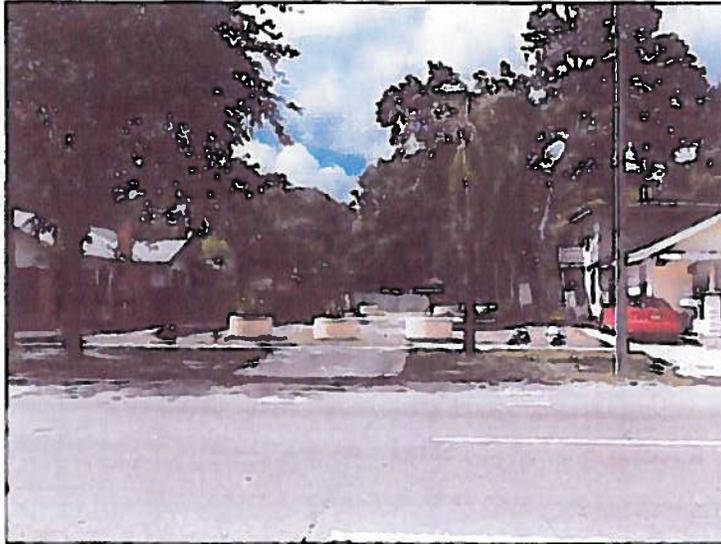
TERRANA, DONALD J
1262 9TH ST N
ST PETERSBURG

FL 33705

RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY



A VACANT RESIDENTIAL LOT

LOCATED AT:
2245 1ST AVENUE NORTH
ST. PETERSBURG, FL 33713

FOR:
MS. DIANE BOZICH
REAL ESTATE AND PROPERTY MANAGEMENT/CITY OF ST. PETERSBURG
P.O. BOX 2842
ST. PETERSBURG, FL 33731

AS OF:
JUNE 7, 2013

BY:
DONALD J. TERRANA
STATE - CERTIFIED GENERAL
REAL ESTATE APPRAISER
RZ2488

McCormick, Brazz, & Seaman

LAND APPRAISAL REPORT

Main File No. 13299-B

Borrower N/A File No. 13299-B
 Property Address 2245 1ST AVENUE NORTH Census Tract 218.00 Map Reference Z9-31-16
 City ST. PETERSBURG County PINELLAS State FL Zip Code 33713
 Legal Description ST. PETERSBURG INVESTMENT CO BUS BLK 16, LOT 11, PG 16
 Sale Price \$ N/A Date of Sale N/A Loan Term _____ yrs. Property Rights Appraised Fee Leasehold De Minimis PUD
 Actual Real Estate Taxes \$ -0- (yr) _____ Loan charges to be paid by seller \$ N/A Other sales concessions _____
 Lender/Client CITY OF ST. PETERSBURG Address _____
 Occupant VACANT Appraiser DONALD J. TERRANA Instructions to Appraiser "AS IS"

Location Built Up <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural Growth Rate <input type="checkbox"/> Fully Dev. <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25% to 75% <input type="checkbox"/> Under 25% Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Steady <input type="checkbox"/> Slow Demand/Supply <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Declining Marketing Time <input checked="" type="checkbox"/> Under 3 Mos. <input type="checkbox"/> 4-6 Mos. <input type="checkbox"/> Over 6 Mos. Present Land Use <u>80% 1 Family</u> <u>10% 2-4 Family</u> <u>10% Apts.</u> <u>0% Condo</u> <u>20% Commercial</u> Change in Present Land Use <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant <input type="checkbox"/> % Change in Present Land Use <input type="checkbox"/> Not Likely <input type="checkbox"/> Likely (*) <input type="checkbox"/> Taking Place (*) Predominant Occupancy <input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> % Vacant Single Family Price Range \$ <u>40</u> to \$ <u>340</u> Predominant Value \$ <u>130</u> Single Family Age <u>NEW</u> yrs to <u>90</u> yrs. Predominant Age <u>60</u> yrs.	<table border="0" style="width: 100%;"> <tr> <td>Employment Stability</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Employment</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Shopping</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Schools</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Adequacy of Public Transportation</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Recreational Facilities</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Adequacy of Utilities</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Property Compatibility</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Protection from Detrimental Conditions</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Police and Fire Protection</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>General Appearance of Properties</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Appeal to Market</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Employment Stability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Employment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Shopping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Public Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreational Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Utilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Protection from Detrimental Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police and Fire Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Appearance of Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appeal to Market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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General Appearance of Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																									
Appeal to Market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																									

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): THE SUBJECT IS LOCATED ON THE NORTH SIDE OF 1ST AVE N WEST OF 22ND ST N IN ST. PETERSBURG, FLORIDA. THIS IS AN AREA OF RESIDENTIAL AND COMMERCIAL USES. 1ST AVENUE NORTH IS A BUSY, ONE WAY STREET CONNECTING DOWNTOWN WITH THE GULF BEACHES. THE TREND IN THIS AREA HAS BEEN TO DEMOLISH OLDER SINGLE FAMILY IMPROVEMENTS AND DEVELOP MULTI-FAMILY OR OFFICE USES.

Dimensions 48 X 127 PER PUB REC 5,715 Sq. Ft. or Acres Corner Lot
 Zoning classification CRT-1 CORRIDOR RESIDENTIAL TRADITIONAL DISTRICT Present Improvements do do not conform to zoning regulations
 Highest and best use Present use Other (specify) SINGLE FAMILY DEVELOPMENT
 Public Other (Describe) _____
 Etc. Street Access Public Private Topo LEVEL
 Gas PRIVATE Surface ASPHALT Shape RECTANGLE
 Water Storm Sewer Public Private View RESIDENTIAL
 San. Sewer Sidewalk Street Lights Drainage TYPICAL
 Underground Elec. & Tel. _____
 Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): _____

The undersigned has reviewed three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	2245 1ST AVENUE NORTH ST. PETERSBURG	2428 BURLINGTON AVE N ST. PETERSBURG, FL	2627 DARTMOUTH AVE N ST. PETERSBURG, FL	2345 16T AVE N ST. PETERSBURG, FL
Proximity to Subject		2 MILES NW	4 MILES NW	1 MILES NW
Sales Price	\$ N/A	\$ 38,000	\$ 40,000	\$ 49,000
Price		\$ 8.85 PSF	\$ 7.00 PSF	\$ 8.75
Date Source	INSPECTION	MLS# U758819	MLS# U7583496	MLS# U7571879
Date of Sale and Time Adjustment	DESCRIPTION	DESCRIPTION +/- IS Adjust	DESCRIPTION +/- IS Adjust	DESCRIPTION +/- IS Adjust
Location	N/A	02/13	1/13	LISTING
Site/View	AVG/BUSHT ST	SUPERIOR -10%	SUPERIOR -10%	SIMILAR
ZONING	5,715 SF MOL	5,715 SF MOL	5,715 SF MOL	6,250 SF
SHAPE	RECTANGLE	SIMILAR	SIMILAR	SIMILAR
Sales or Financing Concessions		NONE	NONE	LISTING -20%
Net Adj. (Total)		<input type="checkbox"/> + <input type="checkbox"/> - :\$ -10%	<input type="checkbox"/> + <input type="checkbox"/> - :\$ -10%	<input type="checkbox"/> + <input type="checkbox"/> - :\$ -20%
Indicated Value of Subject		\$ 8.80 PSF	\$ 8.30 PSF	\$ 7.84 PSF

Comments on Market Data: ADJUSTMENTS WERE REQUIRED FOR LOCATION LISTING #3 WAS ADJUSTED DOWNWARD 20% TO REFLECT THE ANTICIPATED SALES PRICE

Comments and Conditions of Appraisal: THE GREATEST WEIGHT HAS BEEN PLACED ON ADJUSTED CLOSED SALES #1 & #2 BASED ON THE ABOVE COMPARABLES WE ESTIMATE THE VALUE OF THE SUBJECT SITE TO BE: 5,715 SF X \$8.50 PSF = \$37,148, ROUNDED TO \$37,000

Final Reconciliation: THE SALES COMPARISON APPROACH IS THE ONLY APPLICABLE APPROACH TO VALUING VACANT LAND

I ESTIMATE THE MARKET VALUE, AS OF _____, OF SUBJECT PROPERTY AS OF JUNE 7 2013 to be \$ 37,000

Appraiser(s) DONALD J. TERRANA State-Cert. Gen. RZ2486
 Review Appraiser (if applicable) RONALD W. BRAUN, MAI State-Cert. Gen. RZ1761
 Did Did Not Physically Inspect Property

(22)

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

* Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower, the mortgagee or its successors and assigns, the mortgage insurer, consultant, professional appraisal organizations, any state or federally approved financial institution, or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

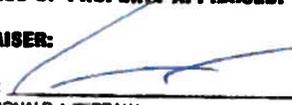
APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

ADDRESS OF PROPERTY APPRAISED: 2245 1ST AVENUE NORTH, ST. PETERSBURG, FL 33713

APPRAISER:

Signature: 
 Name: DONALD J. TERRANA
 Date Signed: 8/10/2013
 State Certification #: CERT GEN R22488
 or State License #: _____
 State: FL
 Expiration Date of Certification or License: 11/14

SUPERVISORY APPRAISER (only if required):

Signature: 
 Name: RONALD W. BRAUN, MAI
 Date Signed: 8/10/2013
 State Certification #: CERT GEN R21781
 or State License #: _____
 State: FL
 Expiration Date of Certification or License: 11/14

Did Did Not Inspect Property

Subject Photos

Borrower/Client	N/A						
Property Address	2245 1ST AVENUE NORTH						
City	ST. PETERSBURG	County	PINELLAS	State	FL	Zip Code	33713
Client	CITY OF ST. PETERSBURG						



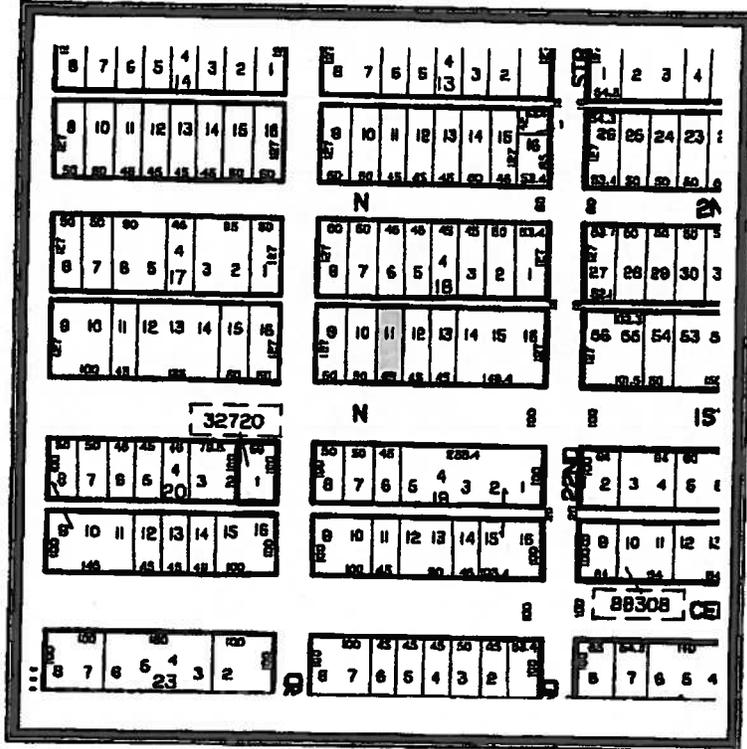
FRONT
2245 1ST AVENUE NORTH



STREET SCENE
1ST AVE N

MCCORMICK, BRAUN, & SEAMAN

SUBJECT PLAT MAP



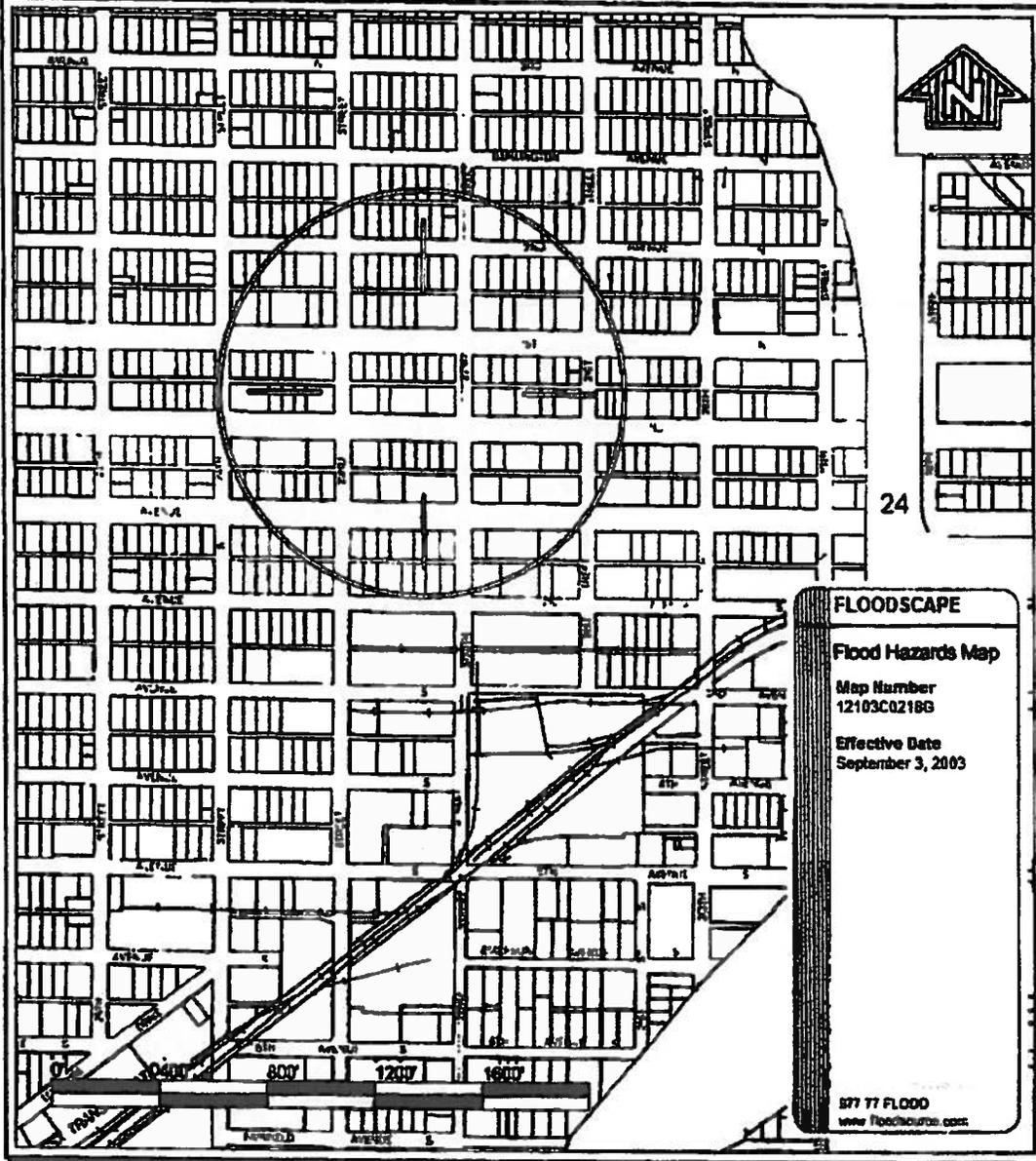
InterFlood



www.interflood.com • 1-800-252-6633

Prepared for:
McCormick Braun & Seaman

2201 Central Ave
Saint Petersburg, FL 33713-8844



CERTIFICATION

We Certify that, to the best of our knowledge and belief:

- * The statements of fact contained in this report are true and correct.
- * The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial and unbiased professional analyses, opinions, and conclusions.
- * We have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- * We have no bias with respect to the property that is the subject of this appraisal report or to the parties involved with this assignment.
- * Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- * Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- * We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.
- * The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
- * The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- * The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- * No one provided significant real property appraisal assistance to the person signing this certification.
- * Donald J. Terrana inspected the subject property, analyzed the data and prepared the value conclusion.
- * As of the date of this report, Ronald W. Braun, MAI has completed the continuing education program of the Appraisal Institute.

 Date: 6/10/13
Ronald W. Braun, MAI
Cert Gen RZ1761
Licensed Real Estate Broker

 Date: 6/13/13
Donald J. Terrana
Cert Gen RZ2486
Licensed Real Estate Salesman

APPRAISER QUALIFICATIONS

RONALD W. BRAUN

EDUCATION: Bachelor of Science, Business Administration 1973
University of Florida, Gainesville, Florida
Graduate School of Banking of the South
Louisiana State University, Baton Rouge, LA

PROFESSIONAL ASSOCIATIONS: Member Appraisal Institute - MAI - 1995
Certificate # 10698

APPRAISAL COURSES: USPAP Core Law Update/2012
National USPAP/2012
Commercial Appraisal Productivity Seminar/2012
Discounted Cash Flow Model/2011
Supervisor Trainee Roles & Rules/2010
REO Appraisal: Appraisal of Residential Property Foreclosure/2009
Business Practices and Ethics/2009
Commercial Appraisal Engagement & Review Seminar/2009
Property Tax Assessments/2009
Subdivision Valuation/2009
Maintaining Control: Dealing w/Client Pressure/2008
Developing & Growing an Appraisal Practice/2008
USPAP Standards & Ethics/2006
Business Practices & Ethics/2005
Market Analysis & Site To Do Business/2005
Attacking & Defending An Appraisal in Litigation/2003
State of the Valuation Profession/2001

MEMBERSHIPS: St. Petersburg Chamber of Commerce
Leadership Florida Alumni

FLORIDA REGISTRATION: Cert Gen RZ1761
Licensed Real Estate Broker # 0351969

EXPERIENCE: McCormick, Braun, and Seaman
1996 to Present

Glenn E. McCormick Company, Inc., St. Petersburg, Florida
Senior Vice President/1991 - 1995

P.S.C.U. Service Centers, Inc., St. Petersburg, Florida
Executive Vice President/1988 - 1990

Citizens and Southern National Bank, St. Petersburg, Florida
Retail Division Manager/1973 - 1988

AC# 6409816

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BOARD

SEQ# L12092604713

DATE	BATCH NUMBER	LICENSE NBR
09/26/2012	128098673	RZ1761

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

BRAUN, RONALD W
1262 DR. MLK JR. STREET NORTH
ST PETERSBURG FL 33705

RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

APPRAISER QUALIFICATIONS

DONALD J. TERRANA

EDUCATION:

Bachelor of Arts, 1981
University of South Florida, St. Petersburg, Florida
Cook School of Real Estate, F.R.E.C. Course I

APPRAISAL COURSES:

National USPAP Update Course/2010
Florida State Law for Real Estate Appraisers/2010
Florida Supervisor Trainee Roles & Rules/2010
Introduction to Expert Witness Testimony/2010
Ad Valorem Tax Consultation/2010
How to Analyze & Value Income Properties/2010
Cost Approach/2008
Florida Dirty Dozen/2008
Florida Disclosures & Disclaimers/2006
Fannie Mae Revisions & The Appraiser/2005
Factory-Built Housing/2004
National USPAP Update Equivalent/2004
Florida Laws & Regulations/2004
Certified General Appraisal Course 3/AB III/June2000
Residential Course II/AB II/November/1999
Residential Course II/AB IIB/November/1999
FREAB Licensed Residential Appraisals AB1/1996

FLORIDA REGISTRATIONS:

Cert Gen RZ2486
Licensed Real Estate Salesman #0494132

EMPLOYMENT:

McCormick, Braun, & Seaman
Staff Appraiser
September 1996 - Present
St. Petersburg, Florida

Special Magistrate to the Pinellas County
Value Adjustment Board
2007-Present

Appraisal's Inc.
December 2007 - Present
St. Petersburg, Florida

Keller Williams/Landmark Realty
September 2000 - March 2005
St. Petersburg, Florida

AC# 6465130

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

SEQ# L12101603144

DATE	BATCH NUMBER	LICENSE NBR
10/16/2012	128123063	RZ2486

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2014

TERRANA, DONALD J
1262 9TH ST N
ST PETERSBURG

FL 33705

RICK SCOTT
GOVERNOR

DISPLAY AS REQUIRED BY LAW

KEN LAWSON
SECRETARY

Resolution No. 2014 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SELL THE THREE (3) SURPLUS, UNIMPROVED CITY-OWNED PARCELS LOCATED AT APPROXIMATELY 2201 FIRST AVENUE NORTH, 2245 FIRST AVENUE NORTH AND 2163 FIRST AVENUE NORTH, ST. PETERSBURG, TO NICK PAVONETTI FOR \$290,000, AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management Department received an offer from Nick Pavonetti ("Buyer") to purchase the three (3) surplus unimproved City-owned parcels located at approximately 2201 First Avenue North, 2245 First Avenue North and 2163 First Avenue North, St. Petersburg ("Property"), which are not contiguous; and

WHEREAS, the Buyer's proposed plan is to build sixteen (16) townhomes on two (2) of the parcels and a single-family home on one (1) of the parcels; and

WHEREAS, the Buyer has been directly involved in the development of several townhome, condominium and single-family home development projects; and

WHEREAS, some of the condominium and townhome projects include the Victory Lofts and Grand Central on Kennedy in the Channel District in Tampa, Station Square in Downtown Clearwater and Central 16 in St. Petersburg; and

WHEREAS, in April 1999, the City's Housing and Community Development Department ("Housing") entered into an agreement with the Asian Family & Community Empowerment Center, Inc. ("FACE"), to use U.S. Department of Housing and Urban Development ("HUD") Community Development Block Grant ("CDBG") funds to acquire the former SPIFFS property, which is the Property that is the subject of this transaction; and

WHEREAS, over the years, Asian FACE offered a variety of services to persons within the community; however, in 2005, they informed the City that their resources had declined which impacted their ability to continue to provide services to the community and requested to convey the Property to the City; and

WHEREAS, subsequently, Asian FACE conveyed the Property to the City via deed in lieu of foreclosure in May 2006; and

WHEREAS, in August 2012, Housing received a letter from HUD requesting the City to close the CDBG project related to the Property; and

WHEREAS, at the September 20, 2012 meeting, City Council approved a supplemental appropriation from the unappropriated balance of the Housing Capital Improvement Program to the CDBG Reimbursement Program Strategy Project, which satisfied HUD's request to close the project and unencumbered the Property from the imposed federal restrictions; and

WHEREAS, in October 2012, the Property was declared surplus real estate after appropriate City Departments were queried; and

WHEREAS, the Property is unimproved Parcel No. 1 has lot dimensions of ±148.4 ft. x 127 ft. for a land area of ±18,847 sq. ft.; Parcel No. 2 has lot dimensions of ±45 ft. x 127 ft. for a lot area of ±5,715 sq. ft.; and Parcel No. 3 has lot dimensions of ±101.5 ft. x 127 ft. for a lot area of ±12,891 sq. ft.; and

WHEREAS, the parcels are zoned CRT-1 (Corridor Residential Traditional District); and

WHEREAS, the three (3) parcels are legally described as follows:

Parcel No. 1: Lots 14, 15, & 16, Block 18,
ST. PETERSBURG INVESTMENT CO. SUB.
Parcel I.D. No. 23/31/16/78390/018/0140
Approximate Street Address: 2201 First Avenue North

Parcel No. 2: Lot 11, Block 18, ST. PETERSBURG INVESTMENT CO. SUB.
Parcel I.D. No.: 23/31/16/78390/018/0110
Approximate Street Address: 2245 First Avenue North

Parcel No. 3: Lots 55 & 56, ROYAL PALM PARK
Parcel I.D. No.: 24/31/16/77328/000/0550
Approximate Street Address: 2163 First Avenue North; and

WHEREAS, on June 7, 2013, the Property was appraised by McCormick, Braun & Seaman, who indicated the estimated value of the three (3) assembled parcels if sold to a single buyer to be \$285,000 and on February 26, 2014, the Property was appraised by R & W Enterprises, Inc., who indicated the estimated value of the three (3) assembled parcels if sold to a single buyer to be \$290,000, which is the contract price; and

WHEREAS, the three (3) parcels were each appraised individually with values that represent the unassembled retail market value if sold to three (3) separate buyers and the appraiser's also valued the three (3) parcels as assembled, which represents a value less than the unassembled individual parts; and

WHEREAS, the \$285,000 value represents a discount of the unassembled retail market value by 25% and the \$290,000 value represents a discount of the unassembled retail market value by 30%; and

WHEREAS, it is consistent with the concept of the economies of scale that in the market place a discount is applied to the retail market value when selling property as an unassembled unit to a single buyer; and

WHEREAS, the Buyer is acquiring all three (3) parcels; therefore, the Property is being sold as assembled for the market value of \$290,000; and

WHEREAS, according to Billing and Collections Special Assessment and Utility Liens records, there are no City liens against the Buyer.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to sell three (3) surplus, unimproved City-owned parcels located at approximately 2201 First Avenue North, 2245 First Avenue North and 2163 First Avenue North, St. Petersburg, as legally described above, to Nick Pavonetti for \$290,000; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



City Attorney (Designee)

Legal: 00192652.doc V. 1

APPROVED BY:



Bruce E. Grimes, Director

Real Estate and Property Management

Resolution No. 2014 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SELL THE THREE (3) SURPLUS, UNIMPROVED CITY-OWNED PARCELS LOCATED AT APPROXIMATELY 2201 FIRST AVENUE NORTH, 2245 FIRST AVENUE NORTH AND 2163 FIRST AVENUE NORTH, ST. PETERSBURG, TO NICK PAVONETTI FOR \$290,000, AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; PROVIDING FOR USE OF PROCEEDS FROM THE SALE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management Department received an offer from Nick Pavonetti, ("Buyer") to purchase the three (3) surplus unimproved City-owned parcels located at approximately 2201 First Avenue North, 2245 First Avenue North and 2163 First Avenue North, St. Petersburg ("Property"), which are not contiguous; and

WHEREAS, the Buyer's proposed plan is to build sixteen (16) townhomes on two (2) of the parcels and a single-family home on one (1) of the parcels; and

WHEREAS, the Buyer has been directly involved in the development of several townhome, condominium and single-family home development projects; and

WHEREAS, some of the condominium and townhome projects include the Victory Lofts and Grand Central on Kennedy in the Channel District in Tampa, Station Square in Downtown Clearwater and Central 16 in St. Petersburg; and

WHEREAS, in April 1999, the City's Housing and Community Development Department ("Housing") entered into an agreement with the Asian Family & Community Empowerment Center, Inc. ("FACE"), to use U.S. Department of Housing and Urban Development ("HUD") Community Development Block Grant ("CDBG") funds to acquire the former SPIFFS property, which is the Property that is the subject of this transaction; and

WHEREAS, over the years, Asian FACE offered a variety of services to persons within the community; however, in 2005, they informed the City that their resources had declined which impacted their ability to continue to provide services to the community and requested to convey the Property to the City; and

WHEREAS, subsequently, Asian FACE conveyed the Property to the City via deed in lieu of foreclosure in May 2006; and

WHEREAS, in August 2012, Housing received a letter from HUD requesting the City to close the CDBG project related to the Property; and

WHEREAS, at the September 20, 2012 meeting, City Council approved a supplemental appropriation from the unappropriated balance of the Housing Capital Improvement Program to the CDBG Reimbursement Program Strategy Project, which satisfied HUD's request to close the project and unencumbered the Property from the imposed federal restrictions; and

WHEREAS, in October 2012, the Property was declared surplus real estate after appropriate City Departments were queried; and

WHEREAS, the Property is unimproved Parcel No. 1 has lot dimensions of ±148.4 ft. x 127 ft. for a land area of ±18,847 sq. ft.; Parcel No. 2 has lot dimensions of ±45 ft. x 127 ft. for a lot area of ±5,715 sq. ft.; and Parcel No. 3 has lot dimensions of ±101.5 ft. x 127 ft. for a lot area of ±12,891 sq. ft.; and

WHEREAS, the parcels are zoned CRT-1 (Corridor Residential Traditional District); and

WHEREAS, the three (3) parcels are legally described as follows:

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ST. PETERSBURG INVESTMENT CO. SUB.
Parcel I.D. No. 23/31/16/78390/018/0140
Approximate Street Address: 2201 First Avenue North

Parcel No. 2: Lot 11, Block 18, ST. PETERSBURG INVESTMENT CO. SUB.
Parcel I.D. No.: 23/31/16/78390/018/0110
Approximate Street Address: 2245 First Avenue North

Parcel No. 3: Lots 55 & 56, ROYAL PALM PARK
Parcel I.D. No.: 24/31/16/77328/000/0550
Approximate Street Address: 2163 First Avenue North; and

WHEREAS, on June 7, 2013, the Property was appraised by McCormick, Braun & Seaman, who indicated the estimated value of the three (3) assembled parcels if sold to a single buyer to be \$285,000 and on February 26, 2014, the Property was appraised by R & W Enterprises, Inc., who indicated the estimated value of the three (3) assembled parcels if sold to a single buyer to be \$290,000, which is the contract price; and

WHEREAS, the three (3) parcels were each appraised individually with values that represent the unassembled retail market value if sold to three (3) separate buyers and the appraiser's also valued the three (3) parcels as assembled, which represents a value less than the unassembled individual parts; and

WHEREAS, the \$285,000 value represents a discount of the unassembled retail market value by 25% and the \$290,000 value represents a discount of the unassembled retail market value by 30%; and

WHEREAS, it is consistent with the concept of the economies of scale that in the market place a discount is applied to the retail market value when selling property as an unassembled unit to a single buyer; and

WHEREAS, the Buyer is acquiring all three (3) parcels; therefore, the Property is being sold as assembled for the market value of \$290,000; and

WHEREAS, according to Billing and Collections Special Assessment and Utility Liens records, there are no City liens against the Buyer; and

WHEREAS, City Council has determined that the proceeds from the sale be utilized as follows: two-thirds of the proceeds will be designated for codes compliance related demolitions and one-third will be designated for use in the City's Rebates for Residential Rehabs Program currently administered by the Planning and Economic Development department.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to sell three (3) surplus, unimproved City-owned parcels located at approximately 2201 First Avenue North, 2245 First Avenue North and 2163 First Avenue North, St. Petersburg, as legally described above, to Nick Pavonetti for \$290,000; and to execute all documents necessary to effectuate same.

BE IT FURTHER RESOLVED that the proceeds from the sale shall be utilized as follows: two-thirds of the proceeds will be designated for codes compliance related demolitions and one-third will be designated for use in the City's Rebates for Residential Rehabs Program currently administered by the Planning and Economic Development department.

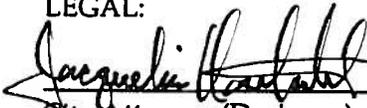
BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the unappropriated balance of the General Fund for FY14 resulting from these additional revenues:

<u>General Fund (0001)</u>	
<u>Planning and Economic Development</u>	<u>\$ 96,000</u>
<u>Codes Compliance</u>	<u>\$ 194,000</u>

This Resolution shall become effective immediately upon its adoption.

REVISED 04.28.2014

LEGAL:



City Attorney (Designee)
Legal: 00193988_1.doc_

APPROVED BY:



Bruce E. Grimes, Director
Real Estate and Property Management

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 1, 2014

TO: The Honorable Bill Dudley, Chair and Members of City Council

SUBJECT: A resolution authorizing the Mayor, or his Designee, to grant a Public Utility Easement to Duke Energy, Florida, Inc. d/b/a Duke Energy, a Florida corporation, for the installation, operation and maintenance of electrical service for the City-owned land just east of the City's Northeast Wastewater Treatment facility located at 1160 – 62nd Avenue Northeast, St. Petersburg which is leased to American Towers Inc. for the operation of a Cell Tower Facility; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate & Property Management received a request from Duke Energy, Florida, Inc. d/b/a Duke Energy, a Florida corporation ("Duke Energy"), a Public Utility Easement ("Easement") (also referred to by Duke Energy as a "Distribution Easement - Corporate"), within the City-owned land just east of the City's Northeast Wastewater Treatment facility located at 1160 – 62nd Avenue Northeast, St. Petersburg, which is leased to American Towers Inc. for the operation of a Cell Tower Facility.

The Easement is legally described as follows:

A 5-foot wide strip of land to be used for electric easement purposes located in Section 32, Township 30 South, Range 17 East, Pinellas County, Florida and being part of a parent tract shown as Lot 1, Block 1, NE WATER RECLAMATION FACILITY, in Plat Book 135, Pages 71 – 74. The sidelines of said easement lying 2.5 feet on either side of the following described centerline:

Commence at the Northwest corner of said Lot 1, thence S.00°02'34"W., along the East line of said Lot 1, also being the East line of said Section 32, a distance of 79.00 feet; thence departing said East line N.89°57'26"W., a distance of 108.75 feet to a point on the North line of the existing Tower Compound Lease Area and the Point of Beginning of the aforesaid centerline; thence N.00°31'18"W., a distance of 53.49 feet; thence N.19°34'46"E., a distance of 6.62 feet to the South right of way of 62nd Avenue N.E. and the Point of Terminus.

Containing 300.5 square feet, more or less.

The Easement will provide for the installation, operation and maintenance of electrical service improvements and related facilities at the Cell Tower Facility.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to grant a Public Utility Easement to Duke Energy, Florida, Inc. d/b/a Duke Energy, a Florida corporation, for the installation, operation and

maintenance of electrical service for the City-owned land just east of the City's Northeast Wastewater Treatment facility located at 1160 – 62nd Avenue Northeast, St. Petersburg, which is leased to American Towers Inc. for the operation of a Cell Tower Facility, 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: _____ *[Signature]* *86*
Budget: _____ N/A
Legal: _____ *RSC*
(As to consistency w/attached legal documents)

Legal: 00192642.doc v.1

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO GRANT A PUBLIC UTILITY EASEMENT TO DUKE ENERGY, FLORIDA, INC. D/B/A DUKE ENERGY, A FLORIDA CORPORATION, FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF ELECTRICAL SERVICE FOR THE CITY-OWNED LAND JUST EAST OF THE CITY'S NORTHEAST WASTEWATER TREATMENT FACILITY LOCATED AT 1160 - 62ND AVENUE NORTHEAST, ST. PETERSBURG, WHICH IS CURRENTLY LEASED TO AMERICAN TOWERS INC. FOR THE OPERATION OF A CELL TOWER FACILITY; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management received a request from Duke Energy, Florida, Inc. d/b/a Duke Energy, a Florida corporation ("Duke Energy"), a Public Utility Easement ("Easement") (also referred to by Duke Energy as a "Distribution Easement - Corporate"), within the City-owned land just east of the City's Northeast Wastewater Treatment facility located at 1160 - 62nd Avenue Northeast, St. Petersburg, which is currently leased to American Towers Inc. for the operation of a Cell Tower Facility; and

WHEREAS, the Easement is legally described as follows:

A 5-foot wide strip of land to be used for electric easement purposes located in Section 32, Township 30 South, Range 17 East, Pinellas County, Florida and being part of a parent tract shown as Lot 1, Block 1, NE WATER RECLAMATION FACILITY, in Plat Book 135, Pages 71 - 74. The sidelines of said easement lying 2.5 feet on either side of the following described centerline:

Commence at the Northwest corner of said Lot 1, thence S.00°02'34"W., along the East line of said Lot 1, also being the East line of said Section 32, a distance of 79.00 feet; thence departing said East line N.89°57'26"W., a distance of 108.75 feet to a point on the North line of the existing Tower Compound Lease Area and the Point of Beginning of the aforesaid centerline; thence N.00°31'18"W., a distance of 53.49 feet; thence N.19°34'46"E., a distance of 6.62 feet to the South right of way of 62nd Avenue N.E. and the Point of Terminus.

Containing 300.5 square feet, more or less; and

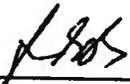
WHEREAS, the Easement will provide for the installation, operation and maintenance of electrical service improvements and related facilities at the Cell Tower Facility.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is hereby authorized , to grant a Public Utility Easement to Duke Energy, Florida, Inc. d/b/a Duke Energy, a Florida corporation, for the installation, operation and maintenance of electrical service for the City-owned land just east of the City's Northeast Wastewater Treatment facility located at 1160 – 62nd Avenue Northeast, St. Petersburg, which is currently leased to American Towers Inc. for the operation of a Cell Tower Facility; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:



City Attorney (Designee)
Legal: 00192642.doc v.1



Bruce E. Grimes, Director
Real Estate & Property Management

SAINT PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 1, 2014

TO: City Council Chair & Members of City Council

SUBJECT:

Accepting a grant from the National Recreation & Park Association (NRPA) in the amount of \$31,200 to support the City's Out-of-School Time healthy food access and nutritional literacy programs; authorizing the Mayor or his designee to execute a grant agreement and all other documents necessary to effectuate this transaction with NRPA; approving a supplemental appropriation in the amount of \$31,200 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Department; and providing an effective date.

EXPLANATION:

The National Recreation & Park Association (NRPA) invited the City of St. Petersburg Parks & Recreation Department to participate in a program to support the City's Out-of-School Time healthy food access and nutritional literacy programs. NRPA has awarded the City of St. Petersburg funding to provide support through marketing, advertising, nutritional education, physical education and family events.

RECOMMENDATION:

The Administration recommends that the City Council adopt the attached resolution accepting a grant from the National Recreation & Park Association (NRPA) in the amount of \$31,200 to support the City's Out-of-School Time healthy food access and nutritional literacy programs; authorizing the Mayor or his designee to execute a grant agreement and all other documents necessary to effectuate this transaction with NRPA; approving a supplemental appropriation in the amount of \$31,200 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Department; and providing an effective date

COST/FUNDING/ASSESSMENT INFORMATION:

Revenues of \$31,200 will be received from the National Recreation & Park Association. A supplemental appropriation in the amount of \$31,200 from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, to the Parks & Recreation Department, Parks & Recreation Administration (190-1573) is required.

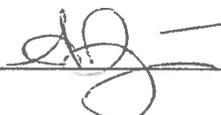
ATTACHMENTS: Resolution

APPROVALS:

Administration:



Budget:



RESOLUTION NO. 2014- _____

A RESOLUTION ACCEPTING A GRANT FROM THE NATIONAL RECREATION & PARK ASSOCIATION (NRPA) IN THE AMOUNT OF \$31,200 TO SUPPORT THE CITY'S OUT-OF-SCHOOL TIME HEALTHY FOOD ACCESS AND NUTRITIONAL LITERACY PROGRAMS; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A GRANT AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION WITH NRPA; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$31,200 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND (0001), RESULTING FROM THESE ADDITIONAL REVENUES, TO THE PARKS & RECREATION DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE

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

WHEREAS, the City of St. Petersburg Parks & Recreation Department applied for and was awarded a grant from the National Recreation & Park Association in the amount of \$31,200 to provide funding to support the City's Out-of-School Time healthy food access and nutritional literacy programs.

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 & Park Association (NRPA) in the amount of \$31,200 to support the City's Out-of-School Time healthy food access and nutritional literacy programs and to execute a grant agreement and all other documents necessary to effectuate this transaction with NRPA.

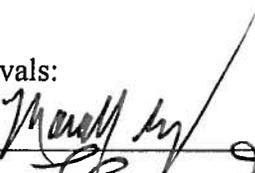
BE IT FURTHER RESOLVED, that there is hereby approved from the increase in the unappropriated balance of the General Fund (0001), resulting from these additional revenues, the following supplemental appropriation for fiscal year 2014:

<u>General Fund (0001)</u> Parks & Recreation Department, Parks & Recreation Administration (190-1573)	\$31,200
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This resolution shall become effective immediately upon its adoption.

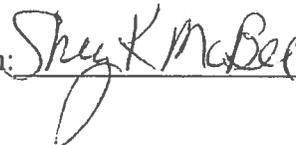
Approvals:

Legal:





Administration:



ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 1, 2014

TO: Honorable Bill Dudley, Chair of Council, and Members of City Council

SUBJECT: Authorizing the Mayor to enter into an Interlocal Agreement with the City of Pinellas Park authorizing the City of Pinellas Park to provide temporary water and wastewater service to the Pinellas County Grease Service Facility.

EXPLANATION: Pinellas County constructed a Grease Service Facility in 2004, at which time, St. Petersburg entered into an Interlocal Agreement with the City of Pinellas Park ("Pinellas Park") to provide water and wastewater service to the facility. Although the Grease Service Facility is within St. Petersburg's municipal boundaries and within St. Petersburg's water and wastewater service area, our utility services were not available to serve that facility. Pinellas Park owns and operates an adjacent water distribution and wastewater collection system. St. Petersburg requested Pinellas Park to serve the Grease Service Facility on a temporary basis. The Interlocal Agreement which authorizes Pinellas Park to provide water and wastewater service to the Grease Service Facility expires on June 23, 2014. The City would like to enter into a new Interlocal Agreement authorizing Pinellas Park to continue to provide water and wastewater service to the Grease Service Facility for an additional 10 year term. The proposed agreement gives St. Petersburg the right to provide water and wastewater service to the Grease Service Facility upon expiration of the Agreement or at an earlier date, upon providing advance notice to Pinellas Park.

Administration recommends authorizing the Mayor to enter into an Interlocal Agreement with Pinellas Park authorizing them to provide temporary water and wastewater service to the Pinellas County Grease Service Facility.

COST/FUNDING/ASSESSMENT INFORMATION: No funds are necessary.

ATTACHED: Resolution/Agreement

APPROVALS:


Administration
SKL


Budget



A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF PINELLAS PARK; AUTHORIZING THE CITY OF PINELLAS PARK TO PROVIDE TEMPORARY WATER AND WASTEWATER SERVICE TO THE PINELLAS COUNTY GREASE SERVICE FACILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Pinellas County constructed a Grease Service Facility ("Grease Facility") in 2004; and

WHEREAS, the Grease Facility is located within St. Petersburg's municipal boundaries and within St. Petersburg's water and wastewater service areas; and

WHEREAS, the City of St. Petersburg entered into an Interlocal Agreement with the City of Pinellas Park ("Pinellas Park") in 2004 to provide water and wastewater service to the Grease Facility on a temporary basis; and

WHEREAS, the current Interlocal Agreement with Pinellas Park to serve the Grease Facility expires on June 23, 2014; and

WHEREAS, St. Petersburg currently is unable to serve the Grease Facility; and

WHEREAS, St. Petersburg has requested Pinellas Park to continue to provide water and wastewater service to the Grease Facility on a temporary basis for up to ten additional years;

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Mayor is authorized to enter into an Interlocal Agreement with the City of Pinellas Park authorizing the City of Pinellas Park to provide temporary water and wastewater service to the Pinellas County Grease Service Facility.

This resolution shall become effective immediately upon its adoption.

LEGAL:



Kim Streeter, Assistant City Attorney



INTERLOCAL AGREEMENT FOR WATER
AND WASTEWATER SERVICE

THIS AGREEMENT made and entered into this ___ day of _____, 2014, by and between THE CITY OF ST. PETERSBURG, FLORIDA, a municipal corporation of the State of Florida, hereinafter referred to as "St. Petersburg", and THE CITY OF PINELLAS PARK, a municipal corporation of the State of Florida hereinafter referred to as "Pinellas Park", both in the County of Pinellas, State of Florida.

WITNESSETH:

WHEREAS, this Agreement encompasses the following described real property owned by Pinellas County, a political subdivision of the State of Florida, which is located within St. Petersburg's municipal boundaries and within St. Petersburg's water and wastewater service areas; hereinafter referred to as "Property":

Legal Description:

That portion of Lot 2, Block I, Pinellas Resource Recovery Unit 1, as recorded in Plat Book 101, Page 22 of the Public Records of Pinellas County, Florida lying in Section 14, Township 30 South, Range I 6 East, Pinellas County, Florida being further described as follows:

Commence at the southwest corner of Lot 2, Block I of said Pinellas Resource Recovery Unit I; thence N.00°16'17"E., 1,128.43 feet along the west boundary of said Lot 2, Block I and the east right-of-way line of 28th Street North to the point of beginning; thence continue along said east line, N.00°16'17"E., 260.89 feet; thence leaving said line, S.89°56'08"E., 260.89 feet to a curve concave northwesterly and having a radius of 150.00 feet; thence northeasterly along said curve, 129.04 feet through a central angle of 49°17'18" (chord bearing N.65°25'13"E., 125.09 feet) to a compound curve concave northwesterly and having a radius of 292.00 feet; thence northeasterly along said curve, 214.09 feet through a central angle of 42°00'36" (chord bearing N.19°46'16"E., 209.33 feet); thence non-tangent, S.89°56'08"E., 338.59 feet; thence S.00°03'52"W. 532.48 feet; thence west, 532.42 feet; thence north, 10.00 feet; thence west, 49.62 feet; thence north, 10.22 feet; thence west, 202.66 feet to the point of beginning. Containing 7.163 acres more or less.

WHEREAS, Pinellas Park recognizes St. Petersburg's right to provide water service and wastewater service to the Property; and

WHEREAS, Pinellas County has constructed a Grease Service Facility on the Property in close proximity to an existing County Resource Recovery Facility; and

WHEREAS, Pinellas Park owns and operates a water distribution system and a wastewater collection system which currently serve the County Resource Recovery Facility and which have sufficient capacity to provide water and wastewater treatment services to the Property; and

WHEREAS, St. Petersburg has requested that Pinellas Park provide water and wastewater service to the Property for an interim period of time; and

WHEREAS, St. Petersburg and Pinellas Park entered into an Interlocal Agreement dated June 14, 2002 which will expire on June 23, 2014; and

WHEREAS, St. Petersburg and Pinellas Park have agreed to enter into a new Interlocal Agreement authorizing Pinellas Park to continue to provide water service and wastewater service to the Property on an interim basis in order to provide such services to a Grease Service Facility owned and operated by Pinellas County, Florida;

NOW, THEREFORE, in consideration of the mutual promises herein contained, and for other good and valuable consideration, receipt of which is hereby acknowledged by the parties, it is agreed by and between the parties as follows:

1. The above recitals are hereby incorporated into this Agreement and made a part hereof.
2. Pinellas Park shall own, operate, and maintain all necessary lines and appurtenances required to provide a water service and wastewater service to the Property until such time as St. Petersburg has water and wastewater service available.
3. Any additional points of connection for water service and wastewater service to the Property shall be reviewed and approved by the St. Petersburg City Engineer in writing prior to construction.
4. Except for the Grease Service Facility constructed on the Property, Pinellas Park shall not permit any other structures, buildings, or facilities located on the Property to connect to the interim lines and appurtenances providing water and wastewater service to the Property.
5. Pinellas Park shall establish and collect all rates, charges and applicable public service taxes for water provided and for the transmission, treatment, and disposal of wastewater received from the Property. St. Petersburg shall not be responsible for the collection of any charges billed to the Grease Service Facility.
6. This Agreement shall not prevent St. Petersburg from levying special assessments and other charges upon the Property, imposed in connection with the future construction and expansion of water and wastewater systems necessary to serve the Property.
7. St. Petersburg specifically reserves the right to provide water service and wastewater service to the Property upon expiration of this Agreement or upon providing notice to Pinellas Park in accordance with paragraph 8.
8. If St. Petersburg intends to provide either, water service, wastewater service or both to the Property, St. Petersburg shall notify Pinellas Park in writing at least six (6) months in advance of its decision to provide such service to the Property, unless the Parties mutually agree upon a shorter time frame. Upon such notification, Pinellas Park shall take such steps as

necessary to abandon and remove any Pinellas Park pipes or appurtenant structures providing such services to the Property.

9. This Agreement shall become effective immediately upon execution by both parties and shall remain in effect for a period often (10) years or until such time as St. Petersburg has extended water service and wastewater service to the Property, whichever occurs first.

10. Pinellas Park shall be responsible for ensuring that users of its wastewater system located on the Property obtain any required industrial pretreatment permits in accordance with an approved Industrial Pretreatment Program.

11. This Agreement shall be binding upon the parties, their successors, assigns, and legal representatives. Neither party shall assign or otherwise transfer any of its rights or duties under this Agreement without the express prior written consent of the other party.

12. This Agreement embodies the entire agreement between the parties relating to water service and wastewater service for the Property. There are no promises, terms, conditions or allegations other than those contained herein, and this document shall supersede all previous communications, representations, and/or agreements, whether written or verbal between the parties hereto. This Agreement may be modified only in writing executed by both parties. This Agreement may be executed in several counterparts, each of which, if properly executed by the parties, shall be considered an original.

13. All notices, requests, and other communications which are required or permitted pursuant to this Agreement shall be in writing and shall be deemed to have been duly given or delivered personally when sent by facsimile or when mailed, registered or certified, first-class postage pre-paid as set forth below.

If to St. Petersburg, to:

Office of the Mayor
City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731-2842

with a copy to:

City Attorney
P.O. Box 2842
St. Petersburg, FL 33731
If to Pinellas Park, to:

Utilities Director
City of Pinellas Park P.O. Box 1100
Pinellas Park, FL 33780-1100

with a copy to:

City Attorney
P.O. Box 1100
Pinellas Park, FL 33780-1100

Either party may change the persons and addresses to which notices or other communications are to be sent to it by giving written notice of any such change in the manner provided herein for giving notice.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

ATTEST

CITY OF ST. PETERSBURG, FLORIDA

By: _____
Eva Andujar
City Clerk

By: _____
Richard Kriseman
Mayor

APPROVED AS TO FORM AND CONTENT:

By: _____
Kim Streeter (designee)

ATTEST:

By: _____
City Clerk

By: _____
Mayor

APPROVED AS TO FORM AND CONTENT:

By: _____
City Attorney

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of May 1, 2014

To: The Honorable William H. Dudley, Chair and Members of City Council

Subject: A resolution authorizing the Mayor or his designee to execute agreements not to exceed \$800,000, with New Vista Builders Group, LLC., Certus Builders, Inc. and Avatar Construction Inc. as primary contractors and Reeves Building, Plumbing and Roofing Contractor, Inc, and Kickler Group LLC, as secondary contractors for the Jamestown Apartments and Townhouses Renovations, Phase III Project (Engineering Project No. 11237-119, Oracle No. 14212); and all other documents necessary to effectuate this resolution; and providing an effective date.

Explanation: The Procurement Department received Statements of Qualifications (SOQ) from five (5) General Contractors for the City's consideration in the selection of three (3) General Contractors to perform work on the Jamestown Apartments and Townhouses Renovations Project Phase III. There are currently fifty-five (55) units in the Jamestown Apartment Complex that were constructed in 1977. Eight (8) units were fully renovated in Phase I. An additional eight (8) units were partially renovated in Phase II. The scope of work includes the systematic renovation of the remaining thirty-nine (39) un-renovated apartment units. The additional eight (8) units that have been previously partially renovated, will have window and door replacement work along with electrical upgrades. The three selected General Contractors are New Vista Builders Group, LLC., Certus Builders, Inc. and Avatar Construction Inc. The remaining two General Contractors, Reeves Building, Plumbing and Roofing Contractor, Inc and Kickler Group LLC are selected as Alternates in the event one of the three primary contractors is unable to perform the work.

The City issued an Request for Qualifications (RQU) to select a minimum of three qualified General Contractors who will be given the opportunity to bid on separately identified units. The City developed a detailed list and specifications of all the improvements contemplated with the anticipation that not every unit would require the same level of improvements. The selected General Contractors will be provided the final set of plans as well as the menu of detailed project elements. Once the City assembles the units to be renovated, each of the selected General Contractors will walk through the units with the City staff and mutually agree upon the specific scope of work to be performed on each unit. The selected General Contractors will provide a final price proposal to the City based on the project specifications for the agreed upon scope of work. The proposal will include the cost of the work plus the General Contractor's overhead and profit based on the number of units to be renovated, schedule for the work and any other items agreed to by all parties in advance. Individual quotes will be obtained from all three General Contractors and a Purchase Order will be issued to the lowest responsive bidder with each bid that exceeds \$100,000 presented to City Council for approval prior to commencing the renovations.

The work under Phase III includes selective demolition of all finishes, cabinetry, windows, doors, appliances, plumbing fixtures, and the Heating, Ventilating, and Air Conditioning (HVAC) equipment and air distribution system and lighting. The new work includes replacing the HVAC system with a new energy efficient 15 SEER split system and replacing all the existing fiberboard ductwork. The windows will be replaced with impact resistant, low-E glazing aluminum casement style windows. New impact resistant hollow metal doors and the existing sliding glass doors will be replaced with "French Style" doors of the same approximate size. Bathrooms and kitchens will receive new fixtures, cabinetry, accessories, and floor finishes. R-30 Glass fiber batt insulation will be added to the attic spaces. New Energy Star appliances include a refrigerator, electric range with oven and range hood. The new finishes include vinyl composite plank flooring; skim coating existing drywall and paint all surfaces. The electrical work includes replacement of the existing panel, new electrical wiring from the meter to the panel and the addition of arc-fault circuits in each bedroom.

On November 19, 2012, the City Council awarded a contract to New Vista Builders Group in the amount of \$604,100 for the Jamestown Apartments Renovations, Phase 1 project. The work consisted of

furnishing all labor, materials, tools, equipment and services necessary to fully renovate eight (8) apartment units. On January 10, 2013, the City Council awarded a contract to Avatar Construction Inc., in the amount of \$237,823 for the Jamestown Apartments Renovations Phase II. The remaining thirty-nine (39) units were planned to be renovated once funding was identified. The funding for Phase III has been identified from two sources. HOME funds in the amount of \$800,000 are available for the initial construction. Additional funding of approximately \$1.7 million will be required to complete the renovations. On June 6, 2013, City Council approved a resolution (2013-217) to establish the City's intent to provide this funding from the proceeds of future tax-exempt financing.

The contractor will begin work approximately ten calendar days from written Notice to Proceed and is scheduled to complete the work within 150 consecutive calendar days thereafter. The Qualification Statements were opened on March 27, 2014 and were reviewed and evaluated for qualifications by a selection committee including staff from the Engineering & Capital Improvements Department, Downtown Enterprise Facilities and Housing and Community development. The submissions are tabulated as follows:

Selected General Contractors

New Vista Builders Group, LLC (Tampa, FL)
Certus Builders Inc. (Tampa, FL)
Avatar Construction Inc. (Lutz, FL)

The Two Alternates General Contractors are:

Reeves Building, Plumbing and Roofing Contractor, Inc. (Tampa, FL)
Kickler Group LLC (St. Petersburg, FL)

New Vista Builders Group, LLC; Avatar Construction Inc.; and Certus Builders Inc. have met the specifications, terms and conditions of RQU No. 7581 dated February 25, 2014 . They have satisfactorily completed similar work for the City, and are all certified SBE firms. The principals of New Vista Builders Group, LLC are Matthew Carlson, Manager and Lazaro Fernandez, Manager. The principal of Avatar Construction Inc. is Jayantilal Patel. The principals of Certus Builders Inc. are Dean Sumner, CEO and Sharon Sumner, CFO.

Recommendation: Administration recommends adoption of the attached resolution authorizing the Mayor or his designee to execute agreements not to exceed \$800,000, with New Vista Builders Group, LLC., Certus Builders, Inc. and Avatar Construction Inc. as primary contractors and Reeves Building, Plumbing and Roofing Contractor, Inc. and Kickler Group LLC, as secondary contractors for the Jamestown Apartments and Townhouses Renovations, Phase III Project (Engineering Project No. 11237-119, Oracle No. 14212); and all other documents necessary to effectuate this resolution; and providing an effective date.

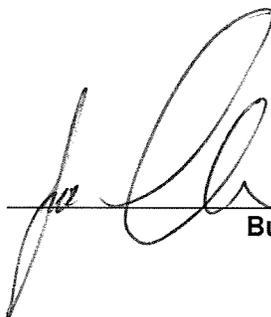
Cost/Funding/Assessment Information: \$800,000 funding has previously been appropriated in the HOME Program (Fund 1113). Additional funds of approximately \$1.7 million will be provided from proceeds of future tax-exempt financing and will be appropriated in the General Capital Improvement Fund (Fund 3001 to Jamestown Apartments Renovations, Phase III (14212).

Attachments: Resolution

Approvals:




Administration



Budget

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENTS NOT TO EXCEED \$800,000, WITH NEW VISTA BUILDERS GROUP, LLC., CERTUS BUILDERS, INC. AND AVATAR CONSTRUCTION INC. AS PRIMARY CONTRACTORS AND REEVES BUILDING, PLUMBING AND ROOFING CONTRACTOR, INC., AND KICKLER GROUP LLC, AS SECONDARY CONTRACTORS FOR THE JAMESTOWN APARTMENTS AND TOWNHOUSES RENOVATIONS, PHASE III PROJECT (ENGINEERING PROJECT NO. 11237-119, ORACLE NO. 14212); AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement Department ("Department") received Statements of Qualifications ("SOQ") from five (5) General Contractors for the City's consideration in the selection of three (3) General Contractors to perform work on the Jamestown Apartments and Townhouses Renovations Project Phase III; and

WHEREAS, the Department, in conjunction with Engineering & Capital Improvements Department, Downtown Enterprise Facilities Department and Housing and Community Department selected New Vista Builders Group, LLC., Certus Builders, Inc. and Avatar Construction Inc. as primary contractors and Reeves Building, Plumbing and Roofing Contractor, Inc and Kickler Group LLC as alternate contractors in the event one of the three primary contractors is unable to perform the work; and

WHEREAS, Phase III renovations will be conducted on separately identified units or groups of units as determined by the City and each of the three primary contractors (or alternate contractor(s) if one or more of the primary contractors is unable to perform the work) will be given the opportunity to bid on the separately identified units or groups of units; and

WHEREAS, the three selected general contractors will be provided the final set of plans as well as the menu of detailed project elements for each unit or group of units and will walk through the units with the City staff and mutually agree upon the specific scope of work to be performed on each unit; and

WHEREAS, each of the three selected contractors will provide a final price proposal to the City, based on the project specifications for the agreed upon scope of work, which will include the cost of the work plus the general contractor's overhead and profit based on the number of units to be renovated, schedule for the work and any other items agreed to by all parties in advance; and

WHEREAS, services under the Agreements will be described in the final price proposal which will become a supplement to the Agreement of the lowest responsive bidder for that unit or group of units; and

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 1, 2014

TO: The Honorable William Dudley, Chair, and Members of City Council

SUBJECT: Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. CID-07-08-HCA to the Agreement between the City of St. Petersburg and Hayes Cumming Architects, PA in the amount not to exceed \$7,500 for architectural and engineering design services related to the construction phase of the Jamestown Apartments Renovations Phase III, for a total amount of \$106,448. (Engineering Project No. 11237-119; Oracle No. 14212).

EXPLANATION: On September 23, 2011, Task Order No. CID-07-08-HCA was approved by Administration in the amount of \$53,568 for design and construction administration services for the Jamestown Apartment Renovations Phase I Project. Hayes Cumming Architects, PA developed plans, specifications, bidding documents and provided construction phase services for the full renovation of the initial eight (8) units at Jamestown.

On December 12, 2011, Task Order No. CID-07-08-HCA (Revision 1) was approved by Administration in the amount of \$1,880 for additional field verification services required due to existing conditions that differed from the available drawings.

On September 4, 2013, Task Order No. CID-07-08-HCA (Revision No. 2) was approved by Administration in the amount of \$3,500 for additional construction administration services during the construction phase of the Jamestown Phase I Project.

On October 9, 2013, Task Order No. CID-07-08-HCA (Revision No. 3) was approved by Administration in the amount of \$40,000 for development of the plans and specifications for the Jamestown Phase III Project. Hayes Cumming Architects, PA developed detailed specifications combining the results of both Phase I and Phase II renovations, into a standard set of construction documents to be used by the Phase III selected general contractors.

Administration recommends authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. CID-07-08-HCA in the amount not to exceed \$7,500, for a total amount of \$106,488 for construction administration services. Revision No. 4 will provide for professional services related to construction phase assistance and the issuance of any clarifications required to complete the renovations as intended.

RECOMMENDATION: Administration recommends approval of Amendment No. 1 to Task Order No. CID-07-08-HCA to the Agreement between the City of St. Petersburg and Hayes Cumming Architects, PA in the amount not to exceed \$7,500 for

architectural and engineering design services related to the construction phase of the Jamestown Apartments Renovations Phase III, for a total amount of \$106,488.

COST/FUNDING/ASSESSMENT INFORMATION: Funds have been previously appropriated in the Jamestown HOME Program Fund (1113), Jamestown Apartments Renovations Phase III Project (14212).

ATTACHMENTS: Resolution

APPROVALS: 
rq **TBG** Administrative


Budget

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. CID-07-08-HCA TO THE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND HAYES CUMMING ARCHITECTS, PA IN THE AMOUNT NOT TO EXCEED \$7,500 FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES RELATED TO THE CONSTRUCTION PHASE OF THE JAMESTOWN APARTMENTS RENOVATIONS PHASE III, FOR A TOTAL AMOUNT OF \$106,448. (ENGINEERING PROJECT NO. 11237-119; ORACLE NO. 14212); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 23, 2011, Task Order No. CID-07-08-HCA was approved by Administration in the amount of \$53,568 to Hayes Cumming Architects, PA, for design and construction administration services for the Jamestown Apartment Renovations Phase I Project; and

WHEREAS, on December 12, 2011, Task Order No. CID-07-08-HCA (Revision 1) was approved by Administration in the amount of \$1,880 for additional field verification services required due to existing conditions that differed from the available drawings; and

WHEREAS, on September 4, 2013, Task Order No. CID-07-08-HCA (Revision No. 2) was approved by Administration in the amount of \$3,500 for additional construction administration services for the Jamestown Phase I Project; and

WHEREAS, on October 9, 2013, Task Order No. CID-07-08-HCA (Revision No. 3) was approved by Administration in the amount of \$40,000 for development of the plans and specifications for the Jamestown Phase III Project; and

WHEREAS, this Amendment No. 1 to Task Order No. CID-07-08-HCA in the amount not to exceed \$7,500, for construction administration services will provide for professional services related to construction phase assistance and the issuance of any clarifications required to complete the renovations as intended.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to execute Amendment No. 1 to Task Order No. CID-07-08-HCA to the Agreement between the City of St. Petersburg and Hayes Cumming Architects, PA in the amount not to exceed \$7,500 for architectural

and engineering design services related to the construction phase of the Jamestown Apartments Renovations Phase III, for a total amount not to exceed \$106,448 for services provided pursuant to Task Order No. CID-07-08-HCA (as revised). (Engineering Project No.11237-119; Oracle No. 14212).

This resolution shall become effective immediately upon its adoption.

Approved by:

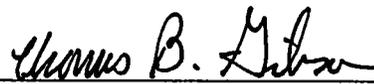


Legal Department
By: (City Attorney or Designee)



Tom Greene
Budget Director

Approved by:



Thomas B. Gibson, P.E.
Engineering Director

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of May 1, 2014

TO: City Council Chair & Members of City Council

SUBJECT: City Council Minutes

EXPLANATION: City Council minutes of February 6, February 13, and February 20, 2014 meetings are submitted for your approval.

A RESOLUTION APPROVING THE MINUTES OF THE
CITY COUNCIL MEETINGS HELD ON FEBRUARY
6, FEBRUARY 13, AND FEBRUARY 20, 2014 ; AND
PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that
the minutes of the City Council meetings held on February 6, February 13, and February 20, 2014
are hereby approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM
AND SUBSTANCE:

City Attorney or Designee

mins.res.wpd

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, FEBRUARY 6, 2014, AT 8:30 A.M.

Chair William H. Dudley called the meeting to order with the following members present: Charles Gerdes, James R. Kennedy, Darden Rice, Steven Kornell, Karl Nurse, Wengay M. Newton, Sr. and Amy Foster. Mayor Rick Kriseman, Deputy Mayor Kanika Tomalin, Interim City Administrator Gary Cornwell, Chief Assistant City Attorney Mark Winn, Assistant City Attorneys Macall Dyer, Michael Dema, Joseph Patner and Kimberly Proano, City Clerk Eva Andujar and Deputy City Clerk Cathy Davis were also in attendance.

Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

- REVISED CB-3 Authorizing the Mayor or his designee to enter into a Memorandum of Understanding with the St. Petersburg Area Chamber of Commerce wherein the City will provide the Chamber \$30,000 for the development of an economic development strategy that will address business recruitment. *[MOVED to Reports as E-3]*
- MOVE CB-14 Authorizing the Mayor or his designee to execute a Memorandum of Understanding/ Agreement to Participate with the National League of Cities for a new pilot program called the Local Interventions for Financial Empowerment through Utility Payments (LIFT-UP) initiative; to accept a grant in the amount of \$20,000; and to execute all other documents necessary to effectuate this transaction; approving a supplemental appropriation from the increase in the unappropriated balance of the Billing & Collections Fund (5021) resulting from these additional revenues to the Billing & Collections Department (350) Customer Service (2025). *[MOVED to Reports as E-4]*
- MOVE CB-15 Authorizing the Mayor or his designee to accept a Walmart Foundation grant in the amount of \$1,000 for the enhancement of life safety programs managed by St. Petersburg Fire & Rescue; and to execute all documents necessary to effectuate this transaction. *[MOVED to Reports as E-5]*

- ADD CB-16 Authorizing the Mayor or his designee to execute Amendment No. 1 to the Land and Water Conservation Fund Grant (Grant) from the U.S. Department of the Interior, National Parks Service, through the Florida Department of Environmental Protection for the Lake Maggiore Park Improvements Project, which decreases the Grant amount by \$7,000 for a maximum reimbursement amount of \$193,000; to execute all other documents necessary to effectuate the Grant, as amended; and rescinding an unencumbered appropriation in the General Capital Improvement Fund (3001) in the amount of \$7,000 from the Lake Maggiore/Boyd Hill FY08 Project (11756).
- ADD CB-17 Resolution appointing current City Council Member from the Zone (District 4) as the representative for the “City Council Member from the Zone (District 4)” category on the Board of Commissioners of the Enterprise Zone Development Agency (EZDA); appointing current or Acting Director of the Codes Compliance Assistance Department as the representative for the “Local Code Enforcement Agency” category on the Board of Commissioners of the EZDA; and appointing current Police Chief (or Acting Police Chief) as the representative for the “Local Law Enforcement Agency” category on the Board of Commissioners of the EZDA.
- ADD E-6 City Council Workshop - Allocation of \$124,000
 (a) Agenda 2020 & Urban League.
 (b) Skyway Marina District.
- ADD G-2 Requesting Council approve modifying the start time of the City Council meeting on February 20, 2014 to 4:00 p.m. (Chair Dudley)
- INFO H-1 Youth Services Committee. (1/23/14)
 (a) Resolution approving a recommendation from the Youth Services Committee to hold a Youth Incarceration Summit (“Summit”); and authorizing the Youth Services Committee Chair to coordinate with staff to schedule the Summit.
- INFO H-2 Co-Sponsored Events Committee. (1/23/14)
 (a) Resolution approving the applications for co-sponsored event status “in name only” for the West Central Florida Chapter of Concerns to Police Survivors, Inc. (“COPS”) for an event entitled Cops Walk to be held on May 19, 2014, in Demens Landing from 6:00 p.m. to 8:00 p.m.;, Directions for Mental Health, Inc. (“Directions”) for an event entitled Ride to Keep Kids Safe to be held on May 4, 2014 in Spa Beach and adjacent City streets, from 6:00 a.m.to 4:00 p.m.; Historic Kenwood Neighborhood Association, Inc. (“Kenwood”) for an event entitled Pinot in the Park to be held on April 19, 2014, in Seminole

Park, from 7:00 p.m. to 11:00 p.m.; and American Cancer Society, Florida Division, Inc. (“ACS”) for an event entitled Relay for Life – Lakewood to be held from 4:00 p.m. May 2, 2014 through 10:00 a.m. May 3, 2014, at Lakewood High School in accordance with City Council Resolution No. 2000-562, as amended; (“Resolution 2000-562”) provided all City fees are paid 10 days prior to the event taking place; waiving the six month requirement of Section “D” of Resolution. 2000-562, and the payment of the waiver fee required by City Council Resolution No. 2009-353 as to Kenwood; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.

(b) Ordinance providing for the sale and consumption of alcoholic beverages in Seminole Park on April 19, 2014.

- DELETE H-3 Budget, Finance & Taxation Committee. (1/30/14)
- INFO H-4 Public Services & Infrastructure Committee. (1/30/14)
- INFO H-5 Housing Services Committee. (1/30/14)

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Foster. Gerdes. Nays. None. Absent. Newton. Councilmember Newton was reported present at 8:38 a.m.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Monica Abbott, 7202 Central Avenue, commented on smoking, cigarette butt litter and its effect on the environment. She provided Council with a copy of a January 23, 2014 New York Times editorial article entitled “Even More Addictive Cigarettes” and made a brief PowerPoint presentation concerning the same topic.

Councilmember Nurse moved with the second of Councilmember Newton that the following resolutions be adopted:

- 14-34 Awarding a contract to Highway Safety Devices, Inc. in the amount of \$2,495,580.30 for Mast Arm Traffic Signals FY12 and FY13. (Engineering Project Nos. 12027-112 and 13027-112; Oracle Nos. 13285, 13763 and 14153)
- 14-35 Awarding a Contract to Insituform Technologies, LLC in the amount of \$910,000 for Sanitary Sewer CIPP Lining FY 2014. (Engineering Project No. 14008-111; Oracle No. 14248)
- 14-36 Renewing a blanket purchase agreement with Tri-State Employment Services Inc. for temporary staffing services at an estimated annual cost of \$631,000.

- 14-37 Accepting proposal from Tom Evans Environmental, Inc., a sole source provider, for a replacement centrifugal pump for the Water Resources Department at a total cost of \$109,299.
- 14-38 Approving the plat of Boley's Broadwater Place generally located at 3615 37th Street South. (City File 10-20000007)
- 14-39 Authorizing the Mayor or his designee to sell a portion of the surplus unimproved City-owned property located at approximately 101 36th Avenue Northeast, St. Petersburg, to Bozidar and Sharon Brown, for \$10,000.
- 14-40 Confirming the reappointment of Suzanne Castonguay, Jason T. Martino, David J. McDaniel and Jay Marshall as regular members to the Commission on Aging to serve three-year terms ending December 31, 2016.
- 14-41 Confirming the appointment of Gerald Junevicus, currently an alternate member, Paula S. Orandash and William Wright as regular members and confirming the reappointment of Renee A. Brown as a regular member to the Committee to Advocate for Persons with Impairments to serve three-year term endings December 31, 2016.
- 14-42 Confirming the appointment of Sean K. McQuaid and Keith V. Benson, currently alternate members, and Charlene R. Sanders as regular members to the Nuisance Abatement Board to serve three-year terms ending December 31, 2016.
- 14-43 Confirming the appointment of Janet Stoffels and Rick Nale as regular members and confirming the reappointment of Carol J. Smith as a regular member to the City Beautiful Commission to serve three-year terms ending December 31, 2016.
- 14-44 Confirming the reappointment of William C. Johnson and Wayne N. Fraser as regular members to the Health Facilities Authority to serve four-year terms ending December 31, 2017.
- 14-45 Confirming the reappointment of Peter Betzer, Joshua B. Shulman and Diane B. Morton as regular members to the International Relations Committee to serve three-year terms ending December 31, 2016.
- 14-46 Appointing Norman A. Schultz as a regular member, business category, to the Code Enforcement Board to serve a three-year term ending December 31, 2016.
- 14-47 Appointing Jenny Armstrong, currently an alternate member, as a regular member to the Civil Service Board to fill an unexpired three-year term ending June 30, 2015 and reappointing Michael R. Roush as a regular member to the Civil Service Board to serve a three-year term ending June 30, 2016.
- 14-48 Confirming Mayoral appointments to City Committees.

- 14-49 Authorizing the Mayor or his designee to execute Amendment No. 1 to the Land and Water Conservation Fund Grant (Grant) from the U.S. Department of the Interior, National Parks Service, through the Florida Department of Environmental Protection for the Lake Maggiore Park Improvements Project, which decreases the Grant amount by \$7,000 for a maximum reimbursement amount of \$193,000; to execute all other documents necessary to effectuate the Grant, as amended; and rescinding an unencumbered appropriation in the General Capital Improvement Fund (3001) in the amount of \$7,000 from the Lake Maggiore/Boyd Hill FY08 Project (11756).
- 14-50 Resolution appointing current City Council Member from the Zone (District 4) as the representative for the "City Council Member from the Zone (District 4)" category on the Board of Commissioners of the Enterprise Zone Development Agency (EZDA); appointing current or Acting Director of the Codes Compliance Assistance Department as the representative for the "Local Code Enforcement Agency" category on the Board of Commissioners of the EZDA; and appointing current Police Chief (or Acting Police Chief) as the representative for the "Local Law Enforcement Agency" category on the Board of Commissioners of the EZDA.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Foster. Newton. Gerdes. Nays. None. Absent. None.

In connection with a report item concerning the State of Florida Anchoring and Mooring Pilot Program, Downtown Enterprise Facilities Director David Metz introduced Police Officer Michael Robertson who made a PowerPoint presentation addressing reasons why the City participated in the Program (an opportunity to become part of the solution regarding the problem of widespread derelict vessels and it provided the City with input on future legislation), provided historical information, reviewed the intent of the Program (promote environmentally sensitive and responsible anchoring of vessels within the City's waterways, reduce potential of vessels becoming abandoned or derelict, but does not eliminate legitimate/responsible anchoring within City waterways), and reviewed local issues (poorly maintained vessels left for storage will eventually become derelict and a hazard to the environment/marine life, are costly to remove, unattended vessels frequently become magnets to transients, etc.). Officer Robertson also reviewed the results of the City's participation in the Project (34 Ordinance violations, 19 were related to anchoring in a restricted/prohibited area, 15 violations dealt with the "Hazardous Vessel" ordinance). Prior to the Anchoring and Mooring Pilot Program, the City averaged approximately 80 to 90 stored vessels within our City limits and today we average approximately 20-30 stored vessels, etc. Assistant City Attorney Dyer and Chief Assistant City Attorney Winn responded to questions from Council. Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

- 14-51 Resolution in support of legislation to extend Florida Statute 327.4105, which established an Anchoring and Mooring Pilot Program that will sunset on July 1, 2014, for three (3) additional years (July 1, 2017) to allow more time to assess the local anchoring and mooring regulations being tested by the five (5) pilot program participants.

Councilmember Gerdes requested a letter with a copy of this resolution be sent to each member of the Pinellas County Legislative Delegation. Mayor Kriseman provided comments and encouraged Council to approve the resolution and to reach out to members of the Pinellas County Legislative Delegation to support this legislation. Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with a report item concerning the Museum of History, Development Coordination Managing Director Chris Ballestra made an oral presentation. Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

- 14-52 Authorizing the Mayor or his designee to execute a License Agreement with St. Petersburg Historical Society, Inc., a Florida not-for-profit corporation, for a 30-day term for nominal consideration, for temporary use space within the Port Terminal Building located at 250 9th Avenue SE to store photographic materials for a future exhibition at the St. Petersburg Museum of History and to execute all documents necessary to effectuate same.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with a report item concerning a Memorandum of Understanding with the Chamber for a study to develop a Economic Development Strategic Plan, Planning & Economic Development Director David Goodwin made an oral presentation. Councilmember Newton moved with the second of Councilmember Nurse that the following resolution be adopted:

- 14-53 Authorizing the Mayor or his designee to enter into a Memorandum of Understanding with the St. Petersburg Area Chamber of Commerce wherein the City will provide the Chamber \$30,000 for the development of an economic development strategy that will address business recruitment.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with a report item, Billing & Collections Director Tammy Jerome made an oral presentation. Councilmember Kennedy moved with the second of Councilmember Gerdes that the following resolution be adopted:

- 14-54 Authorizing the Mayor or his designee to execute a Memorandum of Understanding/ Agreement to Participate with the National League of Cities for a new pilot program called the Local Interventions for Financial Empowerment through Utility Payments (LIFT-UP) initiative; to accept a grant in the amount of \$20,000; and to execute all other documents necessary to effectuate this transaction; approving a supplemental appropriation from the increase in the unappropriated balance of the Billing & Collections Fund (5021) resulting from these additional revenues to the Billing & Collections Department (350) Customer Service (2025).

In connection with a report item accepting a Walmart Foundation grant, Fire Marshall Michael Domante made an oral presentation. Councilmember Kennedy moved with the second of Councilmember Newton that the following resolution be adopted:

- 14-55 Authorizing the Mayor or his designee to accept a Walmart Foundation grant in the amount of \$1,000 for the enhancement of life safety programs managed by St. Petersburg Fire & Rescue; and to execute all documents necessary to effectuate this transaction.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with a report concerning a Council Workshop to allocation \$124,000, Chief Assistant City Attorney Mark Winn distributed two resolutions to Council. Ms. Gypsy Gallardo with the 2020 Plan and Urban League President & CEO Watson Haynes responded to questions from Council. Interim City Administrator Gary Cornwell confirmed that the City will provide in-kind assistance with grant writing. Deputy Mayor Kanika Tomalin commented on the need to address poverty in our community. Mr. Haynes discussed models they are currently testing and, if the model works, they will proceed to seek funding for that model. The Urban League is committed to working with staff to make the 2020 Plan a success. Councilmember Nurse moved with the second of Councilmember Newton that the following resolution be adopted:

- 14-56 Approving the expenditure of funds, in the amount of \$74,000, for the 2020 Plan and approving an agreement with the Pinellas County Urban League to be the fiscal agent and authorizing the Mayor or his designee to execute such agreement.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None. Councilmember Newton moved with the second of Councilmember Kornell that the following resolution be adopted:

- 14-57 Approving the expenditure of funds, in the amount of \$50,000, to be transferred from City Council to the Planning and Economic Development Department, for the Skyway Marina District Plan.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Newton. Foster. Gerdes. Nays. None. Absent. Nurse.

In connection with a new business item, Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer to the Budget, Finance & Taxation Committee a staff presentation concerning security alarm fees and the 2% convenience fee for credit card transactions.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Foster. Gerdes. Nays. None. Absent. Nurse. Newton.

In connection with a new business item, Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

14-58 Changing the start time of the February 20, 2014 Council Meeting from 3:00 p.m. to 4:00 p.m.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Foster. Gerdes. Nays. None. Absent. Nurse. Newton.

In connection with a Youth Services Committee Report, Councilmember Foster moved with the second of Councilmember Kornell that the following resolution be adopted:

14-59 Resolution approving a recommendation from the Youth Services Committee to hold a Youth Incarceration Summit (“Summit”); and authorizing the Youth Services Committee Chair to coordinate with staff to schedule the Summit.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Foster. Gerdes. Nays. None. Absent. Nurse. Newton. Councilmember Foster moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the January 23, 2014 Youth Services Committee Report presented by Councilmember Foster.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Foster. Gerdes. Nays. None. Absent. Nurse. Newton.

In connection with a Co-Sponsored Events Committee Report, Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

14-60 Resolution approving the applications for co-sponsored event status “in name only” for the West Central Florida Chapter of Concerns to Police Survivors, Inc. (“COPS”) for an event entitled Cops Walk to be held on May 19, 2014, in Demens Landing from 6:00 p.m. to 8:00 p.m.; Directions for Mental Health, Inc. (“Directions”) for an event entitled Ride to Keep Kids Safe to be held on May 4, 2014 in Spa Beach and adjacent City streets, from 6:00 a.m. to 4:00 p.m.; Historic Kenwood Neighborhood Association, Inc. (“Kenwood”) for an event entitled Pinot in the Park to be held on April 19, 2014, in Seminole Park, from 7:00 p.m. to 11:00 p.m.; and American Cancer Society, Florida Division, Inc. (“ACS”) for an event entitled Relay for Life – Lakewood to be held from 4:00 p.m. May 2, 2014 through 10:00 a.m. May 3, 2014, at Lakewood High School in accordance with City Council Resolution No. 2000-562, as amended; (“Resolution 2000-562”) provided all City fees are paid 10 days prior to the event taking place; waiving the six month requirement of Section “D” of

2/6/14

Resolution. 2000-562, and the payment of the waiver fee required by City Council Resolution No. 2009-353 as to Kenwood; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Foster. Gerdes. Nays. None. Absent. Nurse. Newton. Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Thursday, February 20, 2014, at 6:00 p.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinance 104-H, entitled:

PROPOSED ORDINANCE NO. 104-H

AN ORDINANCE PROVIDING FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN SEMINOLE PARK ON APRIL 19, 2014; AND PROVIDING AN EFFECTIVE DATE.

The Clerk read the title of proposed Ordinance 104-H. Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Foster. Nurse. Gerdes. Nays. None. Absent. Newton. Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the January 23, 2014 Co-Sponsored Events Committee Report presented by Councilmember Gerdes.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Foster. Nurse. Gerdes. Nays. None. Absent. Newton.

In connection with a Public Services & Infrastructure Committee Report, Councilmember Kennedy moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the January 30, 2014 Public Services & Infrastructure Committee Report presented by Council Chair Dudley.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Foster. Nurse. Gerdes. Nays. None. Absent. Newton. Councilmember Newton was reported present.

In connection with a Housing Services Committee Report, Councilmember Nurse moved with the second of Councilmember Newton that the following resolution be adopted:

2/6/14

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the January 30, 2014 Housing Services Committee Report presented by Councilmember Nurse.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None

There being no further business the meeting was adjourned at 11:02 a.m.

William H. Dudley, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Eva Andujar, City Clerk

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, FEBRUARY 13, 2014, AT 3:02 P.M.

Chair William Dudley, called the meeting to order with the following members present: James R. Kennedy, Darden Rice, Steve Kornell, Karl Nurse, Wengay M. Newton Sr., Amy Foster and Charles Gerdes. Absent: None. Mayor Rick Kriseman, Deputy Mayor Kanika Tomalin, Interim City Administrator Gary Cornwell, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn, Assistant City Attorney Joseph Patner and Deputy City Clerk Cathy E. Davis were also in attendance.

Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda as submitted.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with a presentation regarding St. Pete's Promise – Melrose Elementary School, Mr. Richard Engwall commented regarding the St. Pete's Promise Scholarship and Awards Ceremony to be held April 29, 2014 at the St. Petersburg Coliseum and extended an invitation to all. Principal Beth Nelson shared with Council a PowerPoint presentation showing the various educational opportunities offered to Melrose students.

In connection with a presentation regarding First Night St. Petersburg, former Councilmember Leslie Curran commented briefly and shared a video of last year's events. She introduced their new Executive Director Allen Lloyed who commented briefly thanking the citizens, volunteers, Mayor and Council for their continued support of First Night St. Petersburg.

In connection with a presentation regarding the Listening Room Network, Councilmember Kornell addressed Council and introduced performer Fran Snyder, Founder of Concerts in Your Home and Listening Room Concerts. Mr. Snyder performed a song and shared a video presentation regarding his Living Room Concert Series and extended an invitation to all who may have an interest in hosting a concert in their living room or office.

In connection with a presentation regarding the New CASA Shelter Facility, Councilmember Kennedy introduced Linda Osmundson, Executive Director Center Against Spouse Abuse (CASA). Ms. Osmundson commented regarding the new proposed shelter and fund raising efforts.

In connection with a proclamation recognizing William Benjamin "Bill" Jackson Day, Deputy Mayor Kanika Tomalin read and presented a proclamation to the family and declared February 23, 2014 as William Benjamin "Bill" Jackson Day in the City of St. Petersburg.

In connection with a proclamation, Deputy Mayor Kanika Tomalin read and presented a proclamation recognizing Moffitt Cancer Center and those involved in the Men's Health Forum. Mr. Roberto Ramos of the Moffitt Cancer Center commented briefly and stated the annual event would be held March 8th at the University of South Florida Tampa.

In connection with a proclamation, Deputy Mayor Kanika Tomalin read and presented a proclamation recognizing February 2014 as American Heart Month in St. Petersburg. Ms. Susan Hopkins commented regarding the continued efforts of the American Heart Association in the Fight Against Cardiovascular Disease and thanked Council for the proclamation.

In connection with a proclamation, Deputy Mayor Kanika Tomalin read a proclamation recognizing Black History Month.

In connection with a proclamation, Council Chair Bill Dudley read a proclamation recognizing the 100th Anniversary of Spring Training in St. Petersburg, 1914 to 2014. Joe Zeoli, Managing Director City Development Administration, provided comments and announced that during the month of March several baseball games will be held in the City and would feature teams such as the Canadian Jr. National Team, Atlanta Braves, Toronto Blue Jays, Baltimore Orioles and the Philadelphia Phillies.

In connection with a Legal item regarding a proposed settlement in the case of William King v. City of St. Petersburg, Case No. 11-6389-CI-21, Assistant City Attorney Joseph Patner addressed Council and recommended settlement in the amount of \$50,000. Councilmember Kornell moved with the second of Chair Dudley that the following resolution be adopted:

14-61 Approving settlement of the lawsuit William King v. City, Case No. 11-6389-CI-21, in the amount of \$50,000.

Roll. call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

There being no further business, the meeting was adjourned at 5:26 p.m.

William H. Dudley, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Cathy E. Davis, Deputy City Clerk

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, FEBRUARY 20, 2014, AT 4:02 P.M.

Chair William H. Dudley called the meeting to order with the following members present: Charles Gerdes, James R. Kennedy, Darden Rice, Steven Kornell, Karl Nurse, Wengay M. Newton, Sr. and Amy Foster. Mayor Rick Kriseman, Interim City Administrator Gary Cornwell, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn, City Clerk Eva Andujar and Deputy City Clerk Cathy Davis were also in attendance.

Councilmember Nurse moved with the second of Councilmember Rice that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the addition of Report Item E-5, an update from the St. Petersburg Sustainability Council to be presented by Ms. Cathy Harrelson, and with the following changes as amended:

- REVISE CB-4 Renewing blanket purchase agreements with Gulf States Industries, Inc., McMullen Roofing, Inc. and Tarheel Roofing, Inc. for roof repairs and replacement at an estimated annual cost of \$120,000.
- ADD CB-9 Confirming the appointment of Gary G. Cornwell as City Administrator.
- ADD E-2 Pinellas County Homeless Leadership Board. (Councilmember Foster) (Oral)
- ADD E-3 Tampa Bay Regional Planning Council. (Councilmember Rice) (Oral)
- ADD E-4 AVP Beach Volleyball Tournament. (Joe Zeoli) (Oral)
- ADD E-5 Update from St. Petersburg Sustainability Council by Cathy Harrelson.
- ADD F-2 St. Petersburg's Citizen Representative Appointment to the Pinellas Suncoast Transportation Authority's Board of Directors. (Chair Dudley)
- INFO G-1 Budget, Finance & Taxation Committee. (2/13/14)
- INFO G-2 Public Services & Infrastructure Committee. (2/13/14)

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Ben Diamond, 165 7th Avenue NE, commented on Green Light Pinellas and requested Council appoint him as the City's citizen representative to the PSTA Board.
2. Lee Allen, 8155 Elbow Lane North, provided Council with a handout concerning the armed robbery which took place on the Pinellas Trail. He commented on the Police Department's response quoted in the Tampa Bay Times and provided additional comments on three violent incidents that occurred within an eight day period. Mr. Allen asked Council to request staff provide them with details of all incidents which occurred on the Trail. He suggestions increasing Police presence on the Trail, use of cameras, etc.

Following Council comments, Interim City Administrator Gary Cornwell stated we will look at cameras in various sections of the trail, etc.

3. Alan Sherman, 1 Beach Drive SE, commented on rights of the elderly. He stated that 6-7 nights a week he cannot sleep; disturbed up to 4 a.m. by music from bars on 1st Avenue North and Central who keep their doors open while music is playing. He stated the City is protecting the rights of bar owners to the detriment of residents.
4. Bob Griendlins, 555 16th Avenue NE, stated he is moving to the City and expressed concern with violence on the Pinellas Trail and downtown. He suggested the City assign two Police Officers where crime is a problem, provide three feet of clearance for cyclist and take accidents involving cyclists and drivers seriously.
5. David McKalip, 731 Southwest Boulevard North, spoke in opposition to Universal Curbside Recycling and asked Council not to move approval of this issue.

Councilmember Nurse moved with the second of Councilmember Kennedy that the following resolutions be adopted:

Landscaping services for the Engineering and Capital Improvements Department:

- 14-62 Authorizing the Mayor or his designee to accept funding under the District Seven Highway Landscape Reimbursement and Maintenance Memorandum of Agreement, as amended and modified, in an amount not to exceed \$1,000,000 for FY 2014/2015 (Year 4 of 5); and approving a supplemental appropriation in the amount of \$1,000,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from these additional revenues, to the FDOT Right of Way Landscape Improvements Project (13119).
- 14-63 Awarding a three-year blanket purchase agreement to Morelli Landscaping, Inc. for landscaping services for the Engineering and Capital Improvements Department at an estimated first year cost of \$1,500,000.

- 14-64 Approving the purchase of replacement refuse trucks from Rush Truck Centers of Florida, Inc. D/B/A Rush Truck Center, Tampa for the Sanitation Department at a total cost of \$522,920.
- 14-65 Renewing blanket purchase agreements with Playcore Wisconsin, Inc., Playpower LT Farmington, Inc., Miller Recreation Equipment and Design, Inc., Alpha Playground Services, Inc., Rep Services, Inc. and Playmore West, Inc. for play structures and safety surfacing for the Parks and Recreation Department at an estimated annual cost of \$380,000.
- 14-66 Awarding blanket purchase agreements to Better Roads, Inc. and Oldcastle Southern Group, Inc. d/b/a Apac Southeast, Inc. for asphalt for the Stormwater, Pavement & Traffic Operations Department at an estimated annual cost of \$236,000.
- 14-67 Awarding a contract to Allied Roofing, Inc. in the amount of \$134,920 for the Shore Acres Recreation Center Roof Replacement Project. (Engineering Project Nos. 12222-019 and 13220-017; Oracle Nos. 13263 and 13757)
- 14-68 Renewing blanket purchase agreements with Gulf States Industries, Inc., McMullen Roofing, Inc. and Tarheel Roofing, Inc. for roof repairs and replacement at an estimated annual cost of \$120,000.
- 14-69 Authorizing the Mayor or his designee to execute a First Amendment to the Amended and Restated Lease Agreement between the City of St. Petersburg and Great Explorations, Inc. to modify the number of enrollees in the Children's Center.
- 14-70 Authorizing the Mayor or his designee to grant six (6) Easements within the City's Section 21 Wellfield Property in Hillsborough County ("Section 21") to the Tampa Electric Company and to execute all documents necessary to effectuate same; and authorizing the Mayor or his designee to accept the conveyance from Tampa Bay Water back to the City of an existing easement within Section 21.
- 14-71 Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-04-CDM/W, to the Agreement between the City of St. Petersburg and CDM Smith, Inc., in the amount of \$163,990, for design and bidding phase engineering services for the Southwest Water Reclamation Facility (SWWRF) Reclaimed Water Pump Station Modifications Project. (Engineering Project No. 14032 111; Oracle No. 14393)
- 14-72 Approving the minutes of October 3, October 10, and October 17, 2013 City Council meetings.
- 14-73 Confirming the appointment of Gary G. Cornwell as City Administrator.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with an oral report item concerning the Tampa Bay Regional Planning Council, Councilmember Rice indicated their priority projects are the replacement of the Howard Franklin Bridge, a \$390 million project with \$25 million set aside for strengthening the substructure to address future light rail; expansion of the Tampa International Airport, improvements to I-275, etc. Councilmember Newton moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive the oral Tampa Bay Regional Planning Council report presented by Councilmember Rice.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with an oral report item concerning the Pinellas County Homeless Leadership Board, Councilmember Foster stated that the 2013 Continuum of Care Application was filed for the County and commented on a \$10,000 check received from Duke Energy in support of the social media campaign "Who Knew" which attempts to portray the true face of homelessness in the County. She provided Council with information concerning the recent count of homeless in the County which revealed there are 3,400 homeless youth in the school system. The School Board believes this number is under reported as the count was only done in the elementary schools. The Homeless Leadership Board is looking to partner with the School Board to address this issue. Councilmember Foster moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive the oral Pinellas County Homeless Leadership Board report presented by Councilmember Foster.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with an oral report item concerning AVP Beach Volleyball Tournament, City Development Administration & Finance Managing Director Joe Zeoli presented a brief video. He stated that AVP was recently acquired by new leadership and a Letter of Understanding concerning the business points will be added to the March 6 Council agenda. He reviewed the following business points: AVP will be held May 30-June 1, 2014 at Spa Beach Park; the term of the agreement will be one year with two one year options at Council's discretion, the City has the right to relocate the event if necessary after 2014, AVP has agreed that the City will have exclusivity in the Tampa Bay area for three years, etc. Mr. Donald Sun, Managing Owner of AVP, stated their goal is to create 10-12 events. AVP wants to become a national event and commented on the potential to host an international event in the City. Council provides comments. No action was taken on this issue.

In connection with a report item concerning the St. Petersburg Sustainability Council, Councilmember Nurse provided comments and introduced Ms. Cathy Harrelson who made a PowerPoint presentation. She introduced members of the Council who were in the audience and reviewed the mission (more outreach to the community), the Council's commitment, current working issues (build environment, mobility, health, community), etc. She comments on the need for a monthly meeting location (would like to meet in each district) and assistance from the City with grants. No action was taken on this issue.

In connection with a report concerning a Universal Curbside Recycling Update, Public Works Administrator Michael Connors made a PowerPoint presentation. Mr. Connors reviewed past actions (WSI from 2010-2012, WastePro from 2012-current and League of Women Voters Curbside Recycling Report of March 2013 to Council), reasons for providing curbside service now and the types of recycling (subscription based, universal, mandatory), various collection options (single stream, dual stream and multi stream) and pros/cons, etc. Mr. Connors reviewed issues with alley recycling (overhead utilities and trees, many alleys do not have room for solid waste and recycling containers, etc.), Recycle Bank service chip to track participation and provides discounts to the consumer, etc. Administration recommends the single stream collection program (most efficient when coupled with automated collection vehicles, reduced injuries, more recyclables collected with larger containers, reduced sorting by customer, increased set out rates, etc.) using large 90-95 gallon containers, side arm automated collection trucks, front yard collections, public education component, recycle bank or other incentive process and privatize operation (outside vendor). Mr. Connors reviewed the procurement schedule with roll out service before the end of this fiscal year. Multi-family and commercial properties are not part of this program and the City may be able to go to once a week pickup for regular trash at a cost savings of \$4 per month to customers. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. Tim Martin, 2126 3rd Avenue North, representing People's Trash Campaign and Sierra Club, spoke in support of the program. He stated he would like the City to extend the program to include multi-family and commercial
2. Bruce Nissen, 253 Sunlit Cove Drive NE, spoke in support of the program.
3. Karen Lieberman, 253 Sunlit Cove Drive NE, spoke in support of the program. She stated that 20 years ago Gary, Indiana, one of the poorest cities, provided recycling and the citizens complied without complaint.
4. Aaron Dietrich, 2001 4th Avenue North, representing the People's Budget Review, spoke in support of the program. He asked Council to closely review the proposed program and that any generated jobs should provide a living wage and benefits, the local hiring process should include local residents and when possible hiring should focus on young adults.

5. Rick Smith, 934 7th Street North, spoke in support of the program and suggested the City consider maximum results. He stated the proposed RFP should include requirements for local hires with an emphasis on south St. Petersburg, in support of the 2020 Plan; living wages and without government assistance to the vendor.
6. Karen Coale, 111 26th Avenue NE, League of Women Voters President, spoke in support of the program. She thanked Mr. Connors and his staff and asked that the proposal create quality jobs.
7. Ashley Green, 3727 38th Avenue North, spoke in support of the program.
8. Linda Skempris, 8043 Causeway Boulevard South, spoke in opposition to the proposed program. She objected to forcing people to recycle, save energy, etc.

Councilmember Kennedy moved with the second of Councilmember Nurse that the following resolution be adopted:

- 14-74 Requesting Administration contact Pinellas County for assistance in funding Universal Curbside Recycling.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None. Sanitation Support Services Coordinator Bob Turner provided information concerning multi-family units and the high cost of City containers. Mayor Kriseman indicated Administration will look at expanding the program to include everyone in the City including business owners. Councilmember Nurse moved with the second of Councilmember Newton that the following resolution be adopted:

- 14-75 Requesting Administration proceed with an RFP for recycling services with provisions that the entity selected provide full-time jobs with health insurance and abide by the premises of the City's Local Hiring Ordinance (79-H).

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with a new business item requesting Council schedule a Committee of the Whole, Councilmember Kornell moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council schedule a Committee of the Whole to discuss the use of Weeki Wachee funds to upgrade the beach volleyball equipment at North Shore Park.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with a new business item concerning an appointment to the PSTA, Councilmember Newton moved with the second of Councilmember Rice that the following resolution be adopted:

14-76 Approving the appointment of Ben Diamond as St. Petersburg's citizen representative to the Pinellas Suncoast Transportation Authority (PSTA) Board of Directors.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

In connection with a Budget, Finance & Taxation Committee report, Councilmember Kennedy moved with the second of Councilmember Nurse that the following resolution be adopted:

14-77 Approving the Budget, Finance & Taxation Committee's Weeki Wachee Project List as required by City Code and providing for certain requirements.

Roll call. Ayes. Kennedy. Dudley. Kornell. Nurse. Newton. Foster. Nays. None. Absent. Rice. Gerdes. Councilmember Kennedy moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the February 13, 2014 Budget, Finance & Taxation Committee report presented by Councilmember Kennedy.

Roll call. Ayes. Kennedy. Dudley. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. Rice.

In connection with a Public Services & Infrastructure Committee report, Councilmember Nurse moved with the second of Councilmember Kornell that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the February 13, 2014 Public Safety & Infrastructure Committee report presented by Chair Dudley.

Roll call. Ayes. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. Kennedy.

In connection with public hearings confirming preliminary assessments, the Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Kornell moved with the second of Councilmember Gerdes that the following resolutions be adopted:

- 14-78 Confirming and approving preliminary assessment rolls for Lot Clearing No. 1530 and providing for an interest rate of 12% per annum on unpaid assessments.
- 14-79 Assessing the costs of securing listed on Securing Building No. 1185 (SEC 1185) 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 of 12% per annum on unpaid balances; and authorizing the Mayor to execute and record Notices of Lien(s) in the public records of the County.
- 14-80 Assessing the costs of demolition listed on Building Demolition Nos. 412 and 506 (DMO 412 and 506) 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 of 12% on unpaid balances; and authorizing the Mayor to execute and record Notices of Lien(s) in the public records of the County.

Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

The Clerk read the title of proposed Ordinance 104-H. Councilmember Gerdes moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 104-H, entitled:

PROPOSED ORDINANCE NO. 104-H

AN ORDINANCE PROVIDING FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN SEMINOLE PARK ON APRIL 19, 2014; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

The Chair asked if there were any persons present wishing to be heard and there was no response. Roll call. Ayes. Kennedy. Dudley. Rice. Kornell. Nurse. Newton. Foster. Gerdes. Nays. None. Absent. None.

There being no further business the meeting was adjourned at 7:21 p.m.

William H. Dudley, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Eva Andujar, City Clerk