

# COUNCIL MEETING

Municipal Building  
175-5<sup>th</sup> Street North  
Second Floor Council Chamber

CITY OF ST. PETERSBURG

**April 16, 2015  
3:00 PM**

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

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

## **GENERAL AGENDA INFORMATION**

For your convenience, a copy of the agenda material is available for your review at the Main Library, 3745 Ninth Avenue North, and at the City Clerk's Office, 1<sup>st</sup> 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](http://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 call our TDD number, 892-5259, or the Florida Relay Service at 711 as soon as possible. The City requests at least 72 hours advance notice, prior to the scheduled meeting, and every effort will be made to provide that service for you. If you are a person with a disability who needs an accommodation in order to participate in this/these proceedings or have any questions, please contact the City Clerk's Office at 893-7448.

**A. Meeting Called to Order and Roll Call.**

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

**B. Approval of Agenda with Additions and Deletions.**

**Open Forum**

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

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

**C. Consent Agenda (see attached)**

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

Setting May 7, 2015 as the public hearing date for the following proposed Ordinance(s):

1. [Ordinance providing for the amendment of the Truck Routes section of the St. Petersburg City Code; modifying the definition of restricted vehicles to align with State maximum lengths; and clarifying the designated streets and hours for truck use as depicted on the truck routes map.](#)

**E. Reports**

1. Land Use & Transportation: (Councilmember Kennedy) (Oral)
  - (a) Pinellas Planning Council (PPC).
  - (b) Metropolitan Planning Organization (MPO).
  - (c) Tampa Bay Transportation Management Area (TBTMA).
  - (d) MPO Action Committee.
  - (e) PSTA - (Councilmember Rice)
2. [A resolution recommending that Project B4112128871 \("Project"\), a confidential project, pursuant to Section 288.075, Florida Statutes be approved as a Qualified Target Industry \("QTI"\) Business pursuant to Section 288.106, Florida Statutes.](#)

3. Public Art Commission. (Oral) (Councilmember Rice)
4. Tampa Bay Regional Planning Council. (Oral) (Councilmember Rice)
5. [Harborage Marina Lease - Extension of Term](#)
6. Homeless Leadership Board. (Oral) (Vice-Chair Foster)
7. [EDGE Business District Association Update. \(Councilmember Nurse\)](#)

**F. New Business**

1. [Referring to the Public Services and Infrastructure Committee for a report from the Legal Department regarding the current Door-to-Door Solicitation Ordinance. \(Councilmember Kornell\)](#)
2. [Referring to the Public Services and Infrastructure Committee for consideration of possible ordinance and regulation changes to make St. Petersburg a more Pedalpub city. \(Councilmember Nurse\)](#)

**G. Council Committee Reports**

1. [Budget, Finance & Taxation Committee. \(04/09/15\)](#)
  - (a) Resolution of the City of St. Petersburg, Florida authorizing the issuance of not to exceed \$50,000,000 in aggregate principal amount of City of St. Petersburg, Florida Public Service Tax Revenue Bonds, Series 2015 for the purpose of financing, refinancing and/or reimbursing the costs of any design, and the planning, site preparation, acquisition, installation, construction, and equipping of a City-owned municipal pier, as more particularly described herein; pledging Public Service Tax Revenues to secure payment of the principal of and interest on such Bonds; making certain covenants and agreements for the benefit of the Holders of such Bonds; authorizing Bond validation; authorizing certain officials and employees of the City to take all actions required in connection with the sale, issuance and delivery of such Bonds; and making certain covenants and agreements in connection therewith.
2. [Public Services & Infrastructure Committee. \(04/09/15\)](#)
  - (a) Ordinance amending Chapter 16 of the St. Petersburg City Code by increasing penalties for improper disposal of grass clippings, tree trimmings, and other vegetative material by commercial persons or entities; amending Chapter 27 to establish increased penalties for certain discharges into the stormwater system; and correcting a typographical error in section 27-432.
3. [Youth Services Committee. \(04/09/15\)](#)

**H. Legal**

1. Permission to file lawsuit in the case of Christopher Parker, et al v. American Traffic Solutions, et al, Case No. 1:14-cv-24010-FAM. [DELETE]

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

## **Public Hearings**

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

1. [Confirming the preliminary assessment for Lot Clearing Number 1549.](#)
2. [Confirming the preliminary assessment for Building Securing Number 1198.](#)
3. [Confirming the preliminary assessment for Building Demolition Number 425.](#)
4. [Resolution adopting the Countywide Local Mitigation Strategy; and making the Local Mitigation Strategy serve as the City of St. Petersburg's Floodplain Management Plan.](#)
5. [Ordinance 158-H amending Chapter 27 of the St. Petersburg City Code by deleting Section 27-609 relating to performance bonds.](#)
6. [Ordinance 159-H of the City of St. Petersburg, Florida amending Section 21-54 of the Municipal Code of Ordinances strengthening the protections available to plant life in City parks.](#)
7. [Ordinance 161-H amending the St. Petersburg City Code by adding Article III to Chapter 15, prohibiting wage theft; providing for definitions; establishing a procedure for the processing of wage theft complaints; providing for a hearing; and providing for penalties.](#)

## **J. Open Forum**

## **K. Adjournment**

**St. Petersburg**  
**Community Redevelopment Agency (CRA)**  
**April 16, 2015**

1. City Council convenes as Community Redevelopment Agency.
2. [Resolution of the St. Petersburg Community Redevelopment Agency \(CRA\) finding the proposed mixed-use project consisting of an existing six-story building and a proposed 32,000 square foot grocery store, 18,000 square feet of retail space and a three-story parking garage, located at 700 Central Avenue is consistent with the Intown Redevelopment Plan. \(City File IRP 15-2a\)](#)
3. Adjourn Community Redevelopment Agency.



**Consent Agenda A  
April 16, 2015**

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.

**(Procurement)**

1. [Awarding a contract to Layne Inliner, LLC in the amount of \\$1,870,000 for Sanitary Sewer CIPP Lining – FY15. \(Engineering Project No. 15030-111; Oracle No. 14803\)](#)
2. [Renewing a blanket purchase agreement with Infinity Staffing Solutions, LLC dba Lyneer Staffing Solutions, formerly known as Tri-State Employment Services Inc., for temporary staffing services at an estimated annual cost of \\$650,000.](#)

**(Public Works)**

3. [Gandy Boulevard Limited Access Road Improvements Project:](#)
  - (a) Authorizing the Mayor or his designee to execute Amendment No. 1 to the Utility Work Agreement (“UWA”) between the City of St. Petersburg and Condotte/De Moya JV, LLC (“FIRM”) who is under contract with the Florida Department of Transportation (“FDOT”) to design and build the Gandy Boulevard Limited Access Road Improvements (“Project”), in the amount of \$1,192,217 for a total revised cost of \$2,892,217; to relocate identified City utilities at an estimated cost of \$544,000; approving the inclusion of the Oak Street Stormwater Drainage Improvement in the utility work to be performed under the UWA in the amount of \$300,000; authorizing the relocation of a disputed portion of the City’s 24” water main located in Dr. Martin Luther King Jr. Street North at City expense in the estimated amount of \$348,217, subject to a reservation of the City’s rights to seek reimbursement of those costs from FDOT at a later date; authorizing the Mayor or his designee to execute all documents necessary to effectuate these transactions; rescinding unencumbered appropriations from the Water Resources Capital Projects Fund (4003), the DIS Belcher 38-54 Ave FY15 Project (14799) in the amount of \$700,000 and the PC Haines 54-28 St FY15 Project (14800) in the amount of \$350,000; approving a supplemental appropriation in the amount of \$1,050,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) resulting from these rescissions to the DIS FDOT Gandy Overpass FY 13/14/15 Project (13853); rescinding unencumbered appropriation from the Stormwater Drainage Capital Projects Fund (4013), MLK & Gateway Mall SDI Project (12859) in the amount of \$300,000; approving an appropriation of \$300,000 from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013), resulting from this rescission to the Gandy Blvd & Oak Street NE SDI Project (14923); and approving the expenditure. (FPID# 256931-2-52-01) (Engineering Project No. 14069-111; Oracle Nos. 13853, 13854 and Engineering Project 15054-110; Oracle No. 14923)

- (b) Authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 12-04-GH/W with Greeley and Hansen, LLC in the amount not to exceed \$100,000 for professional engineering and construction inspection services for the relocation of conflicting city potable water, wastewater and reclaimed water in association with the Florida Department of Transportation (FDOT) Gandy Boulevard Limited Access Roadway Improvement Project, for a total Task Order amount of \$368,690; and approving the expenditure. (Engineering Project No. 14069-111; Oracle No. 13853 and 13854); FPID 256913-2-52-01.

# CONSENT



# AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

## Consent Agenda B April 16, 2015

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.

### (Procurement)

1. [Accepting a proposal from Parkson Corporation, a sole source provider, to rehabilitate two bar screens for the Water Resources Department at a cost not to exceed \\$194,864.](#)

### (City Development)

2. [Resolution appointing and reappointing representatives and officers to the Enterprise Zone Development Agency \(EZDA\).](#)
3. [Authorizing the Mayor or his designee to execute a License Agreement with Gary and Cortney Webb to use and fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main for a period of five \(5\) years at an aggregate fee of \\$250.00.](#)
4. [Authorizing the Mayor or his designee to execute a thirty-six \(36\) month lease agreement with The Canterbury School of Florida, Inc., a Florida not-for-profit corporation, for the use of an area outside the referendum approved leased premises, as illustrated and legally described in the attached Exhibit "A" as Subject Area of Short Term Lease. \(Requires affirmative vote of at least six \(6\) members of City Council.\)](#)

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### (Miscellaneous)

5. [Resolution decreasing the size of the Consolidated Plan Ad Hoc Application Review Committee \("Committee"\) to eight \(8\) members; and confirming the Mayor's appointments to the Committee for FY 2015/2016.](#)
6. [Approving an agreement with St. Anthony's Hospital, Inc. for a three \(3\) year term with one \(1\) three-year renewal option to stage the triathlon event in the City of St. Petersburg; and authorizing the Mayor or his designee to execute the agreement and all documents necessary to effectuate this transaction.](#)

7. Approving a supplemental appropriation of \$50,000 from Management Evaluation Fiscal Year 2015 to the Community Services Department for the Read to Me Early Childhood Program.

# MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

**Budget, Finance & Taxation Committee**

*Thursday, April 9, 2015, 8:00 a.m., Room 100*

**Public Services & Infrastructure Committee**

*Thursday, April 9, 2015, 9:15 a.m., Room 100*

**Youth Services Committee**

*Thursday, April 9, 2015, 10:30 a.m., Room 100*

**CRA/ Agenda Review and Administrative Update (for 4/16)**

*Thursday, April 9, 2015, 1:30 p.m., Room 100*

**City Council Meeting - Awards & Presentations**

*Thursday, April 9, 2015, 3:00 p.m., Council Chamber*

**City Council & CPPC Workshop - Downtown Waterfront Master Plan**

*Friday, April 10, 2015, 10:00 a.m., Room 100*

**City Council Workshop - Quarterly Goal Setting Review**

*Thursday, April 16, 2015, 10:00 a.m., Room 100*

**Energy, Natural Resources & Sustainability Committee (ENRS)**

*Thursday, April 16, 2015, 1:00 p.m., Room 100*

**City Council Workshop with South St. Petersburg Redevelopment Plan**

*Thursday, April 23, 2015, 1:00 p.m., Room 100*

**FY16 CIP Budget Workshop**

*Thursday, April 30, 2015, 8:30 a.m., Room 100*

**Fiscal Year 2016 Public Budget Summits**

*Wednesday, April 29, 2015, J.W. Cate Recreation Center, 5801 22nd Ave. N., 6:00 p.m.*

*Wednesday, May 20, 2015, Enoch Davis Center, 1111 18th Ave. S., 6:00 p.m.*

*Tuesday, June 16, 2015, Willis S. Johns Recreation Center, 6635 Dr. MLK Jr. St. N., 6:00 p.m.*



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# CITY OF ST. PETERSBURG

## Board and Commission Vacancies

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**Civil Service Board**

3 Alternate Members

(Terms expire 6/30/16 & 6/30/17)

**Commission on Aging**

5 Regular Members

(Terms expire 12/31/14 & 12/31/16)

**City Beautiful Commission**

3 Regular Members

(Terms expire 12/31/14 & 12/31/16)

**Public Arts Commission**

1 Regular Member

(Term expires 4/30/18)

**Nuisance Abatement Board**

1 Regular Member

(Term expired on 12/31/14)

## 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.

**MEMORANDUM**

**TO:** The Honorable Chair and City Council Members  
**FROM:** Evan Mory, Director, Transportation and Parking Management  
**DATE:** March 20, 2015  
**RE:** Proposed Ordinance revising the truck routes section

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Attached please find a proposed ordinance that makes amendments to the City's Truck Routes ordinance, found in Sections 26-101 thru 26-107. These changes were made in response to inconsistencies between the City Code and Florida Statutes governing trucks, semi-trailers, and tractor trailer combinations which allowed different maximum lengths. In addition to these consistency changes, other changes were made to delete contradicting subsections and change terms to match language used on the truck route map itself.

It is recommended that this proposed ordinance be scheduled for a first reading at the first available regular meeting and scheduled for a second reading and public hearing thereafter. If you have any questions, please feel free to contact me.



\_\_\_\_\_  
Evan Mory

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE TRUCK ROUTES SECTION OF THE ST. PETERSBURG CITY CODE; MODIFYING THE DEFINITION OF RESTRICTED VEHICLES TO ALIGN WITH STATE MAXIMUM LENGTHS; CLARIFYING THE DESIGNATED STREETS AND HOURS FOR TRUCK USE AS DEPICTED ON THE TRUCK ROUTES MAP; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA, DOES ORDAIN:

Section 1. Section 26-101 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 26-101. - Definitions.

As used in this division the following terms shall have the meanings ascribed to them:

*Deviating truck* means any restricted vehicle which leaves and departs from a designated truck route while traveling inside the City.

*Nontruck routes* means streets upon which restricted vehicle traffic is generally prohibited, but upon which restricted vehicle operations are permitted when used as a street of destination.

*Truck* means any vehicle designed or operated for the transportation of property in the following classifications:

- (1) *Unrestricted vehicles* means pickup trucks, vans, and panel trucks with a maximum length of 21 feet and a maximum gross vehicle weight (GVW) of 8,000 pounds, and any single-unit, single-rear-axle truck with a maximum length of 35 feet and a maximum GVW of 35,000 pounds.
- (2) *Restricted vehicles* means single-unit, multi-rear-axle trucks with a maximum length of 40 feet and a maximum GVW of 60,000 pounds (including dump trucks and concrete mixers), and all tractor-trailer and semitrailer combinations with a maximum length of 55.7 feet and a maximum GVW of 80,000 pounds excluding unrestricted vehicles. Length limitations apply solely to a semitrailer or trailer, and not to a truck tractor, hitching apparatus, or to the overall length of a combination of vehicles.

*Truck route* means certain streets as designated in this division, over and along which the restricted vehicles shall operate within the City during designated hours.

Section 2. Section 26-103 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 26-103. - Designated streets and hours for truck use.

Those streets indicated as Unrestricted Through~~restricted vehicle~~ Routes on the truck route map shall be used for restricted vehicle traffic. Operation of restricted vehicles over and upon the ~~restricted vehicle~~ routes designated Daylight Hours Only shall be prohibited between the hours of 6:00 p.m. through

6:00 a.m. Operation of restricted vehicles upon streets of destination in residential zoning districts shall be prohibited between the hours of 6:00 p.m. and 8:00 a.m.

Section 3. Section 24-104(a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 26-104. - Observance of truck routes required; exceptions.

- (a) *Truck routes for restricted vehicles.* All restricted vehicles shall be operated only over and along the truck~~restricted vehicle~~ routes and streets of destination as designated on the truck route map and only during the times specified.

Section 4. The existing Section 26-106 of the St. Petersburg City Code is hereby deleted in its entirety.

Section 5. The existing Section 26-107 is hereby renumbered to be Section 26-106.

Section 6. Coding: As used in this ordinance, language appearing in struck through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

Section 7. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance,

Section 8. 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 this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

  
City Attorney (Designee)

**ST. PETERSBURG CITY COUNCIL**  
**Meeting of April 16, 2015**

**TO:** The Honorable Charlie Gerdes, Chair, and Members of City Council

**SUBJECT:** A resolution recommending that Project B4112128871 (“Project”), a confidential project, pursuant to 288.075 Florida Statutes be approved as a Qualified Target Industry (“QTI”) Business pursuant to Section 288.106, Florida Statutes with an average private sector wage commitment calculation based on 200% of the average State of Florida wage; finding that the commitments of local financial support necessary for the Project exist; committing \$80,000 as the City’s share of the local financial support for the Project beginning in State FY 2016, subject to appropriation and conditioned on the Project meeting statutory requirements; authorizing the Mayor, or his designee, to execute all documents necessary to effectuate this resolution; and providing an effective date.

**EXPLANATION:** Project B4112128871 (“Project”), a confidential project, pursuant to 288.075 Florida Statutes, has filed a State of Florida Qualified Target Industry Tax Refund Program (“Program”) application with the State of Florida, Pinellas County, and the City of St. Petersburg. The Project is the headquarters of a company in the health and human performance industry, and proposes to relocate its headquarters to St. Petersburg. Additional locations the Project is considering are New York and Texas.

The Project has requested confidentiality under Florida Statute 288.075. The QTI Program is an incentive program, administered through the State that provides tax refunds for each new job created by new or expanding businesses in target industries. The amount of tax refund is cumulative: \$3,000 per new job created above 115% of the average wage of the State of Florida; an additional \$2,000 per new job created at 200% of the State of Florida average wage; an additional \$2,000 per new job created in a high impact sector; and an additional \$3,000 per job created, if the project site is within an enterprise zone.

An estimated 80 new employees are projected to be hired by the Project with annual remuneration at or above 200% of the average wage of the State of Florida (\$85,808) and an annual benefit package of \$12,253. These earnings will result in an economic impact of \$9.13 million and 124 new direct and indirect jobs. The Project also will make an investment of \$1.53 million in construction and \$213,500 in equipment. The economic impact of this capital investment is \$1.778 million. The economic impacts were calculated using the U.S. Bureau of Economic Analysis-RIMS Model for Pinellas County.

The tax refund requested by the Project is based on a Program award of \$10,000 per job created at 200% of the average State of Florida wage of \$85,808 for the 80 new jobs, in a high impact sector, and totals \$800,000. The Program requires a local match of 20% of the total award, or \$160,000. The City would be responsible for providing 50% of the local match or a maximum of \$80,000. Pinellas County is willing to accept financial responsibility for the other 50% of the required local match (\$80,000) and is expected to pass its Resolution of support on April 21, 2015. The QTI tax refund amount is *reimbursed* to the business by the State of Florida, only after the company has documented the required job creation and state tax payments made. If the Project does not generate sufficient tax revenue or falls short of its employment creation

requirements, the refund will be reduced and the City's share will also be reduced on a pro rata basis.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution recommending that Project B4112128871 ("Project"), a confidential project, pursuant to 288.075 Florida Statutes be approved as a Qualified Target Industry ("QTI") Business pursuant to Section 288.106, Florida Statutes with an average private sector wage commitment calculation based on 200% of the average State of Florida wage; finding that the commitments of local financial support necessary for the Project exist; committing \$80,000 as the City's share of the local financial support for the Project beginning in State FY 2016, subject to appropriation and conditioned on the Project meeting statutory requirements; authorizing the Mayor, or his designee, to execute all documents necessary to effectuate this resolution; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** Funding for this item will be required beginning in State FY 2016 and will be paid over six years, if the company meets all requirements. Funding will be provided subject to annual appropriation and conditioned on the Project meeting statutory requirements.

**ATTACHMENTS:** Resolution

**APPROVALS:**

Administration:  

Legal: /s/ RBB

Budget: DAVID L. FULLER 3-30-15

Legal: 00228583.doc V. 1

Resolution No. 2015 - \_\_\_\_\_

A RESOLUTION RECOMMENDING THAT PROJECT B4112128871 ("PROJECT"), A CONFIDENTIAL PROJECT, PURSUANT TO SECTION 288.075, FLORIDA STATUTES BE APPROVED AS A QUALIFIED TARGET INDUSTRY ("QTI") BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES WITH AN AVERAGE PRIVATE SECTOR WAGE COMMITMENT CALCULATION BASED ON 200% OF THE AVERAGE STATE OF FLORIDA WAGE; FINDING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR THE PROJECT EXIST; COMMITTING \$80,000 AS THE CITY'S SHARE OF THE LOCAL FINANCIAL SUPPORT FOR THE PROJECT BEGINNING IN STATE FY 2016, SUBJECT TO APPROPRIATION AND CONDITIONED ON THE PROJECT MEETING STATUTORY REQUIREMENTS; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Project B4112128871 ("Project"), a confidential project as defined in Section 288.075, Florida Statutes has applied to the State of Florida's Qualified Target Industry Tax Refund Program ("Program") pursuant to Section 288.106, Florida Statutes, for a tax refund of \$800,000 to complete this Project; and

WHEREAS, the basis of the Project's average private sector wage commitment calculation shall be 200% of the average State of Florida wage; and

WHEREAS, the Project will benefit the City of St. Petersburg by creating 80 new jobs that pay an average wage of at least \$85,808, which is at least 200% of the average annual wage for the State of Florida, and cause an estimated capital investment of \$1,743,100; and

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

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

WHEREAS, the Administration has recommended that the Project be recommended for approval.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that this Council hereby recommends that Project B4112128871 ("Project"), a confidential project, pursuant to Section 288.075, Florida Statutes be approved as a Qualified Target Industry ("QTI") Business pursuant to Section 288.106, Florida Statutes; and

BE IT FURTHER RESOLVED, that this City Council has determined the basis of the Project's average private sector wage commitment calculation shall be 200% of the average State of Florida wage; and

BE IT FURTHER RESOLVED, that this City Council finds that the commitments of local financial support necessary for the Project exist and commits \$80,000 as the City share of the Local Financial Support for the Project beginning in State FY 2016 subject to annual appropriations, and conditioned on the Project meeting all statutory requirements; and

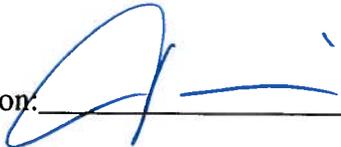
BE IT FURTHER RESOLVED, that the obligations of the City as to any funding required pursuant to this Resolution, shall be limited to an obligation in any given year to budget, appropriate and pay from legally available funds, after monies for essential City services have been budgeted and appropriated;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

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

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

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal: /s/ RBB Administration: 

Budget: 

Legal: 00228582.doc V. 1

ST. PETERSBURG CITY COUNCIL

Meeting of April 16, 2015

**TO:** The Honorable Charles W. Gerdes, Chair and Members of City Council

**SUBJECT:** Harborage Marina Lease - Extension of Term

**EXPLANATION:** Administration received a request from Harborage Marina, L.L.C. ("Harborage") to amend its lease with the City to extend the expiration date of the lease from December 31, 2030 to September 30, 2037 to provide for the full thirty (30) year term that had been authorized by the 2004 Referendum authorized by Ordinance 673-G.

For background, the original submerged land lease to Hunnicutt Equities, Inc. ("Hunnicutt"), executed October 24, 1986, was for an unimproved parcel consisting of ±11.4 acres which was approved by referendum in accordance with City Charter requirements for a term of twenty-five (25) years through December 31, 2011 for construction and operation of a marina ("1986 Lease"). After receiving voter and City Council approvals, the 255-slip marina was constructed by Hunnicutt at a cost of ±\$4,000,000. Hunnicutt later merged with Echelon International Corporation ("Echelon") on December 16, 1999. Harborage became the City's tenant under the 1986 Lease by virtue of an assignment from Echelon.

The City and Harborage executed an Estoppel Certificate and Agreement authorized by City Council Resolution No. 99-698 ("Estoppel"), which permitted a mortgage of the leasehold established by the 1986 Lease in favor of American Bank of Texas effective on December 21, 1999 and recorded as Official Records Book 10764, Page 1366, in the Public Records of Pinellas County, Florida ("Leasehold Mortgage").

In May, 2004, Harborage representatives appeared before City Council to request an expansion of the submerged lease premises to provide an additional area to permit installation of mega yacht slips and provide for a new term for the lease to allow sufficient time to amortize its planned investment in the mega yacht improvements that would further the expansion and operation of this public marina. After the required notice on August 5, 2004, City Council adopted Ordinance 673-G providing for the placement of a referendum question on the ballot as part of the November 2, 2004 General City Election which would authorize City Council to approve a new lease for the enlarged premises area consisting of ±13.424 acres for a term of up to thirty (30) years with an affirmative vote of at least six (6) members of City Council ("2004 Referendum") with the provision that *"if the lease is not executed on or before November 30, 2007 then this authorization will become null and void."* A majority of the electorate voted to approve the question on November 2, 2004.

The City and Harborage entered into a new lease agreement on September 27, 2007, that was approved by City Council on September 20, 2007 by City Council Resolution No. 2007-455, which provides for the leasing of an enlarged premises consisting of ±13.424 acres of submerged lands ("Premises") for a period of twenty-three (23) years, three (3) months ("2007 Lease") which replaced the 1986 Lease and fulfilled the requirement of executing the lease on or before November 30, 2007. The 2007 Lease included requirements for Harborage to make best efforts to complete construction and make the mega yacht slips operational by December 31, 2010. Further, the Leasehold Mortgage, as amended, and Estoppel were transferred to and recognized in the 2007 Lease with a requirement for the Estoppel to be terminated and the leasehold mortgage satisfied prior to December 31, 2011.

Subsequently, there have been three (3) amendments to the 2007 Lease:

- A First Amendment to the 2007 Lease was approved by City Council Resolution No. 2008-299 and dated June 30, 2008 that permitted the term of agreements for the use of slips for vessels greater than one hundred feet (100') ("Mega Yachts") to exceed twelve (12) months.
- A Second Amendment to the 2007 Lease was approved by City Council Resolution No. 2010-621 and dated December 16, 2010 that provided for a five (5) year extension of the completion of the construction of the Mega Yacht slips until December 31, 2015.
- A Third Amendment to the 2007 Lease was approved by City Council Resolution No. 2011-511 and dated December 1, 2011 amending paragraph 25 changing the due dates for Harborage to cause the Estoppel to be terminated and the Leasehold Mortgage to be satisfied prior to December 31, 2014.

Harborage has requested a Fourth Amendment to the 2007 Lease to provide for the full thirty (30) year term that had been authorized by the 2004 Referendum to enable it to have a twenty (20) year period from the present time over which to amortize its cost of the improvements being invested in the Premises for the Mega Yacht slips. Harborage represents that it 1) has received all of its required permits; 2) is in the process of bidding out the construction of the Mega Yacht slips; and 3) is preparing to commence construction as soon as practical upon the approval and execution of the Fourth Amendment. Harborage has agreed that in the event that it fails to commence installation of the physical improvements on the Premises necessary for the Mega Yacht slips prior to September 1, 2015 the Fourth Amendment shall be null and void.

City Council, by virtue of approving the previous amendments and subject to its approval of the attached Resolution, has confirmed its interpretation of Ordinance 673-G to permit amendments to the original lease subsequent to November 30, 2007, provided that the original voter approved term of thirty (30) years is not exceeded.

Due to the Premises being classified as Waterfront property, an affirmative vote of at least six (6) members of City Council is required.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolutions 1) confirming City Council's interpretation of Ordinance 673-G to permit amendments to the original lease subsequent to November 30, 2007, provided that the original voter approved term of thirty (30) years is not exceeded; and 2) authorizing the Mayor, or his Designee, to execute a Fourth Amendment to the City of St. Petersburg's September 27, 2007 Lease Agreement with Harborage Marina, L.L.C., extending the lease term to September 30, 2037; and to execute all documents necessary to effectuate this resolution; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** N/A

**ATTACHMENTS:** Resolution:

**APPROVALS:**

Administration:

Joseph F. Zool *EG*

Budget:

N/A

Legal:

LSB

(As to consistency w/attached legal documents)

Legal: 00229084.DOC V. 2

Resolution No. 2015 - \_\_\_\_\_

A RESOLUTION CONFIRMING PREVIOUS CITY COUNCIL INTERPRETATIONS OF ORDINANCE 673-G APPROVED BY THE VOTERS BY REFERENDUM WHICH AUTHORIZED THE SEPTEMBER 27, 2007 LEASE BETWEEN THE CITY OF ST. PETERSBURG AND THE HARBORAGE MARINA, L.L.C WHICH INTERPRETATION ALLOWS FOR AMENDMENTS TO THE ORIGINAL LEASE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 24, 1986, City entered into a lease ("1986 Lease"), that has been referred to as the "Previous Lease in certain documents, of submerged lands in Bayboro Harbor ("Premises") with Hunnicutt Equities, Inc. ("Hunnicutt") for construction and operation of a marina; and

WHEREAS, on December 16, 1999, Hunnicutt later merged with Echelon International Corporation ("Echelon"); and

WHEREAS, Harborage became the tenant under the 1986 Lease by virtue of an assignment of the 1986 Lease from Echelon; and

WHEREAS, the City and Harborage executed an Estoppel Certificate and Agreement authorized by City Council Resolution No. 99-698 ("Estoppel"), which permitted a mortgage of the leasehold established by the 1986 Lease in favor of American Bank of Texas recorded at Official Records Book 10764, Page 1366, in the Public Records of Pinellas County, Florida ("Leasehold Mortgage"); and

WHEREAS, on August 5, 2004, City Council adopted Ordinance 673-G providing for the placement of a referendum question on the ballot as part of the November 2, 2004 General City Election which would authorize City Council to approve a new lease for the enlarged premises area of ±13.424 acres for a term of up to thirty (30) years with an affirmative vote of at least six (6) members of City Council ("2004 Referendum"); and

WHEREAS, a majority of the electorate voted to approve the question on November 2, 2004; and

WHEREAS, the authorization provided in Ordinance 673-G stated "*if the lease is not executed on or before November 30, 2007 then this authorization will become null and void.*"; and

WHEREAS, the Premises will be used for the primary purpose of operating a public marina and also providing ancillary functions associated with the operation of a marina; and

WHEREAS, the City and Harborage entered into a new lease agreement on September 27, 2007, that was approved by City Council on September 20, 2007 by City Council Resolution No. 2007-455, which provides for the leasing of an enlarged premises consisting of ±13.424 acres of submerged lands ("Premises") for a period of twenty-three (23) years, three (3) months ("2007 Lease") which replaced the 1986 Lease and fulfilled the requirement of executing the lease on or before November 30, 2007; and

WHEREAS, the Leasehold Mortgage, as amended, and Estoppel were transferred to and recognized in the 2007 Lease; and

WHEREAS, on June 19, 2008, an Amendment to the 2007 Lease (First Amendment) was approved by City Council Resolution No. 2008-299 and executed on June 30, 2008 amending the 2007 Lease to permit use of slips for vessels greater than one hundred (100) feet ("Mega Yachts") to exceed twelve (12) months; and

WHEREAS, on December 16, 2010, an Amendment to the 2007 Lease (Second Amendment) was approved by City Council Resolution No. 2010-621 and executed on December 16, 2010 that provided for a five (5) year extension of the completion of the construction of the Mega Yacht slips until December 31, 2015; and

WHEREAS, on December 1, 2011, an Amendment to the 2007 Lease (Third Amendment) was approved by City Council Resolution No. 2011-511 and executed on December 1, 2011 amending paragraph 25 changing the due dates for Harborage to cause the Estoppel to be terminated and the Leasehold Mortgage to be satisfied prior to December 31, 2014; and

WHEREAS, by virtue of a Partial Release of Lien dated December 22, 2011 recorded at O.R. Book 17448, Pages 2031 – 2034, the Property, as defined therein, was released from the Leasehold Mortgage; and

WHEREAS, the Parties desire to further amend the 2007 Lease to extend the term to the full thirty (30) year term that was authorized by the 2004 Referendum; and

WHEREAS, there has been some confusion as to the authority of the City to amend the term of the lease to full term of thirty (30) years by amending the lease that was originally signed in 2007 because of the deadline for signing the lease that was included in the referendum ordinance approved by the voters; and

WHEREAS, previous City Councils have permitted amendments to the lease provided it did not go beyond the parameters of the original approved conditions; and

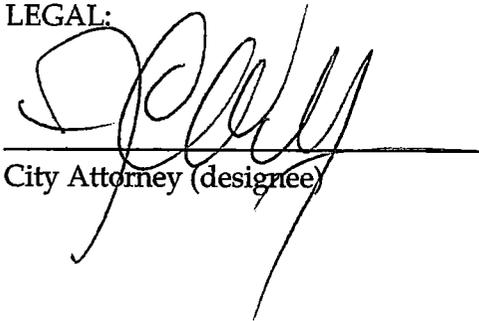
WHEREAS, the extension amendment does not go beyond the original approved thirty (30) year term; and

WHEREAS, City Council by virtue of the approval of previous ordinances has interpreted the legislative intent of the referendum ordinance to permit amendments provided the amendment does not exceed the parameters originally approved by the voters.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that by virtue of previous City Councils interpretation of Ordinance 673-G allowing approval of the previous amendments to the lease hereby confirms the interpretation of Ordinance 673-G to permit amendments to the original lease subsequent to November 30, 2007, provided that the amendment falls within the authority of the original voter approved ordinance including the term limit of thirty (30) years.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



City Attorney (designee)

Resolution No. 2015-\_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A FOURTH AMENDMENT TO THE CITY OF ST. PETERSBURG'S SEPTEMBER 27, 2007 LEASE AGREEMENT WITH HARBORAGE MARINA, L.L.C., AMENDING THE LEASE TERM TO SEPTEMBER 30, 2037; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Administration received a request from Harborage Marina, L.L.C. ("Harborage") to amend its lease with the City to extend the expiration date of the lease from December 31, 2030 to September 30, 2037 to provide for the full thirty (30) year term that had been approved by the 2004 Referendum authorized by Ordinance 673-G; and

WHEREAS, the original submerged land lease to Hunnicutt Equities, Inc. ("Hunnicutt"), executed October 24, 1986, was for an unimproved parcel consisting of ±11.4 acres which was approved by referendum in accordance with City Charter requirements for a term of twenty-five (25) years through December 31, 2011 for construction and operation of a marina ("1986 Lease"); and

WHEREAS, after receiving voter and City Council approvals, the 255-slip marina was constructed by Hunnicutt at a cost of ±\$4,000,000 and Hunnicutt later merged with Echelon International Corporation ("Echelon") on December 16, 1999, after which Harborage became the City's tenant under the 1986 Lease by virtue of an assignment from Echelon; and

WHEREAS, the City and Harborage executed an Estoppel Certificate and Agreement authorized by City Council Resolution No. 99-698 ("Estoppel"), which permitted a mortgage of the leasehold established by the 1986 Lease in favor of American Bank of Texas effective on December 21, 1999 and recorded as Official Records Book 10764, Page 1366, in the Public Records of Pinellas County, Florida ("Leasehold Mortgage"); and

WHEREAS, the City and Harborage entered into a new lease agreement on September 27, 2007, that was approved by City Council on September 20, 2007 by Resolution No. 2007-455, which provides for the leasing of an enlarged premises consisting of ±13.424 acres of submerged lands ("Premises") for a period of twenty-three (23) years, three (3) months ("2007 Lease") which replaced the 1986 Lease and fulfilled the requirement of executing the lease on or before November 30, 2007; and

WHEREAS, the 2007 Lease included requirements for Harborage to make best efforts to complete construction and make the mega yacht slips operational by December 31, 2010; and

WHEREAS, the Leasehold Mortgage, as amended, and Estoppel were transferred to and recognized in the 2007 Lease with a requirement for the Estoppel to be terminated and the leasehold mortgage satisfied prior to December 31, 2011; and

WHEREAS, subsequently, there have been three (3) amendments to the 2007 Lease:

- A First Amendment to the 2007 Lease approved by City Council Resolution No. 2008-299 and dated June 30, 2008 that permitted the term of agreements for the use of slips for vessels greater than one hundred feet (100') ("Mega Yachts") to exceed twelve (12) months.
- A Second Amendment to the 2007 Lease approved by City Council Resolution No. 2010-621 and dated December 16, 2010 that provided for a five (5) year extension of the completion of the construction of the Mega Yacht slips until December 31, 2015.
- A Third Amendment to the 2007 Lease was approved by City Council Resolution No. 2011-511 and dated December 1, 2011 amending paragraph 25 changing the due dates for Harborage to cause the Estoppel to be terminated and the Leasehold Mortgage to be satisfied prior to December 31, 2014; and

WHEREAS, Harborage has requested a Fourth Amendment to the 2007 Lease to provide for the full thirty (30) year term that had been authorized by the 2004 Referendum to enable it to have a twenty (20) year period from the present time over which to amortize its cost of the improvements being invested in the Premises for the Mega Yacht slips; and

WHEREAS, Harborage represents that it 1) has received all of its required permits; 2) is in the process of bidding out the construction of the Mega Yacht slips; and 3) is preparing to commence construction as soon as practical upon the approval and execution of the Fourth Amendment; and

WHEREAS, Harborage has agreed that in the event that it fails to commence installation of the physical improvements on the Premises necessary for the Mega Yacht slips prior to September 1, 2015 the Fourth Amendment shall be null and void.

WHEREAS, City Council, by virtue of approving the previous amendments and its approval of the City Council Resolution No. 2015-\_\_\_ has confirmed its interpretation of Ordinance 673-G to permit amendments to the original lease subsequent to November 30, 2007, provided that the original voter approved term of thirty (30) years is not exceeded; and

WHEREAS, due to the Premises being classified as Waterfront property, an affirmative vote of at least six (6) members of City Council is required.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his Designee, is authorized to execute a Fourth Amendment to the City of St. Petersburg's September 27, 2007 Lease Agreement with Harborage Marina, L.L.C. extending the lease term to September 30, 2037; and to execute all documents necessary to effectuate this resolution.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

  
\_\_\_\_\_  
City Attorney (Designee)  
Legal: 00229084.doc V. 2

  
\_\_\_\_\_  
Bruce E. Grimes, Director  
Real Estate and Property Management

# CITY COUNCIL AGENDA

## Report Item

**TO:** Mayor and Members of City Council

**DATE:** April 15, 2015

**COUNCIL  
DATE:** April 16, 2015

**RE:** Report from the EDGE Business District Association

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**ACTION DESIRED:**

Barbara Voglewede, Executive Director/Main Street Manager for the EDGE Business District Association will give a report to City Council.

Karl Nurse  
City Council

E-7

**COUNCIL AGENDA  
NEW BUSINESS ITEM**

**TO: Members of City Council**

**DATE: April 9, 2015**

**COUNCIL DATE: April 16, 2015**

**RE: *Door to Door Solicitation Ordinance***

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**ACTION DESIRED:**

Respectfully request a referral to the Public Services and Infrastructure Committee for a report from the Legal Department regarding the current Door-to-Door Solicitation Ordinance.

Steve Kornell  
Council Member  
District 5

**COUNCIL AGENDA  
NEW BUSINESS ITEM**

**TO: Members of City Council**

**DATE: April 9, 2015**

**COUNCIL DATE: April 16, 2015**

**RE: *Pedalpub Regulations***

---

**ACTION DESIRED:**

Respectfully request a referral the Public Services and Infrastructure Committee for consideration of possible ordinance and regulation changes to make St. Petersburg a more Pedalpub city.

**RATIONALE:**

The Pedalpub operates in a couple of dozen cities. They have argued that the insurance requirements and related regulations are the most severe in St. Petersburg than any other city they have experienced.

Attached is a letter outlining their concerns.

Karl Nurse  
Council Member

From: [stpete@pedalpub.com](mailto:stpete@pedalpub.com) [mailto:[stpete@pedalpub.com](mailto:stpete@pedalpub.com)]

Sent: Thursday, April 09, 2015 10:31 AM

To: Council

Cc: [stpete@pedalpub.com](mailto:stpete@pedalpub.com)

Subject: PedalPub ordinance changes requests

I gave an update at a City Council meeting on Feb. 5th. At that time there seemed to be an open mind about the issues that we continue to struggle with regarding the PedalPub ordinance requirements. A few of the City Council Members asked me to come back with the requests that we have for changes and I would like to start that process. I'm not sure what the first step might be in making the changes possible. First, if you could forward this onto each Council Member, that would be great!

The items on the Ordinance that we struggle with the most are:

**Section 6. b) Pedal buses shall have a lighted bar portion that extends at least as wide as the widest passenger to define the entire width of the vehicle.**

\*This required us to add an extension bar at the rear end of the bike. Those "arms" sticking out are causing injuries with people bumping into them. We have lights that extend the width around the perimeter of the roof line. This extension bar near the seats is just a hazard.

**Section 6. d) Pedal buses shall only be used on public streets designated with a speed limit of 30 miles per hour or less subject to the following exceptions:**

\*We would like the option of using 1st Ave North and South, west of MLK to alleviate traffic congestion on Central Ave. 1st Ave allows for traffic to easily pass us, using the several lanes available.

**Section 6. d) 2. a. Co-Sponsored events:**

\*We have been invited to be a part of these events and had to turn them down. Organizers have asked us to be on site for various reasons and we've had to tell them our ordinance does not allow for that to happen. Please open up our availability.

**Section 6. d) 2. c. Blackout dates for July 4th and First Night:**

\*Again, we had to cancel tours on this date because of the blackout.

**Section 6. d) 3. Tropicana Field Events. "Licensee shall not operate between 6th St and 20th St and 5th ave N and 5th Ave S during an event held at Tropicana Field and for 1.5 hours prior and 1.5 hours after the event.**

\*We have discussed this several times. The boundary defined and the hours blocked out are over the top. We will use our discretion to not clog traffic, just as any other business would. Please trust our business experience and doing this around the country. St Pete is the only city to restrict use around games. Several states tailgate on the bike or use the bike to get to the game. It's a unique part of the City that supports the atmosphere of "game time!"

**Section 6. h)..."pedal buses shall be prohibited from using any angles parking spaces."**

\*Please, let us park where ever we can find a legal parking space. It's hard to find parking, don't limit us more. Also, clarify- are we allowed in 30 minute loading zones? There is nothing that prohibits us from them in our ordinance, yet we were given an ordinance citation for using one, unless it is defined as the "other reserved spaces."

**Section 6. l) "no glassware of any kind shall be allowed on the pedal bus"**

\*We do not want our customers to have glass either, however, on the occasion someone was to purchase a souvenir glass from a bar, we'd like to give them the option to wrap it and place it in the barrel- out of reach and potential fall from the bike.

**Section 6. m) "Licensee shall have water available for passengers"**

\* Please remove this. Our insurance does not like us to provide any type of products for them to have. We could be held liable for anything that we are "providing" in addition to

the actual bike rental. We do not provide ice, water, cups, etc. The customer brings all of their own purchases on board the bike.

**Section 8. Insurance.**

\*I know this is a long-shot, but had to mention it again none the less. We still carry the highest insurance of any other business in the country (probably the world). Even our sister business near Destin, FL does not require such high insurance. Every other business carries a \$1M occurrence/ \$2M aggregate or less. Ours is set at \$5M occurrence/ \$5M aggregate.

Thank you for taking the time to read each concern. Since we are now into Rays season, it would be great if we could start working on these. We are getting very busy! We will be a featured event on the CMT reality show "Party Down South" in just a few weeks. We were also just filmed to be added to the Visit St Pete-Clearwater marketing video. We are settling into the community and would love the support and trust of the City as we grow.

Thank you!

Krista Bertelson  
St.Petersburg Manager  
PedalPub St.Pete, LLC  
(727) 581-3388  
<http://stpete.pedalpub.com>  
<http://www.facebook.com/PedalPubStPete>  
Regular office hours: Tues-Fri 2pm to 5pm

**ST. PETERSBURG CITY COUNCIL  
BUDGET, FINANCE & TAXATION COMMITTEE**

**Committee Report for April 9, 2015**

**Members & Alternate:**      **Budget, Finance & Taxation Committee: Chair James R. "Jim" Kennedy, Jr.; Vice-Chair Karl Nurse; William Dudley; Charles Gerdes; and Darden Rice (alternate).**

**Support Staff:**              **John Armbruster, Personnel Analyst III, Human Resources  
Meghan Wimberly, Administrative Assistant, Billing & Collections**

**A. Call to Order**

**B. Approval of Agenda** – Unanimously approved.

**C. Approval of Minutes** – Both sets of minutes unanimously approved.

**1. March 12, 2015**

**2. March 26, 2015**

**D. New/Deferred Business**

**1. April 9, 2015**

**a. Debt Issuance Report (Fritz)**

Anne Fritz, Finance Director, provided the Committee an overview of the Debt Issuance Report and the effort to create funding for the \$50 million City Pier project. Ms. Fritz introduced Duane Draper from Bryant, Miller and Olive, who serves as bond counsel for the City. Mr. Draper stated that the first step in this process is to create a master resolution which identifies a source of security, and payment source for the debt. Mr. Draper explained that the security for the debt will be the Public Service Tax Revenue, and the payment source will be TIF (Tax Increment Financing). The second step in the process is to finalize and set the financing terms. The second step will take place sometime this summer.

Councilmember Gerdes made a motion to bring the resolution to City Council. The motion was unanimously approved.

**b. Local Hiring Ordinance Report Follow Up From March 26, 2015 meeting  
(Connors / Williams)**

Jeannine Williams, Assistant City Attorney, provided the Committee an overview of a draft mandatory hiring ordinance. Ms. Williams explained the overall goal of the ordinance is to require contractors to employ disadvantaged workers and apprentices to work on City construction projects of \$10,000,000 or more. Ms. Williams stated that the exact number of disadvantaged workers or apprentices would be determined after a study and/or data collection survey, and would be a percentage of all hours of work performed on the project. Ms. Williams confirmed the ordinance will not include a geographic boundary for hiring.

The Committee discussed the need for the study/data collection; where the funding for the study would come from; whether to lower the \$10,000,000 project threshold; whether to require each trade to employ disadvantage workers and/or an apprentices; and the need for the City to have this ordinance to invest in human capital with the goal to increase the number of experienced and skilled workers in the City. The Committee also discussed pending State legislation which prohibits units of local government from creating mandatory hiring ordinances.

Michael Connors, Public Works Administrator, recommended the Committee follow Ms. Williams' recommendation to conduct a study; include the same retainage incentives that are contained in the current voluntary local hiring initiative; to focus on apprenticeships with a long term goal to provide opportunities for both disadvantaged workers and apprentices; a \$10,000,000 project threshold; and to have an ordinance without a focus on requiring a disadvantage worker and/or apprentice for each particular trade.

Vice-Chair Nurse made a motion to bring two separate mandatory hiring ordinances to City Council, one ordinance for apprenticeships and another ordinance for disadvantaged workers. The motion called for the ordinances to include; no geographic boundary, a \$10,000,000 project threshold, a retainage incentive, and a ten percent requirement. The motion was unanimously approved.

**E. Continued Business**

**F. Upcoming Meetings Agenda Tentative Issues**

**1. April 23, 2015**

- a. **Quarterly Grants Report (Ojah-Maharaj)**
- b. **Use of Tourist District Development Tax (Metz/Zeoli)**

**2. May 28, 2015**

- a. **Offering Illness Leave Benefits to Part-Time Employees (Guella/Cornwell)**

**G. New Business Item Referrals (attached)**

- 1. Chair Kennedy made a motion to ask City Council to remove the Childs Park Lake Project and the Rubber Track Project at Gibbs High School from the Weeki Wachee Referral List. The motion was unanimously approved.

**H. Adjournment**

The meeting adjourned at approximately 9:17 AM.

**CITY OF ST. PETERSBURG, FLORIDA**  
**PUBLIC SERVICE TAX REVENUE BOND RESOLUTION**  
**ADOPTED APRIL 16, 2015**

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**RESOLUTION NO. 2015-\_\_\_\_**

A RESOLUTION OF THE CITY OF ST. PETERSBURG, FLORIDA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$50,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF ST. PETERSBURG, FLORIDA PUBLIC SERVICE TAX REVENUE BONDS, SERIES 2015 FOR THE PURPOSE OF FINANCING, REFINANCING AND/OR REIMBURSING THE COSTS OF ANY DESIGN, AND THE PLANNING, SITE PREPARATION, ACQUISITION, INSTALLATION, CONSTRUCTION, AND EQUIPPING OF A CITY-OWNED MUNICIPAL PIER, AS MORE PARTICULARLY DESCRIBED HEREIN; PLEDGING PUBLIC SERVICE TAX REVENUES TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE HOLDERS OF SUCH BONDS; AUTHORIZING BOND VALIDATION; AUTHORIZING CERTAIN OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE SALE, ISSUANCE AND DELIVERY OF SUCH BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ST. PETERSBURG, FLORIDA, THAT:**

**ARTICLE I  
GENERAL**

**SECTION 1.01 Definitions.**

When used in this Resolution, the following terms shall have the following meanings, unless the context clearly otherwise requires:

"**Act**" shall mean the Constitution and laws of the State of Florida, Chapter 163, Part III, Florida Statutes, if applicable, Chapter 166, Florida Statutes, the municipal charter of the Issuer, Chapter 17, Article II of the St. Petersburg City Code, Section 16.06.050 of the St. Petersburg City Code, if applicable, and other applicable provisions of law.

"**Additional Bonds**" shall mean the obligations issued at any time under the provisions of Section 5.02 hereof on a parity with the Series 2015 Bonds.

"**Additional Project**" shall mean the designing, permitting, acquisition, construction, reconstruction and/or equipping of the facilities and general infrastructure within the City and shall include all property rights, easements, franchises and equipment relating thereto and

deemed necessary or convenient for the designing, permitting, acquisition, construction, reconstruction, equipping and/or the operation thereof which are financed, refinanced and/or reimbursed in whole or in part with the proceeds of Additional Bonds.

**"Amortization Installment"** shall mean an amount designated as such by Supplemental Resolution of the Issuer and established with respect to any Term Bonds.

**"Annual Debt Service"** shall mean, with respect to any Bond Year, the aggregate amount of (1) all interest required to be paid on the Outstanding Bonds during such Bond Year, except to the extent that such interest is to be paid from (a) deposits in the Interest Account made from Bond proceeds or (b) a direct subsidy payment expected to be received from the United States Treasury relating to Direct Subsidy Bonds or any other interest subsidy or similar payments made by the Federal government, (2) all principal of Outstanding Serial Bonds maturing in such Bond Year, and (3) all Amortization Installments herein designated with respect to such Bond Year. Annual Debt Service on (i) debt that constitutes Balloon Indebtedness bearing interest at a fixed interest rate or (ii) Variable Rate Bonds that constitutes Balloon Indebtedness, shall be determined assuming it is amortized over 20 years on an approximately level annual debt service basis.

**"Balloon Indebtedness"** shall mean debt 25% or more of the original principal amount of which matures during any one Fiscal Year.

**"Bond Amortization Account"** shall mean the separate account in the Debt Service Fund established pursuant to Section 4.04 hereof.

**"Bond Counsel"** shall mean Bryant Miller Olive P.A. or any other attorney at law or firm of attorneys, of nationally recognized standing in matters pertaining to the exclusion from gross income for federal income tax purposes of interest on obligations issued by states and political subdivisions, and duly admitted to practice law before the highest court of any state of the United States of America.

**"Bond Year"** shall mean the period commencing on November 2 and ending twelve months later on November 1, or such other dates as may be determined by the Issuer by Supplemental Resolution of the Issuer adopted prior to the issuance of the Series 2015 Bonds.

**"Bondholder"** or **"Holder"** or **"holder"** or any similar term, when used with reference to a Bond or Bonds, shall mean any person who shall be the registered owner of any Outstanding Bond or Bonds as provided in the registration books of the Issuer.

**"Bonds"** shall mean the Series 2015 Bonds, together with any Additional Bonds issued pursuant to this Resolution.

**"Capital Appreciation Bonds"** shall mean the aggregate principal amount of the Bonds that bear interest payable solely at maturity or upon redemption prior to maturity in the amounts determined by reference to the Compounded Amounts, all as shall be determined by Supplemental Resolution of the Issuer. In the case of Capital Appreciation Bonds that are convertible to Bonds with interest payable prior to maturity or redemption of such Bonds, such Bonds shall be considered Capital Appreciation Bonds only during the period of time prior to such conversion.

**"City Attorney"** shall mean the City Attorney or his or her designee.

**"Clerk"** shall mean the City Clerk or assistant or deputy City Clerk of the Issuer, or such other person as may be duly authorized by the City Council of the Issuer to act on his or her behalf.

**"Code"** shall mean the Internal Revenue Code of 1986, as amended, and the regulations and rules thereunder in effect or proposed.

**"Compounded Amounts"** shall mean, as of any date of computation with respect to any Capital Appreciation Bond, an amount equal to the principal amount of such Capital Appreciation Bond (the principal amount at its initial offering) plus the interest accrued on such Capital Appreciation Bond from the date of delivery to the original purchasers thereof to the interest date next preceding the date of computation or the date of computation if an interest date, such interest to accrue at the applicable rate which shall not exceed the legal rate, compounded semiannually, plus, with respect to matters related to the payment upon redemption of the Capital Appreciation Bonds, if such date of computation shall not be an interest date, a portion of the difference between the Compounded Amount as of the immediately preceding interest date and the Compounded Amount as of the immediately succeeding interest date, calculated based on the assumption that Compounded Amount accrues during any semi-annual period in equal daily amounts on the basis of a 360-day year of twelve 30-day months.

**"Construction Fund"** shall mean the City of St. Petersburg, Florida, Public Service Tax Revenue Bonds, Series 2015 Construction Fund established pursuant to Section 4.03 hereof.

**"Cost"** when used in connection with a Project, shall mean (1) the Issuer's cost of design, demolition, physical construction, and/or other pre-construction costs including without limitation geotechnical testing, value engineering, surveying and permitting; (2) costs of acquisition by or for the Issuer of such Project; (3) costs of land and interests therein and the cost of the Issuer incidental to such acquisition; (4) the cost of any indemnity and surety bonds and premiums for insurance during construction; (5) all interest due to be paid on the Bonds and other obligations relating to the Project during, and if deemed advisable by the Issuer for up to one year after the end of, the construction period of such Project and for a reasonable period thereafter, if permitted by the Code; (6) architectural, design, engineering, legal and other

consultant fees and expenses; (7) costs and expenses incidental to the issuance of the Bonds for up to one year, including the fees and expenses of any attorneys, financial advisors, auditors, engineers, Paying Agent, Registrar or depository; (8) payments, when due (whether at the maturity of principal or the due date of interest or upon redemption) on any indebtedness of the Issuer (other than the Bonds) incurred for such Project; (9) costs of machinery or equipment required by the Issuer for the commencement of operation of such Project; or (10) any other capitalizable costs properly attributable to such activities, as determined by generally accepted accounting principles and shall include reimbursement to the Issuer for any such items of Cost heretofore paid by the Issuer. Any Supplemental Resolution may provide for additional items to be included in the aforesaid Costs.

**"Debt Service Fund"** shall mean the City of St. Petersburg, Florida, Public Service Tax Revenue Bonds Debt Service Fund established pursuant to Section 4.04 hereof.

**"Direct Subsidy Bonds"** shall mean any Taxable Bonds issued by the Issuer hereunder for which either (1) the Issuer receives direct subsidy payments or any other interest subsidy or similar payments made by the Federal Government in an amount equal to a percentage of the interest paid on such Bond or Bonds, or (2) the holder of such Bond or Bonds receives a tax credit in an amount equal to a percentage of the interest paid on such Bond or Bonds.

**"Federal Securities"** shall mean (1) cash, and/or (2) non-callable direct obligations of the United States of America.

**"Financial Advisor"** shall mean Public Financial Management, Inc., or such other financial advisor as may be duly appointed by the Issuer.

**"Finance Director"** shall mean the Finance Director of the Issuer or any assistant or deputy thereof.

**"Fiscal Year"** shall mean the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law.

**"Initial Project"** shall mean any design, and the planning, site preparation, demolition, acquisition, installation, construction, reconstruction, renovation and/or equipping of an Issuer-owned municipal pier, which may consist of both landside and waterside improvements, for public uses, which may include commercial uses, including without limitation, restaurants, shops, equipment rentals, concession stands, and/or other similar uses, and any other Costs related thereto, in accordance with certain plans on file or to be on file with the Clerk, with such changes, deletions, additions or modifications to the enumerated improvements, equipment and facilities, or such other improvements as approved by the City Council of the Issuer in a Supplemental Resolution in accordance with the Act.

**"Insurance Policy"** or **"Insurance Policies"** shall mean any policy of bond insurance, letter of credit, guarantee, or other similar form of credit enhancement issued by an Insurer and insuring or guaranteeing the payment when due of all or any portion of the principal of and interest on any Series of Bonds. All references in this Resolution to the Insurance Policy or Insurance Policies shall be of no force and effect (i) if there is a default in the performance of any obligations thereunder by the applicable Insurer, or (ii) at such time as there are no Bonds Outstanding with respect to which an Insurer has issued an Insurance Policy or Insurance Policies.

**"Insurer"** shall mean any issuer or issuers of any Insurance Policy or any successor corporation that assumes the obligations of the issuer of such Insurance Policy. All references in this Resolution to the Insurer and/or an Insurance Policy shall be of no force and effect to a particular Series of Bonds if such Bonds are not insured, and/or at such time as there are no Bonds Outstanding with respect to which an Insurer has issued an Insurance Policy.

**"Interest Account"** shall mean the separate account in the Debt Service Fund established pursuant to Section 4.04 hereof.

**"Interest Date"** shall be May 1 and November 1 of each year, or such other dates as may be determined by the Issuer by Supplemental Resolution of the Issuer adopted prior to the issuance of the Series 2015 Bonds.

**"Issuer"** shall mean the City of St. Petersburg, Florida, a municipal corporation of the State of Florida.

**"Maximum Annual Debt Service"** shall mean the largest amount of Annual Debt Service for any Bond Year in which Bonds shall be Outstanding, excluding all Bond Years which shall have ended prior to the Bond Year in which Maximum Annual Debt Service shall be computed.

**"Maximum Interest Rate"** shall mean, with respect to any particular Variable Rate Bonds, the maximum rate of interest such Bonds may at any time bear in the future in accordance with the terms of the Supplemental Resolution of the Issuer delineating the details of such Bonds.

**"Mayor"** shall mean the Mayor of the Issuer, or his or her designee. The Mayor is authorized, but is not bound, to designate the City Administrator and/or the Finance Director to execute certificates, agreements and all other documents in connection with the issuance of the Bonds.

**"Outstanding"** when used with reference to Bonds and as of any particular date, shall describe all Bonds theretofore and thereupon being authenticated and delivered except, (1) any Bond in lieu of which another Bond or other Bonds have been issued under an agreement to

replace lost, mutilated or destroyed Bonds, (2) any Bond surrendered by the Holder thereof in exchange for another Bond or other Bonds under Sections 2.06 and 2.08 hereof, and (3) Bonds canceled after purchase in the open market or because of payment at or redemption prior to maturity.

**"Paying Agent"** shall mean any paying agent for Bonds appointed by or pursuant to a Supplemental Resolution and its successors or assigns, and any other Person which may at any time be substituted in its place pursuant to this Resolution.

**"Permitted Investments"** shall mean any investments authorized pursuant to the laws of the State and the Issuer's written investment policy, if any.

**"Person"** shall mean an individual, a corporation, a partnership, an association, a joint stock company, a trust, any unincorporated organization or governmental entity.

**"Pledged Funds"** shall mean the Pledged Revenues and until applied in accordance with the provisions of this Resolution, all moneys, including investments thereof, in the funds and accounts established hereunder, other than the Unrestricted Revenue Account; provided, however, that proceeds deposited in the Construction Fund in connection with the issuance of a particular Series of Bonds shall only secure such Series.

**"Pledged Revenues"** shall mean the Public Service Tax Revenues, and shall not include any direct subsidy payments received from the United States Treasury relating to Direct Subsidy Bond or any other interest subsidy or similar payments made by the Federal Government until deposited into the Interest Account.

**"Principal Account"** shall mean the separate account in the Debt Service Fund established pursuant to Section 4.04 hereof.

**"Project"** shall mean the Initial Project and any Additional Project.

**"Public Service Tax"** shall mean such tax as levied and collected by the Issuer pursuant to the Public Service Tax Ordinance, in accordance with and pursuant to Section 166.231, Florida Statutes.

**"Public Service Tax Ordinance"** shall mean Chapter 17, Article II of the St. Petersburg City Code, as may be amended or supplemented from time to time, or its successor in function.

**"Public Service Tax Revenues"** shall mean all revenues received by the Issuer from the levy of Public Service Taxes.

**"Redemption Price"** shall mean, with respect to any Bond or portion thereof, the principal amount or portion thereof, plus the applicable premium, if any, payable upon redemption thereof pursuant to such Bond or this Resolution.

**"Registrar"** shall mean any registrar for the Bonds appointed by or pursuant to a Supplemental Resolution and its successors and assigns, and any other Person which may at any time be substituted in its place pursuant to Supplemental Resolution.

**"Reserve Account"** shall mean the separate account in the Debt Service Fund established pursuant to Section 4.04 hereof.

**"Reserve Account Requirement"** shall mean (a) with respect to the Reserve Account (but not any subaccount therein) the lesser of (i) the Maximum Annual Debt Service for all Outstanding Bonds secured by the Reserve Account, (ii) 125% of the average annual debt service with respect to Outstanding Bonds secured by the Reserve Account, or (iii) the largest amount as shall not adversely affect the exclusion of interest on the Outstanding Bonds (other than Taxable Bonds) from gross income for Federal income tax purposes, with respect to Bonds secured by the Reserve Account, and (b) with respect to any subaccount created in the Reserve Account, the amount that the Finance Director shall establish in writing, for each subaccount of the Reserve Account which secures a Series of Bonds pursuant to Section 4.05(A)4. of this Resolution, the determination of such amount to be in the best economic interests of the Issuer.

**"Resolution"** shall mean this Resolution, as the same may from time to time be amended, modified or supplemented by Supplemental Resolution.

**"Restricted Revenue Account"** shall mean the separate account in the Revenue Fund established pursuant to Section 4.04 hereof.

**"Revenue Fund"** shall mean the City of St. Petersburg, Florida Public Service Tax Revenue Bonds Revenue Fund established pursuant to Section 4.04 hereof.

**"Serial Bonds"** shall mean all of the Bonds other than the Capital Appreciation Bonds, Term Bonds and Variable Rate Bonds.

**"Series"** shall mean all the Bonds delivered on original issuance in a simultaneous transaction and identified pursuant to Sections 2.01 and 2.02 hereof or a Supplemental Resolution authorizing the issuance by the Issuer of such Bonds as a separate Series, regardless of variations in maturity, interest rate, Amortization Installments or other provisions.

**"Series 2015 Bonds"** shall mean the Issuer's Public Service Tax Revenue Bonds, Series 2015 authorized pursuant to Section 2.02 hereof, or such other name or names as shall be designated pursuant to the authorization in Section 2.02 hereof.

**"State"** shall mean the State of Florida.

**"Subordinated Indebtedness"** shall mean that indebtedness of the Issuer, subordinate and junior to the Bonds, issued in accordance with the provisions of Section 5.01 hereof.

**"Supplemental Resolution"** shall mean any resolution of the Issuer amending or supplementing this Resolution adopted and becoming effective in accordance with the terms of Sections 7.01, 7.02 and 7.03 hereof.

**"Taxable Bond"** shall mean any Bond which states, in the body thereof, that the interest income thereon is includable in the gross income of the Holder thereof for federal income tax purposes or that such interest is subject to federal income taxation.

**"Term Bonds"** shall mean those Bonds which shall be designated as Term Bonds hereby or by Supplemental Resolution of the Issuer and which are subject to mandatory redemption by Amortization Installments.

**"Unrestricted Revenue Account"** shall mean the separate account in the Revenue Fund established pursuant to Section 4.04 hereof.

**"Variable Rate Bonds"** shall mean Bonds issued with a variable, adjustable, convertible or other similar rate which is not fixed in percentage for the entire term thereof at the date of issue.

The terms "herein," "hereunder," "hereby," "hereto," "hereof" and any similar terms, shall refer to this Resolution; the term heretofore shall mean before the date of adoption of this Resolution; and the term "hereafter" shall mean after the date of adoption of this Resolution.

Words importing the masculine gender include every other gender.

Words importing the singular number include the plural number, and vice versa.

**SECTION 1.02 Authority for Resolution.**

This Resolution is adopted pursuant to the provisions of the Act.

**SECTION 1.03 Resolution to Constitute Contract.**

In consideration of the purchase and acceptance of any or all of the Bonds by those who shall hold the same from time to time, the provisions of this Resolution shall be a part of the contract of the Issuer with the Holders of the Bonds and shall be deemed to be and shall constitute a contract between the Issuer and the Holders from time to time of the Bonds. The pledge made in this Resolution and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the Issuer shall be for the equal benefit, protection and security of the Holders of any and all of said Bonds and the Insurers. All of the Bonds, regardless of the time or times of their issuance or maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other thereof except as expressly provided in or pursuant to this Resolution.

**SECTION 1.04 Findings.** It is hereby ascertained, determined and declared:

(A) That the Issuer created the City of St. Petersburg Community Redevelopment Agency (the "Agency") pursuant to the Act to further community redevelopment within the jurisdictional boundaries of the Issuer.

(B) That the Agency adopted the Intown Redevelopment Plan (the "Plan") to promote and assist in the revitalization of the downtown area, and in particular, to coordinate and facilitate public and private improvements to attract people and business.

(C) That the objective of the Downtown Waterfront Area in the Plan entails revitalization of the waterfront parks and pier area with a focus on the development of recreational facilities, culture, parking and specialty retail.

(D) That the Initial Project is a component of the Plan and furthers such objective.

(E) That the Issuer deems it necessary, desirable and in the best interests of the Issuer and its citizens, visitors, property owners and workers, and to serve a paramount public purpose, that the Initial Project be completed.

(F) That all or a portion of the Initial Project shall be financed, refinanced and/or reimbursed from a portion of the proceeds of the Bonds.

(G) That the purposes for which the Bonds are being issued include the promotion of the public health, general welfare, safety and social benefit to the Issuer, its citizens, visitors, property owners and workers.

(H) That, as of the date hereof, the Pledged Revenues are not pledged or encumbered in any manner and are estimated to be sufficient to pay the principal of and interest on the Series 2015 Bonds, as the same become due, and all other payments provided for in this Resolution.

(I) That the principal of and interest on the Series 2015 Bonds and all other payments provided for in this Resolution will be payable solely from the Pledged Funds; and the ad valorem taxing power of the Issuer will never be necessary or authorized to pay the principal of and interest on the Bonds and, except as otherwise provided herein, the Bonds shall not constitute a lien upon any property of the Issuer.

**SECTION 1.05 Authorization of the Initial Project.** The Issuer does hereby authorize the completion of the capital improvements which comprise the Initial Project.

**ARTICLE II**  
**AUTHORIZATION, TERMS, EXECUTION**  
**AND REGISTRATION OF BONDS**

**SECTION 2.01    Authorization of Bonds.**

This Resolution creates an issue of Bonds of the Issuer to be designated as "City of St. Petersburg, Florida, Public Service Tax Revenue Bonds" which may be issued in one or more Series as hereinafter provided. The aggregate principal amount of the Bonds which may be executed and delivered under this Resolution is not limited except as is or may hereafter be provided in this Resolution or as limited by the Act or by law.

The Bonds may, if and when authorized by the Issuer pursuant to this Resolution, be issued in one or more Series, with such further appropriate particular designations added to or incorporated in such title for the Bonds of any particular Series as the Issuer may determine and as may be necessary to distinguish such Bonds from the Bonds of any other Series. Each Bond shall bear upon its face the designation so determined for the Series to which it belongs.

The Bonds shall be issued for such purpose or purposes; shall bear interest at such rate or rates not exceeding the maximum rate permitted by law; and shall be payable in lawful money of the United States of America on such dates; all as determined by Supplemental Resolution of the Issuer.

The Bonds shall be issued in denominations of \$5,000 or integral multiples thereof, in such form, whether coupon or registered; shall be dated such date; shall bear such numbers; shall be payable at such place or places; shall contain such redemption provisions; shall have such Paying Agents and Registrars; shall mature in such years and amounts; shall provide that the proceeds thereof be used in such manner; may be Capital Appreciation Bonds, Serial Bonds, Term Bonds or Variable Rate Bonds (provided, however, that the issuance of Variable Rate Bonds which are Additional Bonds is subject to the provisions of Section 5.02(D) hereof); all as determined by Supplemental Resolution of the Issuer .

**SECTION 2.02    Authorization and Description of Bonds.**

A Series of Bonds entitled to the benefit, protection and security of this Resolution is hereby authorized in an aggregate principal amount of not to exceed \$50,000,000 for the principal purposes of financing, refinancing and/or reimbursing all or a portion of the Costs of the Initial Project, funding the Reserve Account, if required, and paying certain costs of issuance incurred with respect to such Series. Such Series shall be designated as, and shall be distinguished from the Bonds of all other Series by the title "City of St. Petersburg, Florida, Public Service Tax Revenue Bonds, Series 2015," provided the Issuer may change such designation in the event that the total authorized amount of Series 2015 Bonds are not issued as a single series and/or are not issued in calendar year 2015.

The Series 2015 Bonds shall be dated as of the date of delivery of the Series 2015 Bonds to the purchaser or purchasers thereof or such other date as may be set forth by Supplemental Resolution of the Issuer; shall be issued as fully registered Series 2015 Bonds; shall be numbered consecutively from one upward in order of maturity preceded by the letter "R"; shall be in such denominations and shall bear interest at a rate or rates not exceeding the maximum rate permitted by law, payable in such manner and on such dates; shall consist of such amounts of Serial Bonds and/or Term Bonds; maturing in such amounts or Amortization Installments and in such years not exceeding forty (40) years from their date; shall be payable in such place or places; shall have such Paying Agent and Registrar; and shall contain such redemption provisions; all as the Issuer shall provide hereafter by Supplemental Resolution.

The principal of or Redemption Price, if applicable, on the Series 2015 Bonds are payable upon presentation and surrender of the Series 2015 Bonds at the designated office of the Paying Agent. Interest payable on any Series 2015 Bond on any Interest Date will be paid by check or draft of the Paying Agent to the Holder in whose name such Series 2015 Bond shall be registered at the close of business on the date which shall be the fifteenth day (whether or not a business day) of the calendar month next preceding such Interest Date, or, unless otherwise provided by Supplemental Resolution, at the option of the Paying Agent, and at the request and expense of such Holder, by bank wire transfer for the account of such Holder. In the event the interest payable on any Series 2015 Bond is not punctually paid or duly provided for by the Issuer on such Interest Date, such defaulted interest will be paid to the Holder in whose name such Series 2015 Bond shall be registered at the close of business on a special record date for the payment of such defaulted interest as established by notice to such Holder, not less than ten days preceding such special record date. All payments of principal of or Redemption Price, if applicable, and interest on the Series 2015 Bonds shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

**SECTION 2.03    Application of Series 2015 Bond Proceeds.**

Application of Series 2015 Bond proceeds shall be determined in a Supplemental Resolution adopted prior to the issuance of the Series 2015 Bonds.

**SECTION 2.04    Execution of Bonds.**

The Bonds shall be executed in the name of the Issuer with the manual or facsimile signature of the Mayor and the official seal of the Issuer shall be imprinted thereon, attested with the manual or facsimile signature of the Clerk and approved as to form and correctness by the City Attorney. In case any one or more of the officers who shall have signed or sealed any of the Bonds, or whose facsimile signature shall appear thereon shall cease to be such officer of the Issuer before the Bonds so signed and sealed have been actually sold and delivered, such Bonds may nevertheless be sold and delivered as herein provided and may be issued as if the person who signed or sealed such Bonds had not ceased to hold such office. Any Bond may be

signed and sealed on behalf of the Issuer by such person who at the actual time of the execution of such Bond shall hold the proper office of the Issuer, although, at the date of such Bond, such person may not have held such office or may not have been so authorized. The Issuer may adopt and use for such purposes the facsimile signatures of any such persons who shall have held such offices at any time after the date of the adoption of this Resolution, notwithstanding that either or both shall have ceased to hold such office at the time the Bonds shall be actually sold and delivered.

**SECTION 2.05 Authentication.**

No Bond of any Series shall be secured hereunder or be entitled to the benefit hereof or shall be valid or obligatory for any purpose unless there shall be manually endorsed on such Bond a certificate of authentication by the Registrar or such other entity as may be approved by the Issuer for such purpose. Such certificate on any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Resolution. The form of such certificate shall be substantially in the form provided in Section 2.10 hereof.

**SECTION 2.06 Temporary Bonds.**

Until the definitive Bonds of any Series are prepared, the Issuer may execute, in the same manner as is provided in Section 2.04 hereof, and deliver, upon authentication by the Registrar pursuant to Section 2.05 hereof, in lieu of definitive Bonds, but subject to the same provisions, limitations and conditions as the definitive Bonds, except as to the denominations thereof, one or more temporary Bonds substantially of the tenor of the definitive Bonds in lieu of which such temporary Bond or Bonds are issued, in denominations authorized by the Issuer by Supplemental Resolution, and with such omissions, insertions and variations as may be appropriate to temporary Bonds. The Issuer, at its own expense, shall prepare and execute definitive Bonds, which shall be authenticated by the Registrar. Upon the surrender of such temporary Bonds for exchange, the Registrar, without charge to the Holder thereof, shall deliver in exchange therefor definitive Bonds, of the same aggregate principal amount and Series and maturity as the temporary Bonds surrendered. Until so exchanged, the temporary Bonds shall in all respects be entitled to the same benefits and security as definitive Bonds issued pursuant to this Resolution. All temporary Bonds surrendered in exchange for another temporary Bond or Bonds or for a definitive Bond or Bonds shall be forthwith canceled by the Registrar.

**SECTION 2.07 Bonds Mutilated, Destroyed, Stolen or Lost.**

In case any Bond shall become mutilated, or be destroyed, stolen or lost, the Issuer may, in its discretion, issue and deliver, and the Registrar shall authenticate, a new Bond of like tenor as the Bond so mutilated, destroyed, stolen or lost (e.g., Serial Bonds will be exchanged for Serial Bonds and Capital Appreciation Bonds will be exchanged for Capital Appreciation Bonds), in exchange and substitution for such mutilated Bond upon surrender and cancellation of such mutilated Bond or in lieu of and substitution for the Bond destroyed, stolen or lost, and

upon the Holder furnishing the Issuer and the Registrar proof of such Holder's ownership thereof and satisfactory indemnity and complying with such other reasonable regulations and conditions as the Issuer or the Registrar may prescribe and paying such expenses as the Issuer and the Registrar may incur. All Bonds so surrendered or otherwise substituted shall be canceled by the Registrar. If any of the Bonds shall have matured or be about to mature, instead of issuing a substitute Bond, the Issuer may pay the same or cause the Bond to be paid, upon being indemnified as aforesaid, and if such Bonds be lost, stolen or destroyed, without surrender thereof.

Any such duplicate Bonds issued pursuant to this Section 2.07 shall constitute original, additional contractual obligations on the part of the Issuer whether or not the lost, stolen or destroyed Bond be at any time found by anyone, and such duplicate Bond shall be entitled to equal and proportionate benefits and rights as to lien on the Pledged Funds to the same extent as all other Bonds issued hereunder.

#### **SECTION 2.08    Transfer.**

Bonds, upon surrender thereof at the office of the Registrar with a written instrument of transfer satisfactory to the Registrar, duly executed by the Holder thereof or such Holder's attorney duly authorized in writing, may, at the option of the Holder thereof, be exchanged for an equal aggregate principal amount of registered Bonds of the same Series, maturity of any other authorized denominations and type (e.g., Serial Bonds will be exchanged for Serial Bonds and Capital Appreciation Bonds will be exchanged for Capital Appreciation Bonds).

The Bonds issued under this Resolution shall be and have all the qualities and incidents of negotiable instruments under the law merchant and the Uniform Commercial Code of the State, subject to the provisions for registration and transfer contained in this Resolution and in the Bonds. So long as any of the Bonds shall remain Outstanding, the Issuer shall maintain and keep, at the office of the Registrar, books for the registration and transfer of the Bonds.

Each Bond shall be transferable only upon the books of the Issuer, at the office of the Registrar, under such reasonable regulations as the Issuer may prescribe, by the Holder thereof in person or by such Holder's attorney duly authorized in writing upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar duly executed and guaranteed by the Holder or such Holder's duly authorized attorney. Upon the transfer of any such Bond, the Issuer shall issue, and cause to be authenticated, in the name of the transferee a new Bond or Bonds of the same aggregate principal amount and Series and maturity as the surrendered Bond. The Issuer, the Registrar and any Paying Agent or fiduciary of the Issuer may deem and treat the Person in whose name any Outstanding Bond shall be registered upon the books of the Issuer as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price, if applicable, and interest on such Bond and for all other purposes, and all such payments so made to any such Holder or upon such Holder's order shall be valid and effectual to satisfy

and discharge the liability upon such Bond to the extent of the sum or sums so paid and neither the Issuer nor the Registrar nor any Paying Agent or other fiduciary of the Issuer shall be affected by any notice to the contrary.

The Registrar, in any case where it is not also the Paying Agent in respect to any Series of Bonds, forthwith (A) following the fifteenth day prior to an Interest Date for such Series; (B) following the fifteenth day next preceding the date of first mailing of notice of redemption of any Bonds of such Series; and (C) at any other time as reasonably requested by the Paying Agent of such Series, shall certify and furnish to such Paying Agent the names, addresses and holdings of Bondholders and any other relevant information reflected in the registration books. Any Paying Agent of any fully registered Bond shall effect payment of interest on such Bonds by mailing a check or draft to the Holder entitled thereto or may, in lieu thereof, upon the request and at the expense of such Holder, transmit such payment by bank wire transfer for the account of such Holder.

In all cases in which the privilege of exchanging Bonds or transferring Bonds is exercised, the Issuer shall execute and the Registrar shall authenticate and deliver such Bonds in accordance with the provisions of this Resolution. Execution of Bonds pursuant to Section 2.04 hereof for purposes of exchanging, replacing or transferring Bonds may occur at the time of the original delivery of the Series of which such Bonds are a part. All Bonds surrendered in any such exchanges or transfers shall be held by the Registrar in safekeeping until directed by the Issuer to be canceled by the Registrar. For every such exchange or transfer of Bonds, the Issuer or the Registrar may make a charge sufficient to reimburse it for any tax, fee, expense or other governmental charge required to be paid with respect to such exchange or transfer. The Issuer and the Registrar shall not be obligated to make any such exchange or transfer of Bonds of any Series during the fifteen days next preceding an Interest Date on the Bonds of such Series (other than Variable Rate Bonds), or, in the case of any proposed redemption of Bonds of such Series, then during the fifteen days next preceding the date of the first mailing of notice of such redemption and continuing until such redemption date.

**SECTION 2.09 Coupon Bonds; Capital Appreciation Bonds; Variable Rate Bonds.**

The Issuer, at its discretion, may by Supplemental Resolution authorize the issuance of coupon Bonds, registrable as to principal only or as to both principal and interest, Capital Appreciation Bonds or Variable Rate Bonds. Such Supplemental Resolution shall provide for the negotiability, transfer, interchangeability, denominations and form of such Bonds and, if applicable, coupons appertaining thereto. Coupon Bonds (other than Taxable Bonds) shall only be issued if an opinion of Bond Counsel is received to the effect that issuance of such coupon Bonds will not adversely affect the exclusion from gross income of interest earned on such Bonds for federal income tax purposes.

**SECTION 2.10 Form of Bonds.**

The text of the Bonds, except as otherwise provided pursuant to Section 2.09 hereof (the form of which shall be provided by Supplemental Resolution of the Issuer) shall be in substantially the following form with such non-material omissions, insertions and variations as may be necessary and/or desirable and approved by the Mayor prior to the issuance thereof (which necessity and/or desirability and approval shall be presumed by the Issuer's delivery of the Bonds to the purchaser or purchasers thereof):

[Remainder of page intentionally left blank]

No. R-\_\_\_\_ \$\_\_\_\_\_

CITY OF ST. PETERSBURG  
PUBLIC SERVICE TAX REVENUE BOND, SERIES \_\_\_\_\_

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
%	_____ 1, ____	_____ / ____	_____

Registered Holder: \_\_\_\_\_

Principal Amount: \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, that the City of St. Petersburg, Florida, a municipality created and existing under and by virtue of the laws of the State of Florida (the "Issuer"), for value received, hereby promises to pay, solely from the Pledged Funds hereinafter described, to the Registered Holder identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and interest on such Principal Amount from the Date of Original Issue identified above or from the most recent interest payment date to which interest has been paid at the Interest Rate per annum identified above on \_\_\_\_\_ 1 and \_\_\_\_\_ 1 of each year commencing \_\_\_\_\_ 1, \_\_\_\_, until such Principal Amount shall have been paid, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond shall be computed on the basis of a 360-day year consisting of twelve 30-day months.

Such Principal Amount and interest and the redemption premium, if any, on this Bond are payable in any coin or currency of the United States of America which, on the respective dates of payment thereof, shall be legal tender for the payment of public and private debts. Such Principal Amount and the redemption premium, if any, on this Bond, are payable, upon presentation and surrender hereof, at the designated corporate trust office of \_\_\_\_\_, \_\_\_\_\_, as Paying Agent. Payment of each installment of interest shall be made to the person in whose name this Bond shall be registered on the registration books of the Issuer maintained by \_\_\_\_\_, \_\_\_\_\_, as Registrar, at the close of business on the date which shall be the fifteenth day (whether or not a business day) of the calendar month next preceding each interest payment date and shall be paid by a check or draft of such Paying Agent mailed to such Registered Holder at the address appearing on such registration books or, at the option of such Paying Agent, and at the request and expense of such Registered Holder, by bank wire transfer for the account of such Holder. In the event interest payable on this Bond is not punctually paid or duly provided for by the

Issuer on such interest payment date, payment of each installment of such defaulted interest shall be made to the person in whose name this Bond shall be registered at the close of business on a special record date for the payment of such defaulted interest as established by notice to such Registered Holder, not less than ten days preceding such special record date.

This Bond is one of an authorized issue of Bonds in the aggregate principal amount of \$\_\_\_\_\_ (the "Bonds") of like date, tenor and effect, except as to maturity date, interest rate, denomination and number, issued to finance, refinance and/or reimburse the Cost of any design, and the planning, site preparation, demolition, acquisition, installation, construction, reconstruction, renovation and/or equipping of \_\_\_\_\_, under the authority of and in full compliance with the Constitution and laws of the State of Florida, Chapter 163, Part III, Florida Statutes, if applicable, Chapter 166, Florida Statutes, the municipal charter of the Issuer, Chapter 17, Article II of the St. Petersburg City Code, and other applicable provisions of law (collectively, the "Act"), and Resolution No. 2015-\_\_ duly adopted by the City Council of the Issuer on \_\_\_\_\_, 2015, as may be amended and supplemented from time to time, and as particularly supplemented by Resolution No. 2015-\_\_ duly adopted by the City Council of the Issuer on \_\_\_\_\_, 2015 (collectively, the "Resolution"), and is subject to the terms and conditions of the Resolution. Capitalized undefined terms used herein shall have the meaning ascribed thereto in the Resolution.

The Bonds and the interest thereon are payable solely from and secured by a lien upon and a pledge of Public Service Tax Revenues, and until applied in accordance with the provisions of the Resolution, all moneys, including investments thereof, in certain of the funds and accounts established by the Resolution, all in the manner and to the extent described in the Resolution (collectively, the "Pledged Funds").

IT IS EXPRESSLY AGREED BY THE REGISTERED HOLDER OF THIS BOND THAT THE FULL FAITH AND CREDIT OF THE ISSUER, THE STATE OF FLORIDA, OR ANY POLITICAL SUBDIVISION THEREOF, ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL, REDEMPTION PREMIUM, IF ANY, AND INTEREST ON THIS BOND AND THAT SUCH HOLDER SHALL NEVER HAVE THE RIGHT TO REQUIRE OR COMPEL THE EXERCISE OF ANY TAXING POWER OF THE ISSUER, THE STATE OF FLORIDA, OR ANY POLITICAL SUBDIVISION THEREOF, TO THE PAYMENT OF SUCH PRINCIPAL, REDEMPTION PREMIUM, IF ANY, OR INTEREST. THIS BOND AND THE OBLIGATION EVIDENCED HEREBY SHALL NOT CONSTITUTE A LIEN UPON ANY PROPERTY OF THE ISSUER OTHER THAN THE PLEDGED FUNDS, AND SHALL CONSTITUTE A LIEN ONLY ON, AND SHALL BE PAYABLE SOLELY FROM, THE PLEDGED FUNDS IN THE MANNER AND TO THE EXTENT DESCRIBED IN THE RESOLUTION.

Neither the members of the City Council of the Issuer nor any person executing this Bond shall be liable personally hereon or be subject to any personal liability or accountability by reason of the issuance hereof.

REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS BOND SET FORTH ON THE REVERSE SIDE HEREOF AND SUCH FURTHER PROVISIONS SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF SET FORTH IN THIS PLACE.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

IN WITNESS WHEREOF, the City of St. Petersburg, Florida has issued this Bond and has caused the same to be executed by the manual signature of the Mayor, attested by the manual signature of its City Clerk, approved as to form and correctness by the manual signature of the City Attorney, and its official seal or a facsimile thereof to be affixed or reproduced hereon, all as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY OF ST. PETERSBURG, FLORIDA**

(SEAL)

\_\_\_\_\_  
Mayor

ATTESTED:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND CORRECTNESS

\_\_\_\_\_  
City Attorney, or his or her designee

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue described in the within-mentioned Resolution.

DATE OF AUTHENTICATION:

\_\_\_\_\_

\_\_\_\_\_  
Registrar

By: \_\_\_\_\_  
Authorized Officer

[Provisions on Reverse Side of Bond]

This Bond is transferable in accordance with the terms of the Resolution only upon the books of the Issuer kept for that purpose at the designated corporate trust office of the Registrar by the Registered Holder hereof in person or by such Holder's attorney duly authorized in writing, upon the surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the Registered Holder or such Holder's attorney duly authorized in writing, and thereupon a new Bond or Bonds in the same aggregate principal amount shall be issued to the transferee in exchange therefor, and upon the payment of the charges, if any, therein prescribed. The Bonds are issuable in the form of fully registered Bonds in the denominations of \$5,000 and integral multiples thereof, not exceeding the aggregate principal amount of the Bonds maturing on the same date. The Issuer, the Registrar and any Paying Agent may treat the Registered Holder of this Bond as the absolute owner hereof for all purposes, whether or not this Bond shall be overdue, and shall not be affected by any notice to the contrary. The Issuer and the Registrar shall not be obligated to make any exchange or transfer of the Bonds during the fifteen days next preceding an interest payment date, or in the case of any proposed redemption of the Bonds, then, during the fifteen days next preceding the date of the first mailing of notice of such redemption.

[INSERT REDEMPTION PROVISIONS]

Notice of redemption, unless waived, is to be given by the Registrar by mailing an official redemption notice by registered or certified mail at least 30 days and not more than 60 days prior to the date fixed for redemption to the Registered Holders of the Bonds to be

redeemed at such Holders' addresses shown on the registration books maintained by the Registrar or at such other addresses as shall be furnished in writing by such Registered Holders to the Registrar. Provided, however, that no defect in any such notice to any Registered Holder of Bonds to be redeemed nor failure to give such notice to any such Registered Holder nor failure of any such Registered Holder to receive such notice shall in any manner defeat the effectiveness of a call for redemption as to all other Registered Holders of Bonds to be redeemed. Notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the Issuer shall default in the payment of the redemption price), such Bonds or portions of Bonds shall cease to bear interest.

It is hereby certified and recited that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond, exist, have happened and have been performed, in regular and due form and time as required by the laws and Constitution of the State of Florida applicable thereto, and that the issuance of the Bonds does not violate any constitutional or statutory limitations or provisions.

[VALIDATION CERTIFICATE]

This Bond is one of a series of Bonds validated and confirmed by judgment of the Circuit Court of the Sixth Judicial Circuit, in and for Pinellas County, Florida, rendered on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mayor]

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
[Insert Name, Address, Social Security or Other Identifying Number of Assignee]

the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_ as attorneys to register the transfer of the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

NOTICE: The signature to this assignment must correspond with the name of the Registered Holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever and the Social Security or other identifying number of such assignee must be supplied.

The following abbreviations, when used in the inscription on the face of the within Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

TEN ENT -- as tenants by the entireties

JT TEN-- as joint tenants with right of survivorship and not as tenants in common

UNIF TRANS MIN ACT -- \_\_\_\_\_  
(Cust.)

Custodian for \_\_\_\_\_

under Uniform Transfer to Minors Act of \_\_\_\_\_  
(State)

Additional abbreviations may also be used though not in the list above.

STATEMENT OF INSURANCE

[IF APPLICABLE, INSERT INSURER LANGUAGE]

**ARTICLE III  
REDEMPTION OF BONDS**

**SECTION 3.01 Privilege of Redemption.**

The terms of this Article III shall apply to redemption of Bonds other than Variable Rate Bonds. The terms and provisions relating to redemption of Variable Rate Bonds shall be provided by Supplemental Resolution.

**SECTION 3.02 Selection of Bonds to be Redeemed.**

The Bonds shall be redeemed only in the principal amount of \$5,000 each and integral multiples thereof. The Issuer shall, at least sixty days prior to the redemption date (unless a shorter time period shall be satisfactory to the Registrar) notify the Registrar of such redemption date and of the principal amount of Bonds to be redeemed. For purposes of any redemption of less than all of the Outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected not more than forty-five days prior to the redemption date by the Registrar from the Outstanding Bonds of the maturity or maturities designated by the Issuer by such method as the Registrar shall deem fair and appropriate and which may provide for the selection for redemption of Bonds or portions of Bonds in principal amounts of \$5,000 and integral multiples thereof.

If less than all of the Outstanding Bonds of a single maturity are to be redeemed, the Registrar shall promptly notify the Issuer and Paying Agent (if the Registrar is not the Paying Agent for such Bonds) in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

**SECTION 3.03 Notice of Redemption.**

Unless waived by any Holder of Bonds to be redeemed, notice of any redemption made pursuant to this section shall be given by the Registrar on behalf of the Issuer by mailing a copy of an official redemption notice by registered or certified mail at least thirty days and not more than sixty days prior to the date fixed for redemption to each Holder of Bonds to be redeemed at the address of such Holder shown on the registration books maintained by the Registrar or at such other address as shall be furnished in writing by such Holder to the Registrar; provided, however, that no defect in any notice given pursuant to this Section to any Holder of Bonds to be redeemed nor failure to give such notice shall in any manner defeat the effectiveness of a call for redemption as to all other Holders of Bonds to be redeemed.

Every official notice of redemption shall be dated and shall state:

1. the redemption date,

2. the Redemption Price,
3. if less than all Outstanding Bonds are to be redeemed, the number (and, in the case of a partial redemption of any Bond, the principal amount) of each Bond to be redeemed,
4. that, on the redemption date, the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and
5. that such Bonds to be redeemed, whether as a whole or in part, are to be surrendered for payment of the Redemption Price at the designated office of the Registrar.

Prior to any redemption date, the Issuer shall deposit with the Registrar an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds which are to be redeemed on that date.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall, on the redemption date, become due and payable at the Redemption Price therein specified, and from and after such date (unless the Issuer shall default in the payment of the Redemption Price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Registrar at the Redemption Price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Holder a new Bond or Bonds of the same maturity in the amount of the unpaid principal of such partially redeemed Bond. All Bonds which have been redeemed shall be canceled and destroyed by the Registrar and shall not be reissued.

Notwithstanding the foregoing or any other provision hereof, notice of optional redemption pursuant to this Section 3.03 may be conditioned upon the occurrence or non-occurrence of such event or events as shall be specified in such notice of optional redemption and may also be subject to rescission by the Issuer if expressly set forth in such notice.

#### **SECTION 3.04 Redemption of Portions of Bonds.**

Any Bond which is to be redeemed only in part shall be surrendered at any place of payment specified in the notice of redemption (with due endorsement by, or written instrument of transfer in form satisfactory to, the Registrar duly executed by, the Holder thereof or such Holder's attorney duly authorized in writing) and the Issuer shall execute and the Registrar shall authenticate and deliver to the Holder of such Bond, without service charge, a new Bond or Bonds, of the same interest rate and maturity, and of any authorized denomination as

requested by such Holder, in an aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bonds so surrendered.

**SECTION 3.05 Payment of Redeemed Bonds.**

Notice of redemption having been given substantially as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the Redemption Price therein specified, and from and after such date (unless the Issuer shall default in the payment of the Redemption Price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Registrar and/or Paying Agent at the appropriate Redemption Price, plus accrued interest. All Bonds which have been redeemed shall be canceled by the Registrar and shall not be reissued.

**ARTICLE IV  
SECURITY, SPECIAL FUNDS AND APPLICATION THEREOF**

**SECTION 4.01 Bonds not to be Indebtedness of Issuer.**

THE BONDS SHALL NOT BE OR CONSTITUTE GENERAL OBLIGATIONS OR INDEBTEDNESS OF THE ISSUER AS "BONDS" WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION, BUT SHALL BE SPECIAL OBLIGATIONS OF THE ISSUER, PAYABLE SOLELY FROM AND SECURED BY A LIEN UPON AND PLEDGE OF THE PLEDGED FUNDS. NO HOLDER OF ANY BOND SHALL EVER HAVE THE RIGHT TO COMPEL THE EXERCISE OF ANY AD VALOREM TAXING POWER TO PAY SUCH BOND, OR BE ENTITLED TO PAYMENT OF SUCH BOND FROM ANY MONEYS OF THE ISSUER EXCEPT FROM THE PLEDGED FUNDS IN THE MANNER PROVIDED HEREIN.

The Pledged Funds shall immediately be subject to the lien of this pledge without any physical delivery thereof or further act, and the lien of this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Issuer.

**SECTION 4.02 Security for Bonds.**

The payment of the principal of, Redemption Price, if applicable, and interest on the Bonds shall be secured forthwith equally and ratably by a pledge of and lien upon the Pledged Funds. The Issuer does hereby irrevocably pledge the Pledged Funds to the payment of the principal of or Redemption Price, if applicable, and interest on the Bonds in accordance with the provisions hereof.

**SECTION 4.03    Construction Fund.**

The Issuer covenants and agrees to establish a separate fund in a bank or trust company in the State, which is eligible under the laws of such State to receive funds of the Issuer, to be known as the "City of St. Petersburg, Florida Public Service Tax Revenue Bonds Construction Fund" (the "Construction Fund") which shall be used only for payment of the Cost of a Project. Moneys in the Construction Fund which derive from a particular Series of Bonds, until applied in payment of any item of the Cost of a Project, in the manner hereinafter provided, shall be held in trust by the Issuer and shall be subject to a lien and charge in favor of the Holders of such Series of Bonds and for the further security of such Holders.

**SECTION 4.04    Funds and Accounts.**

The Issuer covenants and agrees to establish with a bank or trust company in the State of Florida, which is eligible under the laws of such State to receive funds of the Issuer, separate funds to be known as the "City of St. Petersburg, Florida Public Service Tax Revenue Bonds Revenue Fund" (the "Revenue Fund") and the "City of St. Petersburg, Florida Public Service Tax Revenue Bonds Debt Service Fund" (the "Debt Service Fund"). The Issuer shall maintain in the Revenue Fund two accounts: the "Restricted Revenue Account" and the "Unrestricted Revenue Account." The Issuer shall maintain in the Debt Service Fund four accounts: the "Interest Account," the "Principal Account," the "Bond Amortization Account," and the "Reserve Account." Moneys in the aforementioned funds and accounts, other than the Unrestricted Revenue Account, until applied in accordance with the provisions hereof, shall be subject to a lien and charge in favor of the Holders and for the further security of the Holders.

The Issuer shall at any time and from time to time appoint one or more qualified depositories to hold, for the benefit of the Bondholders, any one or more of the funds and accounts established hereby. Such depository or depositories shall perform at the direction of the Issuer the duties of the Issuer in depositing, transferring and disbursing moneys to and from each of such funds and accounts as herein set forth, and all records of such depository in performing such duties shall be open at all reasonable times to inspection by the Issuer and its agents and employees.

**SECTION 4.05    Flow of Funds.**

(A) Beginning on the date the Series 2015 Bonds are issued, the Issuer shall deposit the Pledged Revenues (only to the extent a sufficient amount is not already on deposit from other legally available revenue sources of the Issuer in amounts sufficient to satisfy all payment obligations hereunder), and any direct subsidy payments received from the United States Treasury relating to Direct Subsidy Bonds or any other interest subsidy or similar payments made by the Federal government, into the Restricted Revenue Account promptly upon receipt thereof. The moneys in the Restricted Revenue Account shall be deposited or credited on or before the 21st day of each month, commencing with the month in which delivery of the Series

2015 Bonds shall be made to the purchaser or purchasers thereof, or such later date as hereinafter provided, in the following manner and in the following order of priority:

1. Interest Account. The Issuer shall deposit into or credit to the Interest Account the sum which, together with the balance in said Account, shall equal the interest on all Outstanding Bonds accrued and unpaid and to accrue to the end of the then current calendar month. Moneys in the Interest Account shall be used to pay interest on the Bonds as and when the same become due, whether by redemption or otherwise, and for no other purpose. The Issuer shall adjust the amount of the deposit into the Interest Account not later than the month immediately preceding any Interest Date so as to provide sufficient moneys in the Interest Account to pay the interest on the Bonds coming due on such Interest Date. Any direct subsidy payments received from the United States Treasury relating to Direct Subsidy Bonds or any other interest subsidy or similar payments made by the Federal government shall be used to pay interest on Bonds issued as Direct Subsidy Bonds.

2. Principal Account. Next, the Issuer shall deposit into or credit to the Principal Account the sum which, together with the balance in said Account, shall equal the principal amounts on all Outstanding Bonds due and unpaid and that portion of the principal next due within one year which would have accrued on said Bonds during the then current calendar month if such principal amounts were deemed to accrue monthly (assuming that a year consists of twelve equivalent calendar months of thirty days each) in equal amounts from the next preceding principal payment due date, or, if there is no such preceding principal payment due date, from a date one year preceding the due date of such principal amount. Moneys in the Principal Account shall be used to pay the principal of the Bonds as and when the same shall mature, and for no other purpose. The Issuer shall adjust the amount of deposit to the Principal Account not later than the month immediately preceding any principal payment date so as to provide sufficient moneys in the Principal Account to pay the principal on Bonds becoming due on such principal payment date.

3. Bond Amortization Account. Commencing in the month which is one year prior to any Amortization Installment due date, the Issuer shall deposit into or credit to the Bond Amortization Account the sum which, together with the balance in said Account, shall equal the Amortization Installments on all Bonds Outstanding due and unpaid and that portion of the Amortization Installments of all Bonds Outstanding next due which would have accrued on such Bonds during the then current calendar month if such Amortization Installments were deemed to accrue monthly (assuming that a year consists of twelve equivalent calendar months having thirty days each) in equal amounts from the next preceding Amortization Installment due date, or, if there is no such preceding Amortization Installment due date, from a date one year preceding the due date of such Amortization Installment. Moneys in the Bond Amortization

Account shall be used to purchase or redeem Term Bonds in the manner herein provided, and for no other purpose. The Issuer shall adjust the amount of the deposit into the Bond Amortization Account not later than the 21<sup>st</sup> month immediately preceding any date for payment of an Amortization Installment so as to provide sufficient moneys in the Bond Amortization Account to pay the Amortization Installments on the Bonds coming due on such date. Payments to the Bond Amortization Account shall be on a parity with payments to the Principal Account.

Amounts accumulated in the Bond Amortization Account with respect to any Amortization Installment (together with amounts accumulated in the Interest Account with respect to interest, if any, on the Term Bonds for which such Amortization Installment was established) may be applied by the Issuer, on or prior to the sixtieth day preceding the due date of such Amortization Installment (a) to the purchase of Term Bonds of the Series and maturity for which such Amortization Installment was established, at a price not greater than the Redemption Price at which such Term Bonds may be redeemed on the first date thereafter on which such Term Bonds shall be subject to redemption, or (b) to the redemption at the applicable Redemption Price of such Term Bonds, if then redeemable by their terms. The applicable Redemption Price (or principal amount of maturing Term Bonds) of any Term Bonds so purchased or redeemed shall be deemed to constitute part of the Bond Amortization Account until such Amortization Installment date, for the purposes of calculating the amount of such Account. As soon as practicable after the sixtieth day preceding the due date of any such Amortization Installment, the Issuer shall proceed to call for redemption on such due date, by causing notice to be given as provided in Section 3.03 hereof, Term Bonds of the Series and maturity for which such Amortization Installment was established (except in the case of Term Bonds maturing on an Amortization Installment date) in such amount as shall be necessary to complete the retirement of the unsatisfied balance of such Amortization Installment. The Issuer shall pay out of the Bond Amortization Account and the Interest Account to the appropriate Paying Agents, on or before the day preceding such redemption date (or maturity date), the amount required for the redemption (or for the payment of such Term Bonds then maturing), and such amount shall be applied by such Paying Agents to such redemption (or payment). All expenses in connection with the purchase or redemption of Term Bonds shall be paid by the Issuer from the Revenue Fund.

4. Reserve Account. Next, the Issuer shall deposit into or credit to the Reserve Account and/or any subaccount hereafter created therein a sum sufficient to maintain therein an amount equal to the applicable Reserve Account Requirement. Moneys in the Reserve Account (or any subaccount therein) shall be used only for the purpose of the payment of maturing principal, interest or Amortization Installments on the Bonds which are secured thereby when the other moneys in the Debt Service Fund are insufficient therefor, and for no other purpose. However, whenever the moneys on

deposit in the Reserve Account (or any subaccount therein) exceed the applicable Reserve Account Requirement, such excess shall be withdrawn and deposited into the Interest Account.

Upon the issuance of any Additional Bonds under the terms, limitations and conditions as herein provided, the Issuer may, on the date of delivery of such Additional Bonds, create and establish a separate subaccount in the Reserve Account to secure such Series of Bonds, and may also establish an applicable Reserve Account Requirement. Such required sum may be paid in full or in part from the proceeds of such Additional Bonds.

Notwithstanding the foregoing provisions, in lieu of the required cash deposits into the Reserve Account (or any subaccounts therein), the Issuer may, at any time, cause to be deposited into the Reserve Account (or any subaccounts therein) a surety bond, irrevocable letter of credit, guaranty or an insurance policy for the benefit of the applicable Bondholders in an amount equal to the difference between the applicable Reserve Account Requirement and the sums then on deposit in the Reserve Account and/or subaccount therein. Such surety bond, irrevocable letter of credit, guaranty or insurance policy shall be payable to the Paying Agent (upon the giving of notice as required thereunder) on any Interest Date on which a deficiency exists which cannot be cured by funds in any other fund or account held pursuant to this Resolution and available for such purpose. Repayment of draws made from a surety bond, irrevocable letter of credit, guaranty or an insurance policy provided pursuant to this paragraph, shall be made in accordance with a Supplemental Resolution.

Whenever the amount in the Reserve Account or any subaccount therein, together with the other amounts in the Debt Service Fund, are sufficient to fully pay all applicable Outstanding Bonds in accordance with their terms (including principal or applicable Redemption Price and interest thereon), the funds on deposit in the Reserve Account (or any subaccounts therein) may be transferred to the other accounts of the Debt Service Fund for the payment of such Bonds.

5. Unrestricted Revenue Account. The balance of any moneys after the deposits required by Sections 4.05(A)(1) through 4.05(A)(4) hereof may be transferred, at the discretion of the Issuer, to the Unrestricted Revenue Account or to any other appropriate fund or account of the Issuer and be used for any lawful purpose.

(B) The Issuer, in its discretion, may use moneys in the Principal Account and the Interest Account to purchase or redeem Bonds coming due on the next principal payment date, provided such purchase or redemption does not adversely affect the Issuer's ability to pay the principal or interest coming due on such principal payment date on the Bonds not so purchased or redeemed.

(C) At least one business day prior to the date established for payment of any principal of or Redemption Price, if applicable, or interest on the Bonds, the Issuer shall withdraw from the appropriate account of the Debt Service Fund sufficient moneys to pay such principal or Redemption Price, if applicable, or interest and deposit such moneys with the Paying Agent for the Bonds to be paid.

**SECTION 4.06 Investments.**

The Construction Fund, the Restricted Revenue Account and the Debt Service Fund shall be continuously secured in the manner by which the deposit of public funds are authorized to be secured by the laws of the State and the investment policy of the Issuer. Moneys on deposit in the Construction Fund, the Restricted Revenue Account and the Debt Service Fund may be invested and reinvested in Permitted Investments maturing no later than the date on which the moneys therein will be needed. Any and all income received by the Issuer from the investment of moneys in each account of the Construction Fund, the Interest Account, the Principal Account, the Bond Amortization Account, the Reserve Account or any subaccounts therein (but only to the extent that the amount therein is less than the applicable Reserve Account Requirement) and the Restricted Revenue Account shall be retained in such respective Fund or Account unless otherwise required by applicable law. To the extent that the amount in the Reserve Account or any subaccounts therein is equal to or greater than the applicable Reserve Account Requirement, any and all income received by the Issuer from the investment of moneys therein shall be transferred, upon receipt, and deposited into the Interest Account.

Nothing contained in this Resolution shall prevent any Permitted Investments acquired as investments of or security for funds held under this Resolution from being issued or held in book-entry form on the books of the Department of the Treasury of the United States.

**SECTION 4.07 Separate Accounts.**

The moneys required to be accounted for in each of the foregoing funds and accounts established herein may be deposited in a single bank account, and funds allocated to the various funds and accounts established herein may be invested in a common investment pool, provided that adequate accounting records are maintained to reflect and control the restricted allocation of the moneys on deposit therein and such investments for the various purposes of such funds and accounts as herein provided.

The designation and establishment of the various funds and accounts in and by this Resolution shall not be construed to require the establishment of any completely independent, self-balancing funds as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of certain revenues for certain purposes and to establish certain priorities for application of such revenues as herein provided.

**ARTICLE V**  
**SUBORDINATED INDEBTEDNESS,**  
**ADDITIONAL BONDS, AND COVENANTS OF ISSUER**

**SECTION 5.01    Subordinated Indebtedness.**

The Issuer will not issue any other obligations, except under the conditions and in the manner provided herein, payable from the Pledged Funds or voluntarily create or cause to be created any debt, lien, pledge, assignment, encumbrance or other charge having priority to or being on a parity with the lien thereon in favor of the Bonds and the interest thereon. The Issuer may at any time or from time to time issue evidences of indebtedness payable in whole or in part out of the Pledged Funds and which may be secured by a pledge of the Pledged Funds; provided, however, that such pledge shall be, and shall be expressed to be, subordinated in all respects to the pledge of the Pledged Funds created by this Resolution. The Issuer shall have the right to covenant with the holders from time to time of any Subordinated Indebtedness to add to the conditions, limitations and restrictions under which any Additional Bonds may be issued pursuant to Section 5.02 hereof. The Issuer agrees to pay promptly any Subordinated Indebtedness as the same shall become due.

**SECTION 5.02    Issuance of Additional Bonds.**

No Additional Bonds, payable on a parity with the Bonds then Outstanding pursuant to this Resolution, shall be issued except upon the conditions and in the manner herein provided. The Issuer may issue one or more Series of Additional Bonds for any one or more of the following purposes: financing, refinancing and/or reimbursing the Cost of an Additional Project, or the completion thereof or of the Initial Project of the Issuer, or refinancing Subordinate Indebtedness.

No such Additional Bonds shall be issued unless the following conditions are complied with:

(A) There shall have been obtained and filed with the Issuer a statement of the Finance Director (1) setting forth the amount of the Pledged Revenues which have been received by the Issuer during the most recent Fiscal Year for which audited financial statements are available; and (2) stating that the amount of the Pledged Revenues received during the aforementioned twelve month period equaled at least 1.50 times the Maximum Annual Debt Service of all Bonds then Outstanding including such proposed Additional Bonds with respect to which such statement is made (together with Policy Costs). "Policy Costs" means any repayment or payment obligations due and owing in connection with on any surety bond on deposit in the Reserve Account. In the event the Act is amended to provide for additional Pledged Revenues to be distributed to the Issuer, the Issuer may then for the purpose of determining whether there are sufficient Pledged Revenues to meet the coverage tests specified in this Section 5.02(A), have

the Finance Director assume that such additional Pledged Revenues were in effect during the applicable Fiscal Year.

For the purposes of the covenants contained in this Section 5.02, Annual Debt Service with respect to Variable Rate Bonds shall be determined assuming that such obligations bear interest at the higher of 6.00% per annum or the actual interest rate borne during the month immediately preceding the date of calculation. The foregoing notwithstanding, for purposes of calculating Annual Debt Service, any Variable Rate Bonds with respect to which the Issuer has entered into an interest rate swap or interest rate cap for a notional amount equal to the principal amount of such variable rate indebtedness shall be treated for purposes of this Section 5.02 as bearing interest at a fixed rate equal to the fixed rate payable by the Issuer under the interest rate swap, or the capped rate provided by the interest rate cap.

(B) Additional Bonds shall be deemed to have been issued pursuant to this Resolution the same as the Outstanding Bonds, and all of the other covenants and other provisions of this Resolution (except as to details of such Additional Bonds inconsistent therewith) shall be for the equal benefit, protection and security of the Holders of all Bonds issued pursuant to this Resolution. All Bonds, regardless of the time or times of their issuance, shall rank equally with respect to their lien on the Pledged Funds and their sources and security for payment therefrom without preference of any Bond over any other.

(C) In the event any Additional Bonds are issued for the purpose of refunding any Bonds then Outstanding, the conditions of this Section 5.02 shall not apply, provided that the issuance of such Additional Bonds shall not result in an increase in the aggregate amount of Annual Debt Service on the Outstanding Bonds becoming due in the current Bond Year or in any subsequent Bond Years. The conditions of Section 5.02(A) hereof shall apply to Additional Bonds issued to refund Subordinated Indebtedness and to Additional Bonds issued for refunding purposes which cannot meet the conditions of this paragraph.

#### **SECTION 5.03 Bond Anticipation Notes.**

Subject to Sections 5.01 or 5.02 hereof, the Issuer may issue notes in anticipation of the issuance of Bonds which shall have such terms and details and be secured in such manner, not inconsistent with this Resolution, as shall be provided by Resolution of the Issuer.

#### **SECTION 5.04 Books and Records.**

The Issuer will keep books and records of the receipt of the Pledged Revenues in accordance with generally accepted accounting principles, and any Holder or Holders of Bonds shall have the right at all reasonable times to inspect the records, accounts and data of the Issuer relating thereto.

**SECTION 5.05 Annual Audit.**

The Issuer shall, within a reasonable amount of time after the close of each Fiscal Year, cause the financial statements of the Issuer to be properly audited by a recognized independent certified public accountant or recognized independent firm of certified public accountants, and shall require such accountants to complete their report on the annual financial statements in accordance with applicable law. Such annual financial statements shall contain, but not be limited to, a balance sheet, a statement of revenues, expenditures and changes in fund balance, and any other statements as required by law or accounting convention. The annual financial statements shall be prepared in conformity with generally accepted accounting principles. A copy of the audited financial statements for each Fiscal Year shall be furnished to any Holder of a Bond who shall have furnished such Holder's address to the Clerk and requested in writing that the same be furnished to such Holder. The Issuer shall be permitted to make a reasonable charge for furnishing such audited financial statements.

**SECTION 5.06 No Impairment.**

As long as there are Bonds Outstanding hereunder, the pledging of the Pledged Funds in the manner provided herein shall not be subject to repeal, modification or impairment by any subsequent ordinance, resolution or other proceedings of the City Council of the Issuer.

**SECTION 5.07 Collection of Pledged Revenues.**

The Issuer covenants to do all things necessary on its part to continue the receipt of the Pledged Revenues in compliance with the Act and any successor provision of law governing the same. The Issuer will proceed diligently to perform legally and effectively all steps required on its part to receive the Pledged Revenues and shall exercise all legally available remedies to enforce such collections now or hereafter available under State law.

**SECTION 5.08 Federal Income Tax Covenants; Taxable Bonds.**

(A) The Issuer covenants with the Holders of each Series of Bonds (other than Taxable Bonds) that it shall not use the proceeds of such Series of Bonds in any manner which would cause the interest on such Series of Bonds to be or become includable in the gross income of the Holder thereof for federal income tax purposes.

(B) The Issuer covenants with the Holders of each Series of Bonds (other than Taxable Bonds) that neither the Issuer nor any Person under its control or direction will make any use of the proceeds of such Series of Bonds (or amounts deemed to be proceeds under the Code) in any manner which would cause such Series of Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and neither the Issuer nor any other Person shall do any act or fail to do any act which would cause the interest on such Series of Bonds to become includable in the gross income of the Holder thereof for federal income tax purposes.

(C) The Issuer hereby covenants with the Holders of each Series of Bonds (other than Taxable Bonds) that it will comply with all provisions of the Code necessary to maintain the exclusion of interest on the such Bonds from the gross income of the Holder thereof for federal income tax purposes, including, in particular, the payment of any amount required to be rebated to the U.S. Treasury pursuant to the Code.

(D) The Issuer may, if it so elects, issue one or more Series of Taxable Bonds the interest on which is (or may be) includable in the gross income of the Holder thereof for federal income tax purposes, so long as each Bond of such Series states in the body thereof that interest payable thereon is (or may be) subject to federal income taxation and provided that the issuance thereof will not cause the interest on any other Bonds theretofore issued hereunder to be or become includable in the gross income of the Holder thereof for federal income tax purposes. The covenants set forth in paragraphs (A), (B) and (C) above shall not apply to any Taxable Bonds.

## ARTICLE VI DEFAULTS AND REMEDIES

### SECTION 6.01 Events of Default.

The following events shall each constitute an "Event of Default:"

(A) The Issuer shall fail to make a payment of the principal of, Amortization Installment, redemption premium or interest on any Bond when such payment becomes due.

(B) There shall occur the dissolution or liquidation of the Issuer, or the filing by the Issuer of a voluntary petition in bankruptcy, or the commission by the Issuer of any act of bankruptcy, or adjudication of the Issuer as a bankrupt, or assignment by the Issuer for the benefit of its creditors, or appointment of a receiver for the Issuer, or the entry by the Issuer into an agreement of composition with its creditors, or the approval by a court of competent jurisdiction of a petition applicable to the Issuer in any proceeding for its reorganization instituted under the provisions of the Federal Bankruptcy Act, as amended, or under any similar act in any jurisdiction which may now be in effect or hereafter enacted.

(C) The Issuer shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Resolution on the part of the Issuer to be performed, and such default shall continue for a period of thirty days after written notice of such default shall have been received from the Holders of not less than twenty-five percent (25%) of the aggregate principal amount of Bonds Outstanding or the Insurer of such amount of Bonds. Notwithstanding the foregoing, the Issuer shall not be deemed in default hereunder if such default can be cured within a reasonable period of time and if the Issuer in good faith institutes curative action and diligently pursues such action until the default has been corrected.

**SECTION 6.02 Remedies.** Any Holder of Bonds issued under the provisions of this Resolution or any trustee or receiver acting for such Bondholders may either at law or in equity, by suit, action, mandamus or other proceedings in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State, or granted and contained in this Resolution, and may enforce and compel the performance of all duties required by this Resolution or by any applicable statutes to be performed by the Issuer or by any officer thereof.

The Holder or Holders of Bonds in an aggregate principal amount of not less than twenty-five percent (25%) of the Bonds then Outstanding may by a duly executed certificate in writing appoint a trustee for Holders of Bonds issued pursuant to this Resolution with authority to represent such Bondholders in any legal proceedings for the enforcement and protection of the rights of such Bondholders and such certificate shall be executed by such Bondholders or their duly authorized attorneys or representatives, and shall be filed in the office of the Clerk. Notice of such appointment, together with evidence of the requisite signatures of the Holders of not less than twenty-five percent (25%) in aggregate principal amount of Bonds Outstanding and the trust instrument under which the trustee shall have agreed to serve shall be filed with the Issuer and the trustee and notice of appointment shall be given to all Holders of Bonds in the same manner as notices of redemption are given hereunder. After the appointment of the first trust hereunder, no further trustees may be appointed; however, the Holders of a majority in aggregate principal amount of all the Bonds then Outstanding may remove the trustee initially appointed and appoint a successor and subsequent successors at any time.

Acceleration is not a remedy in the Event of Default.

**SECTION 6.03 Directions to Trustee as to Remedial Proceedings.** The Holders of a majority in principal amount of the Bonds then Outstanding (or any Insurer insuring any then Outstanding Bonds who is not in default in the performance of any of its obligations under its Insurance Policy) have the right, by an instrument or concurrent instruments in writing executed and delivered to the trustee, to direct the method and place of conducting all remedial proceedings to be taken by the trustee hereunder, provided that such direction shall not be otherwise than in accordance with law or the provisions hereof, and that the trustee shall have the right to decline to follow any such direction which in the opinion of the trustee would be unjustly prejudicial to Holders of Bonds not parties to such direction.

**SECTION 6.04 Remedies Cumulative.**

No remedy herein conferred upon or reserved to the Bondholders is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative, and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute.

**SECTION 6.05 Waiver of Default.** No delay or omission of any Bondholder to exercise any right or power accruing upon any default shall impair any such right or power or

shall be construed to be a waiver of any such default, or an acquiescence therein; and every power and remedy given by Section 6.02 of this Resolution to the Bondholders may be exercised from time to time, and as often as may be deemed expedient.

**SECTION 6.06 Application of Moneys After Default.** If an Event of Default shall happen and shall not have been remedied, the Issuer or a trustee or receiver appointed for the purpose shall apply all Pledged Funds as follows and in the following order:

(A) To the payment of the reasonable and proper charges, expenses and liabilities of the trustee or receiver, Registrar and Paying Agent hereunder; and

(B) To the payment of the interest and principal or Redemption Price, if applicable, then due on the Bonds, as follows:

FIRST: to the payment to the Persons entitled thereto of all installments of interest then due, in the order of the maturity of such installments, and, if the amount available shall not be sufficient to pay in full any particular installment, then to the payment ratably, according to the amounts due on such installment, to the Persons entitled thereto, without any discrimination or preference;

SECOND: to the payment to the Persons entitled thereto of the unpaid principal of any of the Bonds which shall have become due at maturity or as Amortization Installments upon mandatory redemption prior to maturity (other than Bonds called for redemption for the payment of which moneys are held pursuant to the provisions of Section 8.01 of this Resolution), in the order of their due dates, with interest upon such Bonds from the respective dates upon which they became due, and, if the amount available shall not be sufficient to pay in full Bonds due on any particular date, together with such interest, then to the payment first of such interest, ratably according to the amount of such interest due on such date, and then to the payment of such principal, ratably according to the amount of such principal due on such date, to the Persons entitled thereto without any discrimination or preference; and

THIRD: to the payment of the Redemption Price of any Bonds called for optional redemption pursuant to the provisions of this Resolution.

## **ARTICLE VII SUPPLEMENTAL RESOLUTIONS**

### **SECTION 7.01 Supplemental Resolutions without Bondholders' Consent.**

The Issuer, from time to time and at any time, may adopt such Supplemental Resolutions without the consent of the Bondholders (which Supplemental Resolutions shall thereafter form a part hereof) for any of the following purposes:

(A) To cure any ambiguity or formal defect or omission or to correct any inconsistent provisions in this Resolution or to clarify any matters or questions arising hereunder.

(B) To grant to or confer upon the Bondholders any additional rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the Bondholders.

(C) To add to the conditions, limitations and restrictions on the issuance of Bonds under the provisions of this Resolution other conditions, limitations and restrictions thereafter to be observed.

(D) To add to the covenants and agreements of the Issuer in this Resolution other covenants and agreements thereafter to be observed by the Issuer or to surrender any right or power herein reserved to or conferred upon the Issuer.

(E) To specify and determine the matters and things referred to in Sections 2.01, 2.02 or 2.09 hereof, and also any other matters and things relative to such Bonds which are not contrary to or inconsistent with this Resolution as theretofore in effect, or to amend, modify or rescind any such authorization, specification or determination at any time prior to the first delivery of such Bonds.

(F) To change or modify the description of the Initial Project or any Additional Project.

(G) To specify and determine matters necessary or desirable for the issuance of Variable Rate Bonds.

(H) To amend Section 5.08 hereof to make covenants relating to Direct Subsidy Bonds, if appropriate.

(I) To make any other change that, in the reasonable opinion of the Issuer, would not materially adversely affect the security for the Bonds.

**SECTION 7.02 Supplemental Resolutions with Bondholders' Consent.** Subject to the terms and provisions contained in this Section 7.02 and Sections 7.01 and 7.03 hereof, the Holder or Holders of not less than a majority in aggregate principal amount of the Bonds then Outstanding shall have the right, from time to time, anything contained in this Resolution to the contrary notwithstanding, to consent to and approve the adoption of such Supplemental Resolutions hereto as shall be deemed necessary or desirable by the Issuer for the purpose of supplementing, modifying, altering, amending, adding to or rescinding, in any particular, any of the terms or provisions contained in this Resolution; provided, however, that if such

modification or amendment will, by its terms, not take effect so long as any Bonds of any specified Series or maturity remain Outstanding, the consent of the Holders of such Bonds shall not be required and such Bonds shall not be deemed to be Outstanding for the purpose of any calculation of Outstanding Bonds under this Section 7.02. No Supplemental Resolution may be approved or adopted which shall permit or require (A) an extension of the maturity of the principal of or the payment of the interest on any Bond issued hereunder, (B) reduction in the principal amount of any Bond or the Redemption Price or the rate of interest thereon, (C) the creation of a lien upon or a pledge of other than the lien and pledge created by this Resolution which adversely affects any Bondholders, (D) a preference or priority of any Bond or Bonds over any other Bond or Bonds, or (E) a reduction in the aggregate principal amount of the Bonds required for consent to such Supplemental Resolution. Nothing herein contained, however, shall be construed as making necessary the approval by Bondholders of the adoption of any Supplemental Resolution as authorized in Section 7.01 hereof.

If, at any time the Issuer shall determine that it is necessary or desirable to adopt any Supplemental Resolution pursuant to this Section 7.02, the Clerk shall cause the Registrar to give notice of the proposed adoption of such Supplemental Resolution and the form of consent to such adoption to be mailed, postage prepaid, to all Bondholders at their addresses as they appear on the registration books. Such notice shall briefly set forth the nature of the proposed Supplemental Resolution and shall state that copies thereof are on file at the offices of the Clerk and the Registrar for inspection by all Bondholders. The Issuer shall not, however, be subject to any liability to any Bondholder by reason of its failure to cause the notice required by this Section 7.02 to be mailed and any such failure shall not affect the validity of such Supplemental Resolution when consented to and approved as provided in this Section 7.02.

Whenever the Issuer shall deliver to the Clerk an instrument or instruments in writing purporting to be executed by the Holders of not less than a majority in aggregate principal amount of the Bonds then Outstanding, which instrument or instruments shall refer to the proposed Supplemental Resolution described in such notice and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice, thereupon, but not otherwise, the Issuer may adopt such Supplemental Resolution in substantially such form, without liability or responsibility to any Holder of any Bond, whether or not such Holder shall have consented thereto.

If the Holders of not less than a majority in aggregate principal amount of the Bonds Outstanding at the time of the adoption of such Supplemental Resolution shall have consented to and approved the adoption thereof as herein provided, no Holder of any Bond shall have any right to object to the adoption of such Supplemental Resolution, or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Issuer from adopting the same or from taking any action pursuant to the provisions thereof.

Upon the adoption of any Supplemental Resolution pursuant to the provisions of this Section 7.02, this Resolution shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations under this Resolution of the Issuer and all Holders of Bonds then Outstanding shall thereafter be determined, exercised and enforced in all respects under the provisions of this Resolution as so modified and amended.

**SECTION 7.03 Supplemental Resolutions with Insurer's Consent in lieu of Bondholders' Consent.** Notwithstanding any provisions of Section 7.02 above to the contrary, if the Insurer of a particular Series of Bonds is not then in default in the performance of any of its obligations under its Insurance Policy, the approvals, consents and notifications required by Section 7.02 above to be given by or to the Holders of the Bonds, as the case may be, subject to such Insurance Policy shall be given solely by or to the Insurer, as the case may be, and the instrument contemplated by Section 7.02 above shall be executed solely by the Insurer and the Holders of the Bonds subject to such Insurance Policy shall have no right to receive such notification or give such approvals and consents or to execute such certificate except that the adoption of Supplemental Resolutions that would have any of the effects described in (A) through (E) in Section 7.02 above shall require the approval and consent of all Holders of Bonds then Outstanding and the Insurer.

## ARTICLE VIII MISCELLANEOUS

**SECTION 8.01 Defeasance.** If the Issuer shall pay or cause to be paid, or there shall otherwise be paid to the Holders of all Bonds, the principal or Redemption Price, if applicable, and interest due or to become due thereon, at the times and in the manner stipulated therein and in this Resolution, then the pledge of the Pledged Funds, and all covenants, agreements and other obligations of the Issuer to the Bondholders, shall thereupon cease, terminate and become void and be discharged and satisfied. In such event, the Paying Agents shall pay over or deliver to the Issuer all money or securities held by them pursuant to this Resolution which are not required for the payment or redemption of Bonds not theretofore surrendered for such payment or redemption.

Any Bonds or interest installments appertaining thereto, whether at or prior to the maturity or redemption date of such Bonds, shall be deemed to have been paid within the meaning of this Section 8.01 if (A) in case any such Bonds are to be redeemed prior to the maturity thereof, there shall have been taken all action necessary to call such Bonds for redemption and notice of such redemption shall have been duly given or provision shall have been made for the giving of such notice, and (B) there shall have been deposited in irrevocable trust with a banking institution or trust company by or on behalf of the Issuer either moneys in an amount which shall be sufficient, or Federal Securities the principal of and the interest on which when due will provide moneys which, together with the moneys, if any, deposited with such bank or trust company at the same time shall be sufficient, to pay the principal of or

Redemption Price, if applicable, and interest due and to become due on said Bonds on and prior to the redemption date or maturity date thereof, as the case may be. Except as hereafter provided, neither the Federal Securities nor any moneys so deposited with such bank or trust company nor any moneys received by such bank or trust company on account of principal of or Redemption Price, if applicable, or interest on said Federal Securities shall be withdrawn or used for any purpose other than, and all such moneys shall be held in trust for and be applied to, the payment, when due, of the principal of or Redemption Price, if applicable, of the Bonds for the payment or redemption of which they were deposited and the interest accruing thereon to the date of maturity or redemption; provided, however, the Issuer may substitute new Federal Securities and moneys for the deposited Federal Securities and moneys if the new Federal Securities and moneys are sufficient to pay the principal of or Redemption Price, if applicable, and interest on the refunded Bonds.

For purposes of determining whether Variable Rate Bonds shall be deemed to have been paid prior to the maturity or redemption date thereof, as the case may be, by the deposit of moneys, or specified Federal Securities and moneys, if any, in accordance with this Section 8.01, the interest to come due on such Variable Rate Bonds on or prior to the maturity or redemption date thereof, as the case may be, shall be calculated at the Maximum Interest Rate; provided, however, that if on any date, as a result of such Variable Rate Bonds having borne interest at less than the Maximum Interest Rate for any period, the total amount of moneys and specified Federal Securities on deposit for the payment of interest on such Variable Rate Bonds is in excess of the total amount which would have been required to be deposited on such date in respect of such Variable Rate Bonds in order to satisfy this Section 9.01, such excess shall be paid to the Issuer free and clear of any trust, lien, pledge or assignment securing the Bonds or otherwise existing under this Resolution.

In the event the Bonds for which moneys are to be deposited for the payment thereof in accordance with this Section 8.01 are not by their terms subject to redemption within the next succeeding sixty (60) days, the Issuer shall cause the Registrar to mail a notice to the Holders of such Bonds that the deposit required by this Section 8.01 of moneys or Federal Securities has been made and said Bonds are deemed to be paid in accordance with the provisions of this Section 8.01 and stating such maturity or redemption date upon which moneys are to be available for the payment of the principal of or Redemption Price, if applicable, and interest on said Bonds.

Nothing herein shall be deemed to require the Issuer to call any of the Outstanding Bonds for redemption prior to maturity pursuant to any applicable optional redemption provisions, or to impair the discretion of the Issuer in determining whether to exercise any such option for early redemption.

**SECTION 8.02 Sale of Bonds.** The Bonds shall be issued and sold at public or private sale at one time or in installments from time to time and at such price or prices as shall

be consistent with the provisions of the Act, the requirements of this Resolution and other applicable provisions of law and as shall be approved by Supplemental Resolution of the Issuer.

**SECTION 8.03 Preliminary Official Statement.** The Issuer hereby authorizes the distribution of a Preliminary Official Statement for the purpose of marketing the Series 2015 Bonds and delegates to the Finance Director the authority to deem such Preliminary Official Statement "final" except for "permitted omissions" within the contemplation of Rule 15c2-12 of the Securities and Exchange Commission. The form of such Preliminary Official Statement shall be approved by Supplemental Resolution.

**SECTION 8.04 Capital Appreciation Bonds.** For the purposes of (i) receiving payment of the redemption price of a Capital Appreciation Bond if redeemed prior to maturity, (ii) receiving payment if the principal of all Bonds is declared immediately due and payable, if applicable, (iii) computing Annual Debt Service, and (iv) computing the amount of Holders required for any notice, consent, request or demand hereunder for any purpose whatsoever, the principal amount of a Capital Appreciation Bond shall be deemed to be its Compounded Amount.

**SECTION 8.05 Validation Authorized.** The City Attorney and Bryant Miller Olive P.A., Bond Counsel, are hereby authorized to pursue validation of the Bonds pursuant to the provisions of Chapter 75, Florida Statutes, if deemed advisable by the City Attorney. The hourly fees of Bryant Miller Olive P.A. for validation legal services and any legal appeal shall not be contingent upon the issuance of the Bonds but are reimbursable from costs of issuance should the Bonds be issued.

**SECTION 8.06 General Authority.** The members of the City Council of the Issuer and the Issuer's officers, attorneys and other agents and employees are hereby authorized to perform all acts and things required of them by this Resolution or desirable or consistent with the requirements hereof for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Bonds and this Resolution, and they are hereby authorized to execute and deliver all documents which shall be required by Bond Counsel or the initial purchasers of the Bonds to effectuate the sale of the Bonds to said initial purchasers.

**SECTION 8.07 No Third Party Beneficiaries.** Except such other Persons as may be expressly described herein or in the Bonds, nothing in this Resolution or in the Bonds, expressed or implied, is intended or shall be construed to confer upon any Person, other than the Issuer and the Holders, any right, remedy or claim, legal or equitable, under and by reason of this Resolution or any provision hereof, or of the Bonds, all provisions hereof and thereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Persons who shall from time to time be the Holders.

**SECTION 8.08 No Personal Liability.** Neither the members of the City Council of the Issuer, any employees of the Issuer, nor any person executing the Bonds shall be personally

liable therefor or be subject to any personal liability or accountability by reason of the issuance thereof.

**SECTION 8.09 Severability of Invalid Provisions.** If any one or more of the covenants, agreements or provisions of this Resolution shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements and provisions of this Resolution and shall in no way affect the validity of any of the other covenants, agreements or provisions hereof or of the Bonds issued hereunder.

**SECTION 8.10 Repeal of Inconsistent Resolutions.** This Resolution supersedes all prior action of City Council inconsistent herewith. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

[Remainder of page intentionally left blank]

**SECTION 8.11 Effective Date.** This Resolution shall become effective immediately upon its adoption.

Adopted at a regular session of the City Council held on the 16<sup>th</sup> day of April, 2015.

Approved as to Form and Substance:

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City Attorney (Designee)

**CERTIFICATE AS TO PUBLIC MEETINGS  
AND NO CONFLICT OF INTEREST**

STATE OF FLORIDA           :  
COUNTY OF PINELLAS     :

Each of the undersigned members of the City Council (the "City Council") of the City of St. Petersburg, Florida (the "Issuer"), recognizing that the purchaser of the City of St. Petersburg, Florida Public Service Tax Revenue Bonds, Series 2015 (the "Series 2015 Bonds"), will have purchased said Series 2015 Bonds in reliance upon this Certificate, DOES HEREBY CERTIFY that he or she has no personal knowledge that any two or more members of the City Council, meeting together, reached any prior conclusion as to whether the actions taken by the City Council, with respect to said Series 2015 Bonds, the security therefor and the application of the proceeds thereof, should or should not be taken by the City Council or should or should not be recommended as an action to be taken or not to be taken by the City Council, except at public meetings of the City Council held after due notice to the public was given in the ordinary manner required by law and custom of the City Council.

IN WITNESS WHEREOF, we have hereunto affixed our official signatures this 16<sup>th</sup> day of April, 2015.

_____	_____
_____	_____
_____	_____
_____	_____

City of St. Petersburg  
**Public Services & Infrastructure Committee**  
Meeting of April 9, 2015 - 9:15 a.m.  
City Hall, Room 100

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Members and Alternates: Chair Bill Dudley, Jim Kennedy, Darden Rice, Steve Kornell  
Alternate: Amy Foster

Others present: Council Members Karl Nurse, Charlie Gerdes; Support Staff: Blaise Mazzola, Claims Supervisor and primary support staff; Mika Nelson, Library Director and backup support staff; John Wolfe, City Attorney; Jordan Wolfgram, Assistant City Attorney

- 1) Call to Order 9:24 A.M.
- 2) Approval of Agenda Passed 4-0
- 3) Approval of Minutes Passed 4-0
  - a) March 26, 2015

CM Kennedy recommended CM Gerdes's suggestion to have staff review the possibility of offering transportation such as the Looper or PSTA as an optional add on to City monthly parking garage customers remain on the Pending and Continuing Referral List.

4) New Business

- a) Strengthening the current ordinance to prevent lawn clippings from entering the stormwater drainage system.

Jordan Wolfgram provided a draft ordinance amending Chapter 16 of the St. Petersburg City Code by increasing penalties for improper disposal of grass clippings, tree trimmings, and other vegetative material by commercial persons or entities; amending Chapter 27 to establish increased penalties for certain discharges into the stormwater system.

CM Nurse questioned if the City has the ability to send out notices to businesses to educate them on the ordinance. Jordan Wolfgram stated that she had reached out to the Business Tax Division and they have the capability to do so. CM Kennedy inquired as to who would be fined, to which John Wolfe explained that both the property owner and the landscape or lawn care business would be subject to a fine. CM Kornell questioned how many fines are currently given and believes an enforcement plan would be a good idea. CM Dudley believes education of the public and businesses would be good and suggested flyers be placed at all kiosks and local media should be involved. CM Kornell believes that the fine will be the best deterrent. CM Rice believes the education element should stress the fact that the clippings are a nutrient pollutant and when placed in our storm system the result is pollutants entering our bay waters. CM Kornell added that the education of the public should stress why it is important not to allow lawn clippings to enter the system. CM Kennedy moved to forward the ordinance with the Committee Report to full Council to be heard at the next Council meeting (April 16) for First Reading and setting the public hearing date. All were in favor of the motion.

**Action Item:** Staff to include the Ordinance with the Committee Report to be heard at the next Council meeting (April 16) for First Reading and setting the public hearing date.

5) Upcoming Meetings

a) April 23, 2015

Short Term Improvements regulating noise downtown. (Mark Winn, Legal Department; Major Sharon Carron, Police Department; Lieutenant Markus Hughes, Police Department)

6) Adjournment 9:42 A.M.

AN ORDINANCE AMENDING CHAPTER 16 OF THE ST. PETERSBURG CITY CODE BY INCREASING PENALTIES FOR IMPROPER DISPOSAL OF GRASS CLIPPINGS, TREE TRIMMINGS, AND OTHER VEGETATIVE MATERIAL BY COMMERCIAL PERSONS OR ENTITIES; AMENDING CHAPTER 27 TO ESTABLISH INCREASED PENALTIES FOR CERTAIN DISCHARGES INTO THE STORMWATER SYSTEM; CORRECTING A TYPOGRAPHICAL ERROR IN SECTION 27-432; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

**Section one.** The St. Petersburg City Code is hereby amended by adding sections 16.40.060.3.1(H)(1) and 16.40.060.3.1(H)(2) to read as follows:

16.40.060.3.1. - Maintenance of trees and vegetation for all properties within the City.

H. It shall be unlawful to dispose, deposit, drop, or place of grass clippings, tree trimmings and other vegetative material in the right-of-way or on the property of another or upon any street or alley or into waters within the City or directly or indirectly into the municipal storm sewer system. This section shall not be construed to prohibit the use of mulching lawn equipment. A violation of this section is transient in nature and irreparable. Any person in violation of this section may be cited immediately upon observation of the violation.

1) Each property owner or occupant of property where activities that violate this subsection occur may be cited for each violation of this subsection.

2) Any person who maintains or removes yard vegetation on behalf of any other person for compensation (e.g. lawn care and lawn maintenance companies, including any and all supervisors and employees) shall be subject to a fine of \$500.00 for each violation of this subsection.

**Section two.** The St. Petersburg City Code is hereby amended by adding a new subsection 27-433(c) as follows:

Sec. 27-433(c). – Enforcement and Penalties.

(c) The fine for each violation of this division shall be \$500.00.

**Section three.** Section 27-432 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-432. - Authorized exceptions.

The following discharges are exempt from the general prohibition set forth ~~under section 27-262~~ in this division:

- (1) Water line flushing; landscape irrigation; diverted stream flows; rising groundwaters; uncontaminated groundwater infiltration, as defined at 40 CFR 35.2005(20), to separate storm sewer system, uncontaminated pumped groundwater; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation water; springs; water from crawlspace pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street washwater, and discharges or flows from emergency fire fighting activities.
- (2) NPDES permit. Any person who holds a National Pollutant Discharge Elimination System (NPDES) permit shall provide a copy of such permit to the person officially designated POD no later than 60 calendar days after issuance and shall be authorized to discharge into the separate storm sewer system in accordance with the terms of that permit.

**Section four.** Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

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

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

Approved as to form and content:

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City Attorney or Designee

City of St. Petersburg  
Youth Services Committee Report  
Thursday, April 9, 2015  
10:30 a.m.

**Room 100**

Members and Alternates: Councilmembers Amy Foster (Chair), Steve Kornell (Vice-Chair), Bill Dudley, and Wengay Newton; Alternate – Karl Nurse

Support Staff: Mike Jefferis, Parks and Recreation Superintendent

- A. Call to Order and Roll Call – Councilmember Amy Foster, Committee Chair  
The meeting was called to order by Chair Foster. Councilmembers in attendance were Bill Dudley, Charlie Gerdes, Steve Kornell, Wengay Newton, and Karl Nurse
- B. Approval of minutes for Youth Services Committee – March 12, 2015  
The minutes for the meeting of March 12, 2015 were approved as submitted.
- C. Agenda Items
  1. Parks and Recreation Director Mike Jefferis was excited to announce to committee members the promotional staff changes introduced in his department. The new supervisory personnel, selected from a pool of well-qualified candidates, will further support city youth, serve the community, and augment the department.
  2. St. Petersburg Police Department Officers Michael Christian, Ray Merritt, and Chris Sessions presented the sport of BMX racing to the committee. They submitted, for consideration, that a BMX track be developed in the city and a program begun that would bridge the gap between the community's youth and the police. Discussion ensued regarding the challenge of finding appropriate space for such a project since St. Petersburg is a fully built-out community. It was noted that many critical issues, particularly the lack of a suitable and sizable location, would present a herculean challenge.
- D. Next Meeting Date – Thursday, May 21, 2015
- E. Adjournment – Meeting was adjourned at 11:22 a.m.



# Bridging the Gap with BMX



THE WORLD'S LARGEST BMX SANCTIONING BODY

[usabmx.com](http://usabmx.com)

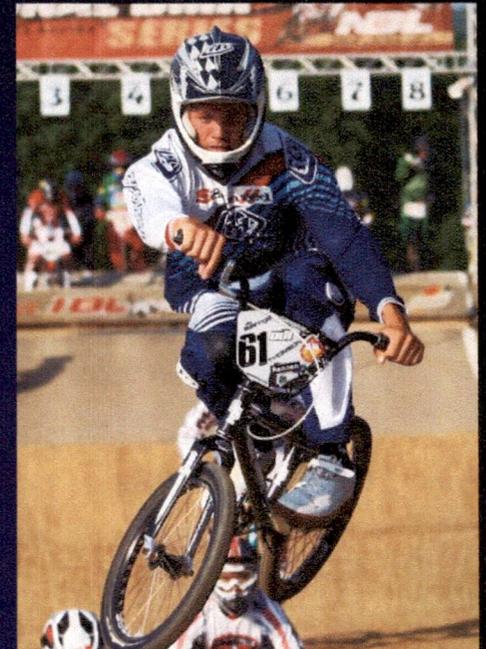
# Local BMX Heroes



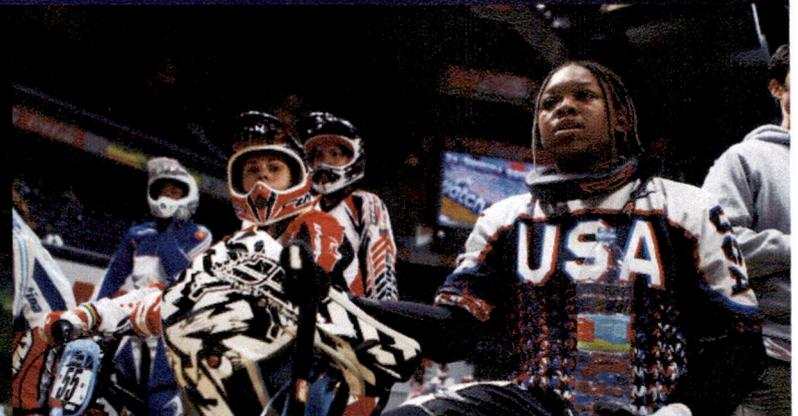
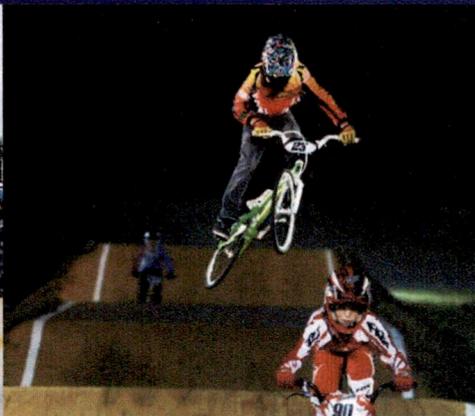
Bernard Gant



Amanda Geving



Josh Meyers



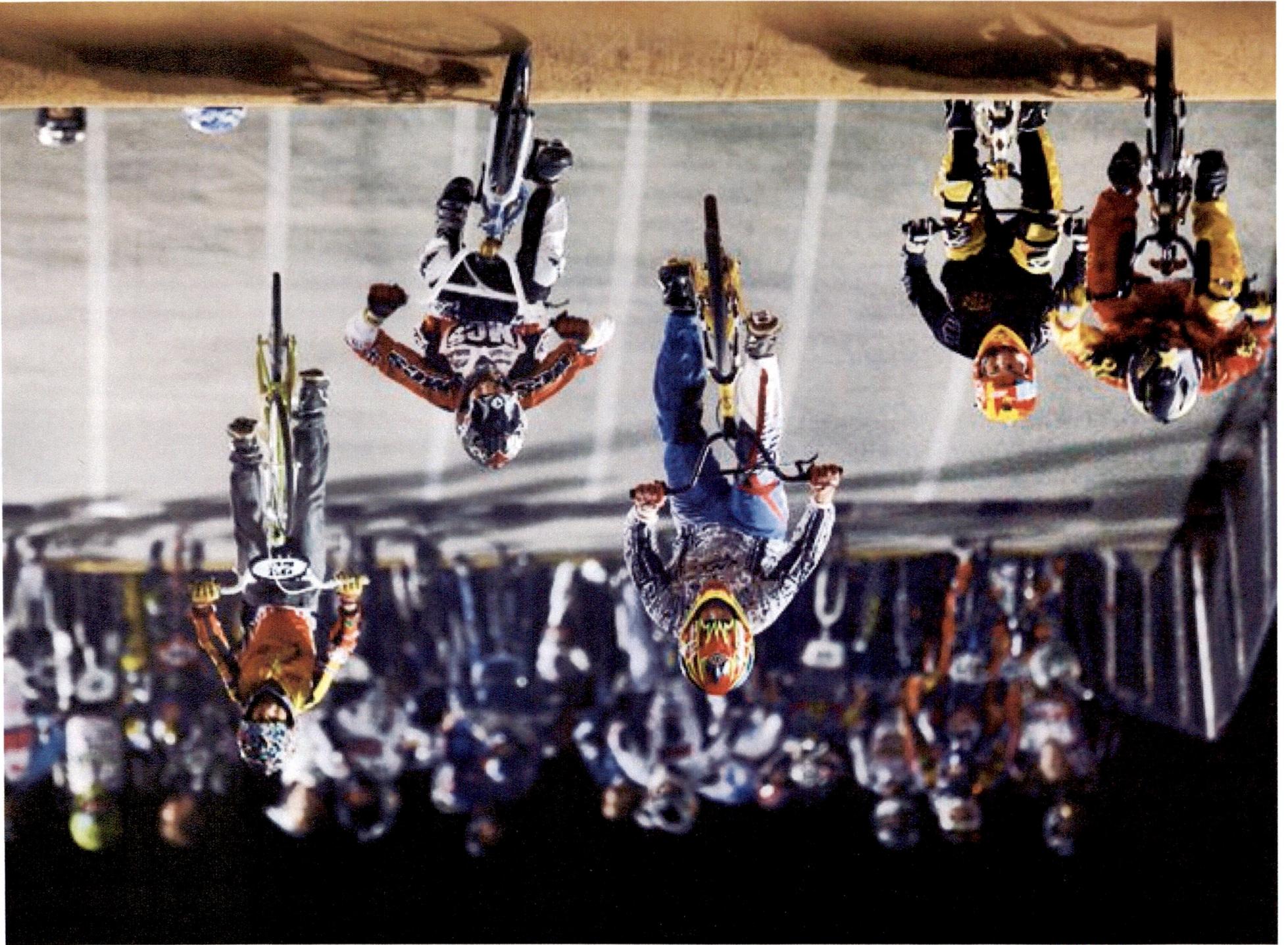
# Current Members of the PAL Speedsters BMX Program



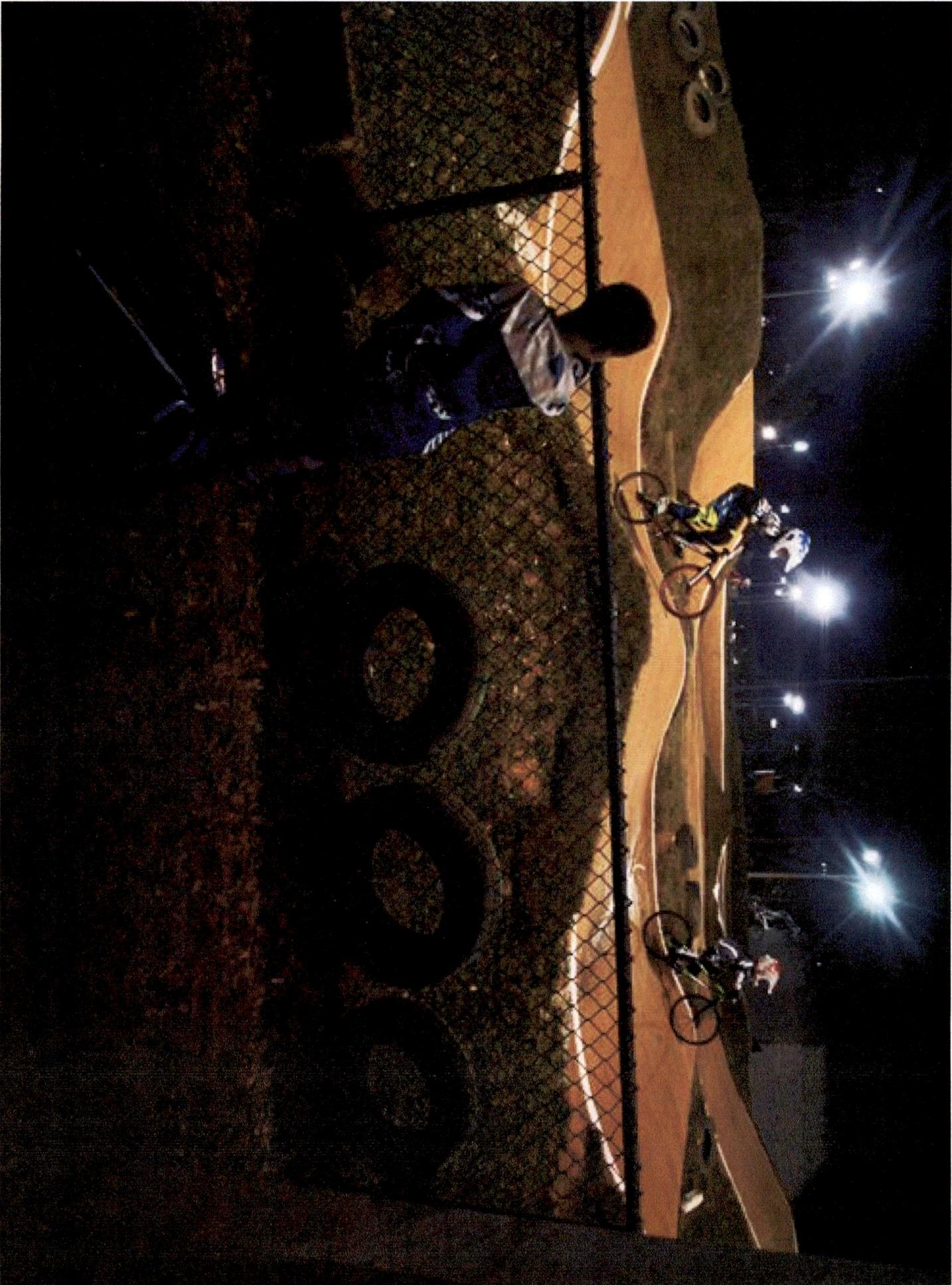
Ian & Nathan



Jane Christian





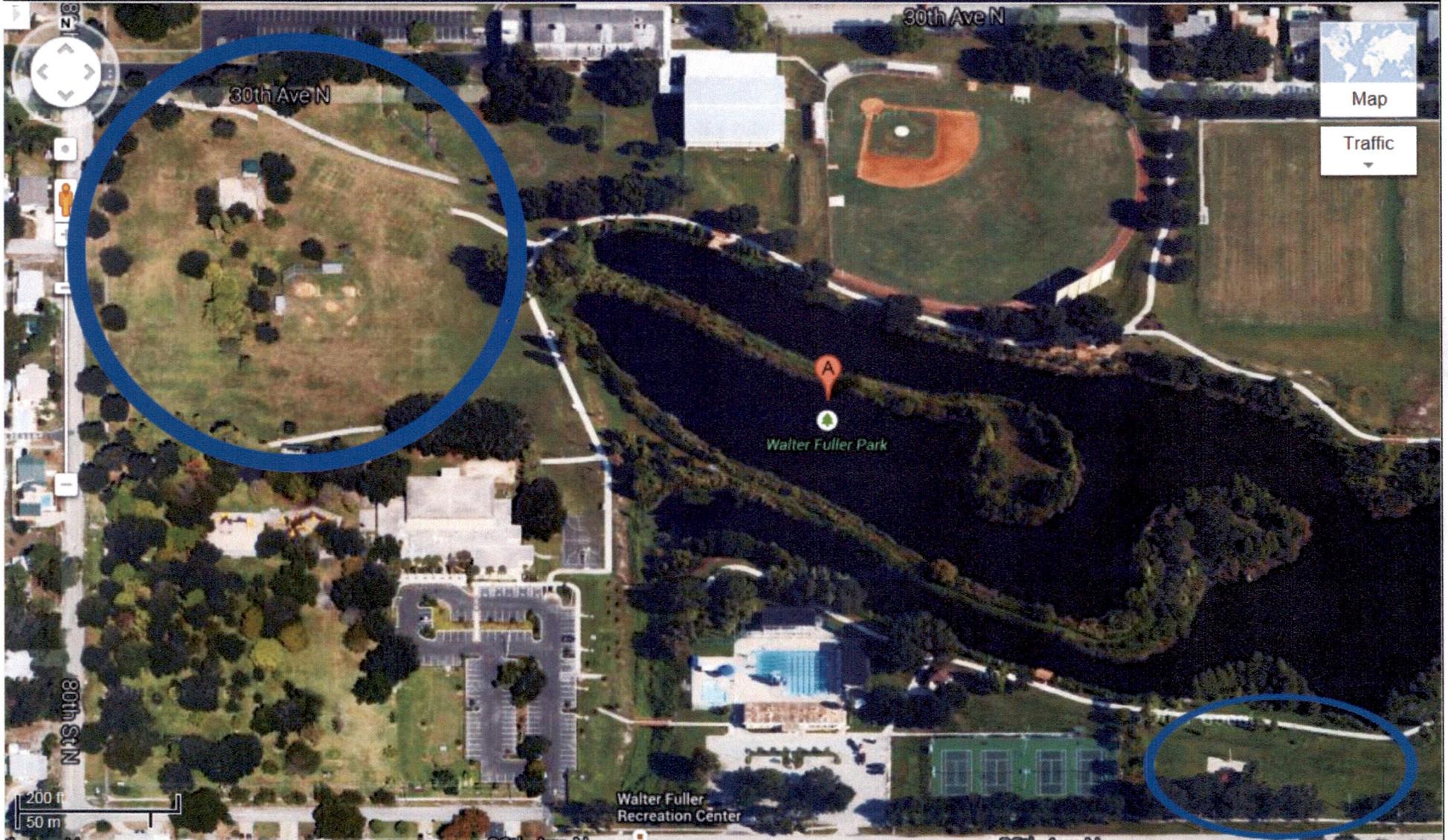




 **ST. PETERSBURG  
CLEARWATER**  
*VisitStPetClearwater.com*

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CLEARWATER**  
*VisitStPetClearwater.com*

# Walter Fuller Park

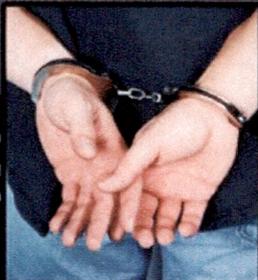


# 2nd Chance

## Juvenile Diversion Program

- Alternative to Court
- 8 Hour Workday
- NO Arrest Record

SUCCESS



The Path You Take is

# YOUR CHOICE



**ST. PETERSBURG CITY COUNCIL**

**MEETING OF: April 16, 2015**

**TO:** COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

**SUBJECT:** Confirming Preliminary Assessment for  
Lot Clearing Number(s) LCA 1549

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

<b>LCA:</b>	<u>1549</u>
<b>NUMBER OF STRUCTURES:</b>	<u>58</u>
<b>ASSESSABLE AMOUNT:</b>	<u>\$14,646.91</u>

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

**COST/FUNDING/ASSESSMENT INFORMATION:**

The total assessable amount of \$14,646.91 will be fully assessable to the property owners.

**ATTACHMENTS:**

**MAYOR:** \_\_\_\_\_

**COUNCIL ACTION:** \_\_\_\_\_

**FOLLOW-UP:** \_\_\_\_\_

**AGENDA NO.** \_\_\_\_\_

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
 FINAL ASSESSMENT ROLL  
 4-16-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1549 69006	SUNCOAST LAND TRUST # 4649 13014 N DALE MABRY # 336  TAMPA FL 336182808	28 31 16 02034 000 0210 BACK BAY HOMES LOT 21	4649 QUEENSBORO AVE S	184.38
LCA 1549 69007	BROWN, KIM-NELSON 1007 ALHAMBRA WAY S  SAINT PETERSBURG FL 337054616	34 31 16 05526 002 0170 BAYVIEW TERRACE, ROY SCOTTS BLK 2, LOT 17	3735 27TH AVE S	184.38
LCA 1549 69008	W T H OAKMONT MTG POOL 285 LP 4100 MIDWAY STE 1110  CARROLLTON TX 750071977	21 31 16 07182 012 0090 BELLECREST HEIGHTS BLK 12, LOT 9	4927 5TH AVE S	184.38
LCA 1549 69009	BALABAN, HENRY K 206 BATHURST ST  TORONTO ON CN M5Y2R9	18 31 17 09504 000 0081 BOBBITT'S SUB W 36.5FT OF LOT 8	862 12TH AVE N	184.38
LCA 1549 69010	ROBBINS, DAVID A PO BOX 856  SAINT PETERSBURG FL 337310856	18 31 17 09504 000 0131 BOBBITT'S SUB S 42.50 FT OF LOTS 13 & 14	1145 HIGHLAND CT N	184.38
LCA 1549 69011	FOX FUND 6A 170 THE DONWAY W STE 14061  TORONTO ON CN M3C2E8	30 31 17 12708 000 0540 BUENA VISTA LOT 54	836 14TH AVE S	184.38
LCA 1549 69012	TARPON IV LLC 18305 BISCAYNE BLVD STE 400  NORTH MIAMI BEACH FL 331602172	22 31 16 14418 011 0100 CENTRAL AVENUE HEIGHTS BLK 11, LOT 10	3855 1ST AVE S	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
 FINAL ASSESSMENT ROLL  
 4-16-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1549 69013	ATLANTIC CAPITAL/MARCO BANK 1770 SAN MARCO RD  MARCO ISLAND FL 341455138	25 31 16 15516 000 0060 CITRUS HEIGHTS LOTS 6 AND 7	805 14TH ST S	184.38
LCA 1549 69014	ALVING, RALPH E 3130 COQUINA KEY DR SE  SAINT PETERSBURG FL 337054151	32 31 17 18054 039 0680 COQUINA KEY SEC 1 ADD BLK 39, LOT 68	3130 COQUINA KEY DR SE	3,736.32
LCA 1549 69015	MIZELL, BERNARD 3636 10TH AVE N  SAINT PETERSBURG FL 337136528	27 31 16 20610 002 0040 DEARMINS SUB NO. 4 BLK 2, LOT 4	3946 9TH AVE S	184.38
LCA 1549 69016	LONTOC, DOMINIC 18300 SW 134TH AVE  MIAMI FL 331772521	28 31 16 21420 000 0460 DISSTON PARK LOT 46	4657 13TH AVE S	184.38
LCA 1549 69017	SOLOMON, PATRICIA A 303 HEAVENLY CIR  CLAYTON GA 305255933	36 30 16 26280 000 0280 EUCLID HIGHLANDS LOT 28	5825 12TH WAY N	224.47
LCA 1549 69018	HILL, JOSEPH C EST 560 41ST ST S  SAINT PETERSBURG FL 337111519	22 31 16 26910 012 0080 FAIRMOUNT PARK BLK L, LOT 8	560 41ST ST S	184.38
LCA 1549 69019	WARD CONSTRUCTION & REMODELING 12110 HAZEN AVE  THONOTOSASSA FL 335922823	26 31 16 27918 000 0040 FISHER'S, E. C. SUB NO. 1 LOTS 4 AND 5	2810 11TH AVE S	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
 FINAL ASSESSMENT ROLL  
 4-16-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1549 69020	G M A C MTG LLC 1100 VIRGINIA DR FT WASHINGTON PA 190343204	12 31 16 27972 000 0100 FLAGG & MORRIS SUB LOT 10	1903 30TH AVE N	184.38
LCA 1549 69021	WS ST PETE REALTY LLC 145 HUGUENOT ST STE 300A NEW ROCHELLE NY 108015241	24 31 16 29718 017 0130 FULLER'S SUB BLK 17, LOTS 13 & 14	1725 1ST AVE S	264.56
LCA 1549 69022	SUNQUEST PROPERTIES INC TRE PO BOX 7913 SAINT PETERSBURG FL 337347913	18 31 17 31338 000 0082 GLOVER'S, THOS. W 35FT OF N 55FT OF LOT 8 & E 10FT OF N 55FT OF LOT 9	846 7TH AVE N	184.38
LCA 1549 69023	JOHNSON, F L PO BOX 13626 SAINT PETERSBURG FL 337333626	28 31 16 31536 001 0190 GOLDEN GLOW GROVE ESTATES 1ST ADD BLK A, E 45FT OF LOT 19 & W 20FT OF LOT 20	4726 20TH AVE S	204.43
LCA 1549 69024	HART, PAULA 16545 NE 141ST TER FORT MC COY FL 321347423	17 31 16 35424 002 0120 HAMPTON DEVELOPMENT BLK 2, LOT 12 LESS ST	1717 TYRONE BLVD N	244.52
LCA 1549 69025	NEW MILLENNIAL LC PO BOX 7956 TAMPA FL 336737956	31 31 17 36684 000 0820 HARBORDALE SUB LOT 82	2517 5TH ST S	184.38
LCA 1549 69026	HOLLINS, CLARENCE EST 2946 22ND AVE S SAINT PETERSBURG FL 337122927	35 31 16 37854 001 0010 HAVEN PARK REPLAT BLK 1, LOTS 1 AND 2 LESS RD R/W	2946 22ND AVE S	194.40

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
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LCA 1549 69027	WERT, JEREMY D 4516 2ND AVE N  SAINT PETERSBURG FL 337138110	22 31 16 43108 025 0110 INTER BAY BLK 25, LOT 11	4516 2ND AVE N	184.38
LCA 1549 69028	TRUST NO 2304 HIGHLAND ST S 2304 HIGHLAND ST S  SAINT PETERSBURG FL 337053043	31 31 17 43830 001 0220 JAMIN & JERKINS' LAKEVIEW SUB BLK A, LOT 22	2304 HIGHLAND ST S	184.38
LCA 1549 69029	1501 28TH AVE S TRUST 1501 28TH AVE S  SAINT PETERSBURG FL 337053447	36 31 16 48618 000 0200 LAKESIDE SUB LOT 20	1501 28TH AVE S	184.38
LCA 1549 69030	LANGFORD, GERALDA J EST 4417 21ST ST N  SAINT PETERSBURG FL 337144111	01 31 16 50544 000 0200 LAWRENCE PLACE LOT 20	4417 21ST ST N	184.38
LCA 1549 69031	BORDONES, ORLANDO PO BOX 611856  MIAMI FL 332611856	25 31 16 51138 000 0100 LENEVES SUB LOT 10	1515 14TH ST S	184.38
LCA 1549 69032	EVANS, TOMMY 952 7TH AVE S  SAINT PETERSBURG FL 337051902	25 31 16 53334 000 0031 LUPTON'S COURT S 58FT OF LOT 3	1746 PRESCOTT ST S	184.38
LCA 1549 69033	PILOT FINANCIAL INC 6681 E 33RD ST UNIT A  SARASOTA FL 342434148	27 31 16 54468 003 0040 MAGNUS' REPLAT, JOHN K. BLK C, LOT 4	4442 14TH AVE S	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
 FINAL ASSESSMENT ROLL  
 4-16-2015

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LCA 1549 69034	G G H 47 LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	25 31 16 54954 004 0070 MANSFIELD HEIGHTS BLK 4, LOT 7 & 15FT STRIP ON N	1349 PRESTON ST S	184.38
LCA 1549 69035	HUFF, AUSTIN M JR EST 7200 MEADOWLAWN DR N SAINT PETERSBURG FL 337025022	25 30 16 56646 020 0110 MEADOW LAWN 2ND ADD BLK 20, LOT 11	7200 MEADOWLAWN DR N	184.38
LCA 1549 69036	NATIONSTAR MORTGAGE LLC 350 HIGHLAND DR LEWISVILLE TX 75067	25 30 16 56772 047 0010 MEADOW LAWN 9TH ADD BLK 47, LOT 1	1695 74TH AVE N	224.47
LCA 1549 69037	JOHNSTON, KATHRYN A 880 OLEANDER WAY S APT 1406 SAINT PETERSBURG FL 337072143	01 31 16 60444 004 0100 NORTH CLEARVIEW HIGHLANDS BLK D, LOT 10	4040 18TH ST N	184.38
LCA 1549 69038	HORN VI LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	31 30 17 61146 071 0140 NORTH ST PETERSBURG BLK 71, LOT 14	6910 2ND ST N	184.38
LCA 1549 69039	MATTHEWS, TARA 1608 W MORRISON AVE TAMPA FL 336062827	31 31 17 62460 000 0100 OAK HARBOR LOT 10	2621 6TH ST S	184.38
LCA 1549 69040	HIRVELA, PAUL J 1490 77TH ST N SAINT PETERSBURG FL 337104417	25 31 16 63612 000 0210 OAK VILLA SUB LOT 21	1022 8TH AVE S	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
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 FINAL ASSESSMENT ROLL  
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1549 69041	CITIGROUP 399 PARK AVE NEW YORK NY 100224614	36 31 16 63792 008 0020 OHIO PARK BLK 8, LOT 2	2315 21ST ST S	184.38
LCA 1549 69042	BOHMS, ALAN 1695 WESTWOOD RD MOHAWK TN 378103755	23 31 16 65862 004 0010 PALMETTO PARK BLK 4, LOT 1 LESS THAT PART DESC AS BEG NE LOT COR TH S 10FT TH NW'LY	201 28TH ST S	184.38
LCA 1549 69043	BAY AREA HOUSING DEV CORP PO BOX 6533 CLEARWATER FL 337586533	26 31 16 66456 000 0190 PARK'S SUB, JOHN M. LOT 19	1730 30TH ST S	184.38
LCA 1549 69044	ZINCK, RONALD L TRE 120 HOLLY DR WOODBURY NJ 080963324	26 31 16 68004 002 0080 PAUL SUB REVISED MAP BLK 2, W 50FT OF LOT 8	2917 16TH AVE S	184.38
LCA 1549 69045	TOTH, TROY D 3528 62ND ST N SAINT PETERSBURG FL 337101615	18 31 17 72288 000 0290 PLUNKETT'S LOT 29	545 8TH ST N	184.38
LCA 1549 69046	BUILDERS OF HOPE INC 310 N HARRINGTON ST RALEIGH NC 276031322	28 31 16 75006 000 0100 RIDGEWAY LOT 10	4678 13TH AVE S	204.43
LCA 1549 69047	MANNOR, ROBYN 160 PEBBLE CREEK DR ATHENS GA 306054360	11 31 16 76230 002 0030 ROCHESTER HEIGHTS BLK B, LOT 3	3220 23RD ST N	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
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LCA 1549 69048	K M INVESTMENT GROUP LLC 9521 49TH WAY PINELLAS PARK FL 337823548	11 31 16 76230 002 0120 ROCHESTER HEIGHTS BLK B, LOT 12	3336 23RD ST N	184.38
LCA 1549 69049	BUILDERS OF HOPE INC 310 N HARRINGTON ST RALEIGH NC 276031322	23 31 16 76590 008 0040 ROOSEVELT PARK ADD BLK 8, LOT 4	3230 4TH AVE S	184.38
LCA 1549 69050	LEFEBVRE, EILEEN M 601 64TH AVE S SAINT PETERSBURG FL 337055919	07 32 17 80316 002 0160 SETCHELL'S PINELLAS POINT SUB BLK 2, LOT 16	601 64TH AVE S	204.43
LCA 1549 69051	GLOVER, RICHARD T 6711 30TH AVE N SAINT PETERSBURG FL 337103103	07 31 16 90162 000 1500 TERESA GARDENS LOT 150	6711 30TH AVE N	184.38
LCA 1549 69052	SAMMI T LLC 3100 MORRIS ST N SAINT PETERSBURG FL 337132937	27 31 16 91062 003 0010 TIOGA SUB BLK C, LOT 1	1300 43RD ST S	194.40
LCA 1549 69053	G T E MOBILENET OF TAMPA INC PO BOX 260888 INVALID ZIP CODE	21 31 16 94032 007 0080 VICTORY HEIGHTS BLK G, LOTS 8 & 9	620 49TH ST S	204.43
LCA 1549 69054	SMITH-WILLIAMS, MARY J 3526 9TH AVE N SAINT PETERSBURG FL 337136516	21 31 16 94032 008 0100 VICTORY HEIGHTS BLK H, LOT 10	4751 FAIRFIELD AVE S	184.38

\*\*\*\* City of St. Petersburg \*\*\*\*  
 Special Assessments Division  
 FINAL ASSESSMENT ROLL  
 4-16-2015

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LCA 1549 69055	TITAN DEVELOPMENT GROUP 4118 CAUSEWAY VISTA DR TAMPA FL 336155416	28 31 16 94248 004 0050 VINSETTA PARK ADD REV BLK 4, LOT 5	4626 8TH AVE S	184.38
LCA 1549 69056	DALLAND PROPERTIES LP 2300 E LAS OLAS BLVD STE 2NW FORT LAUDERDALE FL 333011598	31 31 17 95976 001 0150 WELSH'S LAKEVIEW BLK A, LOT 15	2345 HIGHLAND ST S	224.47
LCA 1549 69057	3535 4TH AVE S LAND TRUST 535 CENTRAL AVE SAINT PETERSBURG FL 337013703	22 31 16 96174 008 0120 WEST CENTRAL AVENUE BLK 8, LOT 12	3535 4TH AVE S	184.38
LCA 1549 69058	CERES HOLDING INC 3101 N NEBRASKA AVE TAMPA FL 336036029	22 31 16 96228 005 0060 WEST CENTRAL AVE RESUB BLK 5, LOT 6	3530 2ND AVE S	184.38
LCA 1549 69059	DALLAND PROPERTIES LP 2300 E LAS OLAS BLVD 4TH FL FORT LAUDERDALE FL 333011578	22 31 16 96228 005 0130 WEST CENTRAL AVE RESUB BLK 5, LOT 13	3535 3RD AVE S	184.38
LCA 1549 69060	GREEN, EDDIE 501 SW SELDMEN AVE PT ST LUCIE FL 34953	22 31 16 96228 005 0140 WEST CENTRAL AVE RESUB BLK 5, LOT 14	3519 3RD AVE S	184.38
LCA 1549 69061	V & V CORPORATE INVESTMENTS IN PO BOX 4925 CLEARWATER FL 337584925	33 31 16 96714 001 0170 WEST SHADOW LAWN BLK A, LOTS 17 & 18	4682 22ND AVE S	204.43

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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1549 69062	NAGATANI, SAMUEL S 4637 YARMOUTH AVE S SAINT PETERSBURG FL 337113346	33 31 16 96714 003 0200 WEST SHADOW LAWN BLK C, LOT 20	4637 YARMOUTH AVE S	184.38
LCA 1549 69063	MANNING, SABRINA L EST 4685 25TH AVE S SAINT PETERSBURG FL 337113319	33 31 16 96714 004 0140 WEST SHADOW LAWN BLK D, LOTS 14 AND 15	4685 25TH AVE S	204.43

TOTAL NUMBER OF ASSESSMENTS: 58

TOTAL ASSESSMENT AMOUNT: 14,646.91

**LOT CLEARING NUMBER 1549**  
**COST / FUNDING / ASSESSMENT INFORMATION**

<u>CATEGORY ASSESSED</u>	<u>AMOUNT TO BE ASSESSED</u>
LOT CLEARING COST	\$ 10,811.91
ADMINISTRATIVE FEE	\$ <u>3,835.35</u>
TOTAL:	\$ 14,646.91

A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1549; PROVIDING FOR AN INTEREST RATE ON UNPAID ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, preliminary assessment rolls for Lot Clearing No. 1549 have been submitted by the Mayor to the City Council pursuant to St. Petersburg Code Section 16.40.060.4.4; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the preliminary assessment rolls for Lot Clearing No. 1549 are approved; and

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

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



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City Attorney (Designee)

**ST. PETERSBURG CITY COUNCIL**

**MEETING OF: April 16, 2015**

**TO:** COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

**SUBJECT:** Confirming Preliminary Assessment for Building Securing Number **SEC 1198**

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

<b>SEC:</b>	<b><u>1198</u></b>
<b>NUMBER OF STRUCTURES</b>	<b><u>29</u></b>
<b>ASSESSABLE AMOUNT:</b>	<b><u>\$4,299.93</u></b>

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

**COST/FUNDING/ASSESSMENT INFORMATION:**

The total assessable amount of **\$4,299.93** will be fully assessable to the property owners.

**ATTACHMENTS:**

**MAYOR:** \_\_\_\_\_

**COUNCIL ACTION:** \_\_\_\_\_

**FOLLOW-UP:** \_\_\_\_\_

**AGENDA NO.** \_\_\_\_\_

\*\*\*\* City of St. Petersburg \*\*\*\*  
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1198 07291	OMNI NATL BANK 6 CONCOURSE PKWY ATLANTA GA 303286117	13 31 16 10062 000 1670 BON AIR LOT 167 LESS RD R/W ON N	1512 9TH AVE N	75.66
SEC 1198 07292	NEIKENS, ADA 1739 20TH AVE N SAINT PETERSBURG FL 337135029	13 31 16 12528 000 0890 BRUNSON'S NO. 4 LOTS 89 AND 90	1739 20TH AVE N	104.73
SEC 1198 07293	USA FED NATL MTG ASSN 950 E PACES FERRY RD STE 1900 ATLANTA GA 303261384	19 31 16 20484 013 0020 DAVISTA, REV MAP OF BLK 13, LOT 2	7310 DARTMOUTH AVE N	198.46
SEC 1198 07294	MIZELL, BERNARD 3636 10TH AVE N SAINT PETERSBURG FL 337136528	27 31 16 20610 002 0040 DEARMIN'S SUB NO. 4 BLK 2, LOT 4	3946 9TH AVE S	84.23
SEC 1198 07295	MARIA CORPORATION OF SEMINOLE 7955 66TH ST PINELLAS PARK FL 337812161	31 30 17 24822 032 0040 EDGEWOOD ESTATES BLK 32, LOT 4	762 60TH AVE NE	388.49
SEC 1198 07296	USA FED NATL MTG ASSN 950 E PACES FERRY RD STE 1900 ATLANTA GA 303261384	30 31 17 31284 001 0220 GLENWOOD PARK BLK A, LOT 22	870 19TH AVE S	243.23
SEC 1198 07297	BANK OF AMERICA 7105 CORPORATE DR PLANO TX 750244100	30 31 17 31284 002 0160 GLENWOOD PARK BLK B, LOT 16	820 18TH AVE S	134.73

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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1198 07298	WILSON, JESSIE L EST 2408 QUEEN ST S  SAINT PETERSBURG FL 337123657	26 31 16 33030 000 0470 GREEN ACRES LOT 47	2245 17TH AVE S	73.49
SEC 1198 07299	DIAMOND ENTERPRISES USA INC 14955 GULF BLVD # 4  MADEIRA BEACH FL 337082013	25 31 16 35442 001 0120 HANCOCK'S SUB BLK 1, LOT 12	1500 15TH ST S	73.05
SEC 1198 07300	CANNED REAL ESTATE INC 2868 39TH AVE N  SAINT PETERSBURG FL 337144524	25 31 16 35442 002 0010 HANCOCK'S SUB BLK 2, LOT 1	1501 15TH ST S	112.46
SEC 1198 07301	MALONEY, MARY T EST 2835 24TH ST N  SAINT PETERSBURG FL 337134056	11 31 16 38268 000 0410 HERKIMER HEIGHTS LOT 41	2835 24TH ST N	121.91
SEC 1198 07302	THORPE, PAUL MICHAEL 5413 BRIARDALE LN APT F  DUBLIN OH 430165261	36 31 16 50418 000 0200 LAUGHNER'S LAKEVIEW ADD LOT 20 LESS W 1FT FOR ST	2517 11TH ST S	91.96
SEC 1198 07303	LANGFORD, GERALDA J EST 4417 21ST ST N  SAINT PETERSBURG FL 337144111	01 31 16 50544 000 0200 LAWRENCE PLACE LOT 20	4417 21ST ST N	76.96
SEC 1198 07304	FIELDS, FRANK W 13020 95TH ST  LARGO FL 337731135	25 31 16 56988 000 0570 MEARE'S, G.W. REV. MAP LOTS 57 AND E 40 FT OF LOT 58 (SEE S26 MAP)	2201 21ST AVE S	79.74

\*\*\*\* City of St. Petersburg \*\*\*\*  
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1198 07305	CARR, RANDALL B 7153 58TH ST N  PINELLAS PARK FL 337814204	10 31 16 61686 000 0110 NORTON SUB LOT 11	3543 40TH ST N	166.66
SEC 1198 07306	WRIGHT, HERBERT JR EST 6248 20TH WAY S  SAINT PETERSBURG FL 337125707	36 31 16 63792 003 0010 OHIO PARK BLK 3, LOTS 1 AND 2	2411 20TH ST S	128.00
SEC 1198 07307	P H H MTG CORP 2001 BISHOPS GATE BLVD  MOUNT LAUREL NJ 080544604	25 31 16 64854 000 0080 OSBORNE PLACE LOT 8	1011 16TH AVE S	304.05
SEC 1198 07308	DOMINUS PROPERTIES LLC 961 HYACINTH DR  DELRAY BEACH FL 33483	23 31 16 65862 003 0100 PALMETTO PARK BLK 3, LOT 10	2951 3RD AVE S	160.49
SEC 1198 07309	J C I CAPITAL LLC 1175 E KENNEDY BLVD STE 726  INVALID ZIP CODE	22 31 16 72756 005 0030 POWERS CENTRAL PARK SUB BLK 5, LOTS 3 AND 4	3520 DARTMOUTH AVE N	106.73
SEC 1198 07310	NANO AG LLC 1265 WOODVIEW TER  LOS ALTOS CA 94024	26 31 16 72846 000 0120 PRATHER'S HIGHLAND HOMES LOTS 12 AND 13	1439 28TH ST S	148.46
SEC 1198 07311	SMITH, JOSEPH 4601 N 37TH ST  TAMPA FL 336107050	26 31 16 72846 000 0460 PRATHER'S HIGHLAND HOMES LOT 46	1348 30TH ST S	88.05

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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1198 07312	1513 35TH ST S LAND TRUST PO BOX 8809  SEMINOLE FL 337758809	27 31 16 75402 000 1740 RIDGEWOOD TERRACE LOT 174	1513 35TH ST S	145.63
SEC 1198 07313	MIRANDA, LILIANA 52 NW 99TH ST  MIAMI FL 331501741	23 31 16 76590 017 0010 ROOSEVELT PARK ADD BLK 17, LOT 1 & E 21FT OF LOT 2	3200 6TH AVE S	88.49
SEC 1198 07314	TRUST NO 419 3249 W CYPRESS ST STE C  TAMPA FL 336075153	23 31 16 78390 006 0070 ST PETERSBURG INVESTMENT CO SUB BLK 6, S 47FT OF LOTS 7 AND 8	419 23RD ST N	212.23
SEC 1198 07315	SHAH ST PETERSBURG HOLDINGS LL 9854 84TH ST  SEMINOLE FL 337771916	25 31 16 84726 000 0230 SPEAR'S SUB C.E. LOTS 23 & 24	1253 22ND AVE S	123.55
SEC 1198 07316	CITIMORTGAGE INC 1000 TECHNOLOGY DR MS 314  O FALLON MO 633682239	06 31 16 92862 067 0140 TYRONE BLK 67, LOT 14 (SEE N07 MAP)	7421 36TH AVE N	287.99
SEC 1198 07317	ANTINORE, RICHARD F 2047 2ND AVE N  SAINT PETERSBURG FL 337138805	28 31 16 94248 007 0160 VINSETTA PARK ADD REV BLK 7, LOT 16	4835 10TH AVE S	210.05
SEC 1198 07318	FRANCIS FIRST LLC 4284 MCGIRTS BLVD  JACKSONVILLE FL 322104368	33 31 16 96714 005 0040 WEST SHADOW LAWN BLK E, LOT 4	4628 25TH AVE S	193.49

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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1198 07319	ELBS, LORENA EST 2201 34TH AVE N  SAINT PETERSBURG	11 31 16 97092 002 0180 WHITE, D.C. SUB BLK 2, LOT 18	2201 34TH AVE N	76.96
	FL 337131807			

TOTAL NUMBER OF ASSESSMENTS: 29

TOTAL ASSESSMENT AMOUNT: 4,299.93

**BUILDING SECURING NUMBER SEC 1198**

**COST/FUNDING/ASSESSMENT INFORMATION**

<b><u>CATEGORY</u></b>	<b><u>AMOUNT TO BE ASSESSED</u></b>
SECURING COST	\$ 1,890.00
MATERIAL COST	\$ 692.50
LEGAL AD	\$ 411.93
ADMIN. FEE	\$ <u>1,305.00</u>
<b>TOTAL:</b>	<b>\$ 4,299.93</b>

A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1198 ("SEC 1198") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the structures so secured are listed on Securing Building No. 1198 ("SEC 1198"); and

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

WHEREAS, the City Council has held a public hearing on April 16, 2015, to hear all persons who wished to be heard concerning this matter.

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of securing listed on Securing Building No. 1198 ("SEC 1198") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

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

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

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

  
\_\_\_\_\_  
City Attorney (Designee)

**ST. PETERSBURG CITY COUNCIL**

**MEETING OF: April 16, 2015**

**TO:** COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

**SUBJECT:** Confirming Preliminary Assessment for  
Building Demolition Number **DMO 425**

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

<b>DMO:</b>	<b><u>425</u></b>
<b>NUMBER OF STRUCTURES:</b>	<b><u>6</u></b>
<b>ASSESSABLE AMOUNT:</b>	<b><u>\$65,430.36</u></b>

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

**COST/FUNDING/ASSESSMENT INFORMATION:**

The total assessable amount of **\$65,430.36** will be fully assessable to the property owners.

**ATTACHMENTS:**

**MAYOR:** \_\_\_\_\_

**COUNCIL ACTION:** \_\_\_\_\_

**FOLLOW-UP:** \_\_\_\_\_ **AGENDA NO.** \_\_\_\_\_

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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
DMD 0425 03104	SUKHASAM, MANIT 6398 17TH AVE N SAINT PETERSBURG FL 337105514	21 31 16 07182 008 0110 BELLECREST HEIGHTS BLK 8, LOT 11	5027 4TH AVE S	13,021.44
DMD 0425 03105	***** 5019 4TH AVE S SAINT PETERSBURG FL 337071919	21 31 16 07182 008 0120 BELLECREST HEIGHTS BLK 8, LOT 12	5019 4TH AVE S	9,268.88
DMD 0425 03106	TARPON IV LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	18 31 17 46836 002 0160 KINYON & WOODS ADD BLK B, N 44FT OF LOT 16	801 8TH ST N	9,355.94
DMD 0425 03107	JONES, LANETTE R 118611 NW 8TH CT MIAMI FL 33169	25 31 16 57114 000 0060 MELLOR'S RESUB LOT 6	1340 MELROSE AVE S	12,973.10
DMD 0425 03108	JANTSCHKE, JEANETTE 1228 BLACKRUSH DR TARPON SPRINGS FL 346896238	27 31 16 80385 003 0060 SHADOW LAWN BLK 3, LOTS 6 AND 7	4550 19TH AVE S	756.68
DMD 0425 03109	GOTTI, JAMES 1961 3RD AVE N SAINT PETERSBURG FL 337138001	25 31 16 85140 000 0150 STANLEY HEIGHTS LOT 15	968 MELROSE AVE S	20,054.32

TOTAL NUMBER OF ASSESSMENTS: 6

TOTAL ASSESSMENT AMOUNT: 65,430.36

SAS805R

**BUILDING DEMOLITION NUMBER DMO 425**  
**COST/FUNDING/ASSESSMENT INFORMATION**

<b><u>CATEGORY</u></b>	<b><u>AMOUNT TO BE ASSESSED</u></b>
Demolition Cost	\$ 32,222.00
Asbestos Cost	\$ 29,153.10
Legal Ad	\$ 1,424.84
Engineer's Chg	\$ 787.50
Administrative Fee	\$ <u>1,842.42</u>
<b>TOTAL:</b>	<b>\$ 65,430.36</b>

A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 425 ("DMO NO. 425") AS LIENS AGAINST THE RESPECTIVE REAL PROPERTY ON WHICH THE COSTS WERE INCURRED; PROVIDING THAT SAID LIENS HAVE A PRIORITY AS ESTABLISHED BY CITY CODE SECTION 8-270; PROVIDING FOR AN INTEREST RATE ON UNPAID BALANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND RECORD NOTICE(S) OF LIEN(S) IN THE PUBLIC RECORDS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the structures so demolished are listed on Building Demolition No. 425 ("DMO No. 425 "); and

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

WHEREAS, the City Council has held a public hearing on April 16, 2015, to hear all persons who wished to be heard concerning this matter.

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council assesses the costs of the demolition listed on Building Demolition No. 425 ("DMO No. 425") as liens against the respective real property on which the costs were incurred and that pursuant to Section 8-270 of the St. Petersburg City Code said liens shall be superior in dignity to all other liens except taxes; and

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

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

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

  
\_\_\_\_\_  
City Attorney (Designee)

## PUBLIC HEARING

### ST. PETERSBURG CITY COUNCIL

Meeting of April 16, 2015

**To:** The Honorable Charlie Gerdes, Chair, and Members of City Council

**Subject:** Resolution adopting the Countywide Local Mitigation Strategy and making the Local Mitigation Strategy the City's Floodplain Management Plan.

**Request:** The attached proposed resolution will adopt the Countywide Local Mitigation Strategy (LMS) and make the LMS serve as the City's Floodplain Management Plan (FMP) to meet the requirements of the Community Rating System (CRS).

**Explanation:** The LMS is a countywide document intended to create a blueprint or guide for unified action to reduce the impact of disasters that threaten Pinellas County and its municipalities. It consists of a basic plan and 15 appendices. The LMS was originally developed in 1999 and the current plan, which staff is requesting that City Council adopt, is the 2015 update. The 2015 update was developed as a joint effort between the Pinellas County Emergency Management staff, the Tampa Bay Regional Planning Council staff, staff from the participating municipalities, non-profit representatives and the business community.

It is important for the City Council to adopt the attached Resolution for the following reasons:

- to qualify for pre- and post-disaster grant funding;
- to meet the requirements of the CRS program for Floodplain Management planning; and
- to participate in a countywide effort to reduce the impacts of disasters.

**Background:** In early 1998, the Florida Department of Community Affairs (DCA) requested that Pinellas County and its municipalities develop a unified, community-wide local mitigation strategy. In addition to county and municipal government representation in creating the original LMS document, the process included a broad range of private and public sector interests, including: the regional planning council, chambers of commerce, public utilities, health care, public transportation, community associations, non-profits and the business community. In 1999, the LMS was completed and adopted by the various participating municipalities, including St. Petersburg and Pinellas County.

In 2004, the first comprehensive update of the countywide LMS was completed. As part of this update, Appendix Four (4) (Local Mitigation Strategy Goals and Objectives) and

Appendix Five (5) (Policies and Ordinances) were updated by the local municipalities. Vulnerabilities, including repetitive loss properties and critical facilities inventories, were updated and mapped using GIS. In addition, Appendix Nine (9) (Mitigation Initiatives) and Appendix 10 (Accomplishments) were discussed and updated based on local priorities.

**Current Update:** The 2015 updated LMS includes an introductory basic plan component and 15 appendices. The main appendices include: Multi-Hazard and Risk Assessment, Local Mitigation Goals and Objectives, Local Programs and Policies and Capabilities, Community Participation and Outreach, and Mitigation Initiatives. Through the various appendices, the updated LMS establishes risk, creates goals for reducing risk, discusses the current policies in place to minimize risk and lists new initiatives which could be completed to further reduce risk of loss from disasters. It is important that the City of St. Petersburg participate in and adopt the updated LMS in order to qualify for pre- and post-disaster funding; to meet the requirements of the CRS program for floodplain management planning and to participate in a countywide effort to reduce the impacts of disasters.

In order for the City of St. Petersburg to qualify for pre- and post-disaster grant funding, such as Pre-Disaster Mitigation Program (PDM) and Hazard Mitigation Grant Program (HMGP) funds, the city must participate in the planning process of the LMS update and adopt the updated LMS. During the planning and updating process, city staff from the Planning and Economic Development department and the Fire department participated in order to meet the requirements. Now, staff is requesting City Council adopt the LMS to complete the city's participation in the 2015 update. Appendix Nine (9) of the 2015 updated LMS is entitled Mitigation Initiatives. It includes a list of potential projects from all the participating municipalities and Pinellas County. When the city applies for a disaster mitigation grant for a project, the funding agency will require that the proposed project is listed in Appendix Nine (9) of the LMS. Currently, St. Petersburg has several projects listed in Appendix Nine (9), including: facility hardening, retrofits of water reclamation facilities, construction of large conveyance piping, stormwater repairs and acquisition of repetitive loss properties. New projects that arise can be added to this project list at any time so the city is not restricted to only applying for grant funding for these projects in the future.

As City Council is aware, the city participates in the Community Rating System (CRS) program to reduce the cost of flood insurance for residents of the city. A requirement of the CRS program is that the city has an adopted Floodplain Management Plan (FMP). In 2008, the city began using the LMS as the FMP for CRS purposes. As a part of the 2015 LMS update, staff has worked to update and incorporate our local FMP into the LMS as Appendix 15 in the hope of scoring more points in the CRS program. By updating and combining our previous version of the FMP into the LMS, the city is providing more detailed information to FEMA on repetitive loss properties in the city, the specific areas of flooding concern, and a history of projects and actions undertaken by the city to reduce flood risks.

Finally, staff believes that it is important for City Council to adopt the LMS to support the countywide effort to reduce the impacts of disasters to the community. As previously noted, city staff has worked with the Pinellas County Emergency Management staff, the Pinellas County Planning staff, the Tampa Bay Regional Planning Council staff, staff from the participating municipalities and representatives from the private and non-profit sectors in developing the 2015 LMS update. Staff believes that this coordination has resulted in an improved LMS plan and further developed relationships among the various staffs which will lead to more sharing of best practices in minimizing risk.

**Public Notice:** In updating the LMS, it was important to reach out to the public to provide an opportunity for input as the plan update was being developed. Several approaches were taken to solicit community involvement in the development of the LMS update. The approaches included sending letters to a variety of organizations, associations and businesses; using public service announcements and advertisements; and including information on government web pages. There were also three (3) focus groups held. During the focus groups, a presentation was made about the LMS update and a survey was conducted. Results from the surveys are included in Appendix Seven (7).

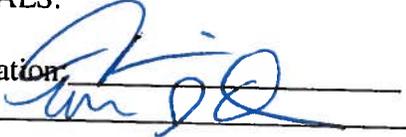
**Recommendation:** The Administration recommends **APPROVAL** of the attached resolution.

Attachments: Resolution, Countywide Local Mitigation Strategy

APPROVALS:

Administration: \_\_\_\_\_

Legal: \_\_\_\_\_

Handwritten signatures in blue ink over two horizontal lines. The top signature is a cursive name, and the bottom signature is a more stylized cursive name.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ADOPTING THE COUNTYWIDE LOCAL MITIGATION STRATEGY; MAKING THE LOCAL MITIGATION STRATEGY SERVE AS THE CITY OF ST. PETERSBURG'S FLOODPLAIN MANAGEMENT PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg (City) is located in an area that is vulnerable to natural and man-made disasters; and

WHEREAS, the City supports efforts to make our community more disaster-resistant, thereby reducing the costs of disasters; and

WHEREAS, the City is desirous to minimize, alleviate and mitigate the effects of flooding to the greatest possible extent; and

WHEREAS, the City is a participant in the Community Rating System of the National Flood Insurance Program; and

WHEREAS, participation in the Community Rating System provides benefits to homeowners holding flood insurance policies; and

WHEREAS, the City has participated and coordinated with other local governments, public and private sector agencies, organizations and corporations in the creation of the Local Mitigation Strategy (LMS); and

WHEREAS, the LMS serves to minimize the loss of life, human suffering, damage to public and private property, and economic loss by recognizing and obtaining knowledge of the types of hazards that could affect Pinellas County; and

WHEREAS, the LMS represents a unified county-wide strategy toward a more disaster-resistant community; and

WHEREAS, after a review and update period, the 2015 draft Local Mitigation Strategy has been placed on the LMS public website in order to obtain public comment regarding the plan pursuant to Federal Regulations; and

WHEREAS, copies of the plan were made available through all participating local governments; and

WHEREAS, the 2015 update of the Local Mitigation Strategy included the 10-step planning process identified in the FEMA Floodplain Management Planning section of the 2013 CRS Coordinator's Manual; and

WHEREAS, additional floodplain management planning documents specific to the City of St. Petersburg have been included in Appendix 15 of the Local Mitigation Strategy to satisfy the flood plain management requirements of the Community Rating System; and

WHEREAS, three publicly noticed workshops were held on January 26<sup>th</sup>, 28<sup>th</sup>, and 29<sup>th</sup> at three separate locations in Pinellas County (Tarpon Springs, Pinellas Park, and St. Petersburg) to inform the public and obtain public comments.

WHEREAS, the City must prepare and adopt a Floodplain Management Plan in order to remain active in the Community Rating System; and

WHEREAS, the City is allowed to utilize the countywide LMS as the City's Floodplain Management Plan.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the City adopts the updated Local Mitigation Strategy which shall function as the City's Floodplain Management Plan required by the Community Rating System.

This resolution shall become effective immediately upon its adoption.

LEGAL:

  
\_\_\_\_\_  
City Attorney (Designee)

APPROVED BY:

  
\_\_\_\_\_

PLANNING & ECONOMIC DEVELOPMENT:

  
\_\_\_\_\_  
Director

APPROVED BY:

\_\_\_\_\_

# ST. PETERSBURG CITY COUNCIL

Meeting of April 16, 2015

**TO:** The Honorable Charlie Gerdes, Chair, and Members of City Council

**SUBJECT:** An Ordinance amending Chapter 27 of the St. Petersburg City Code by deleting Section 27-609 relating to performance bonds; and providing an effective date.

**EXPLANATION:** Currently, City Code requires private collectors engaged in collecting, removing or disposing of garbage, rubbish, garden trash, industrial waste, commercial rubbish, construction debris, or any other type of waste or trash to: (1) apply for and be issued a permit to conduct business in the city as a private collector; (2) execute a private collector permit agreement; (3) provide the City with a performance bond in the amount of \$50,000.00; and (4) maintain liability insurance acceptable to the City. Reviewing the ordinance, City administration determined that the bond requirement was applied differently dependent upon the type of hauler. Private haulers utilizing "roll-off" type containers are required to obtain a bond, but those utilizing "trailer-type" containers, with over-the-road wheels, are not required to obtain a bond. In addition, if a business entity's primary business is not the collection and disposal of trash or debris, but that business utilizes debris containers to collect on private property as part of their primary business (for example, roofers or construction companies), no bond is required.

The bond requirement was originally required as a means for the City to collect if the private hauler violated provisions of the private collector permit, and the City had to expense funds to rectify the violation (i.e., remove a container that the private collector abandoned). However, the City has never collected on a bond since the requirement has been in effect. Further, all of the above categories of haulers are required to have and maintain commercial general liability insurance, which offers the City essentially the same protections. Therefore, based upon the inequities that the bonding requirement causes as described above, Administration is recommending that the bond requirement be removed from the ordinance.

**RECOMMENDATION:** The Sanitation, Legal and Risk Management Departments have reviewed the proposed change to the ordinance. The Legal Department has advised that the ordinance remains legally sufficient if the Administration's recommendation is approved. Conduct Second Reading and Public Hearing on April 16, 2015.

**COST/FUNDING/ASSESSMENT INFORMATION:** As the City has never found it necessary to collect on a bond, there is no financial impact to the City; however, removal of the requirement may aid the development and retention of small business within the City limits.

AN ORDINANCE AMENDING CHAPTER 27 OF THE ST. PETERSBURG CITY CODE BY DELETING SECTION 27-609 RELATING TO PERFORMANCE BONDS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section one. Section 27-609 of the St. Petersburg City Code is hereby deleted in its entirety and removed from the City Code:

~~Sec. 27-609. — Bond.~~

~~A private collector who files an application and executes a private collector permit agreement shall provide the City with a bond in the amount of \$50,000.00 in the form and manner approved by the City Attorney. The bond shall be issued by a surety licensed to do business in the State and shall indemnify the City from any damages that may be suffered by the City in any manner by: execution of the private collector permit agreement and issuance of the permit; performance of the conditions and requirements of the private collector permit agreement; use of the City's streets; the failure of the private collector or its agents or employees to conform with applicable laws; any negligent act or omission of the private collector or its agents or employees; or any reckless or intentional wrongful act or omission of the private collector or its agents or employees.~~

Section two. 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 three. 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:

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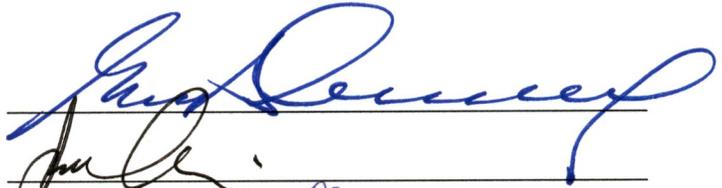
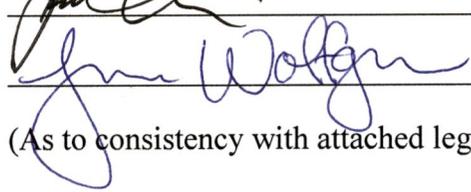
City Attorney (designee)

**ATTACHMENTS:** Ordinance

**APPROVALS:** Administration:

Budget:

Legal:

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

(As to consistency with attached legal documents)

**ST. PETERSBURG CITY COUNCIL**

**Meeting of April 16, 2015**

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**TO:** The Honorable Charlie Gerdes, Chair, and Members of City Council

**SUBJECT:** Ordinance proposing amendments to Section 21-54 of the City of St. Petersburg Municipal Code titled "Plant life." The proposed amendments are designed to strengthen the protections available to plant life in City parks. This request originated in the City Beautiful Commission, with their analysis included in the attached staff report provided by the Parks and Recreation Department.

**REQUEST:** Setting of first reading of the attached *Ordinance*. The application includes:

(A) ORDINANCE \_\_\_\_\_ amending Section 21-54, St. Petersburg City Code.

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING SECTION 21-54 OF THE MUNICIPAL CODE OF ORDINANCES; STRENGTHENING THE PROTECTIONS AVAILABLE TO PLANT LIFE IN CITY PARKS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA, DOES ORDAIN:

**Section 1.** Section 21-54 of the St. Petersburg City Code is hereby amended to read as follows:

**Section 21-54. – Plant life.**

No person shall remove, disturb, trim, replant, plant, relocate, ~~destroy~~, injure, pick, or crush, deface or mutilate any plant life or plant material, including but not limited to any tree, plant, grass, flower, fruit, seed, or turf, without a park permit for such activity.

**Section 2.** Coding: As used in this ordinance, language appearing in ~~struck-through~~ type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise.

**Section 3.** The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

**Section 4.** In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

  
\_\_\_\_\_  
City Attorney (Designee)



# CITY BEAUTIFUL COMMISSION

## City of St. Petersburg

### Proposed Changes to the City Park Ordinance Sec 21-54. – Plant Life

The Commission is recommending changes to the City Park Ordinance Sec 21-54. – Plant Life because of the damages to the Gizella Kopsick Arboretum – Palms and Cycads that have occurred over the past years. The Commission believes that the changes will strengthen the ordinance and address a few items relating directly to the palm arboretum and other municipal parks and natural areas.

The changes are below. Underlined words signify text that was added and ~~struck through~~ words are deleted words. The current ordinance is provided after the proposed textual changes.

#### Sec 21-54 – Plant Life - PROPOSED

No person shall remove, disturb, trim, replant, plant, relocate, ~~destroy~~, injure, pick, or crush, deface or mutilate any plant life or plant material, including but not limited to any tree, plant, ~~grass~~, flower, fruit, seed, or turf, without a park permit for such activity.

#### Sec 21-54. Plant Life - CURRENT

No person shall disturb, trim, replant, plant, relocate, destroy, injure, pick or crush any plant life, including but not limited to any tree, plant, grass, flower, fruit or turf, without a park permit for such activity.

#### Justifications:

- remove – addresses the plants that are taken or pulled up and tossed elsewhere.
- ~~destroy~~ and deface and mutilate – stronger language
- plant material – this addition will include items that are not necessarily attached to the plant itself and could be considered by some “dead material” such as pinecones, seed pods, palm fronds, etc.
- ~~grass~~ – duplicated further by turf
- seed – taking seeds from the palm arboretum is very common. People do not believe they are part of the “living plant” and thus should be able to remove.

ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE BY ADDING ARTICLE III TO CHAPTER 15, PROHIBITING WAGE THEFT; PROVIDING FOR DEFINITIONS; ESTABLISHING A PROCEDURE FOR THE PROCESSING OF WAGE THEFT COMPLAINTS; PROVIDING FOR A HEARING; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the St. Petersburg City Council hereby makes the findings set forth in the City Code sections adopted by this ordinance regarding the importance of prohibiting wage theft in St. Petersburg and establishing a procedure to process wage theft complaints.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The St. Petersburg City Code is hereby amended by adding a new Article III, Chapter 15, Sections 15-40 through 15-46, to read as follows:

**Article III. Wage Theft**

**Sec. 15-40. Declaration of policy; legislative findings.**

It is hereby found, determined and declared that:

(a) The Research Institute on Social Policy at Florida International University recently issued two studies that document that wage theft is a significant problem in Florida and more specifically, St. Petersburg.

(b) Eliminating the underpayment or nonpayment of wages earned by persons working in the City serves a public purpose by:

- (1) Providing economic security for persons working in the City;
- (2) Promoting business and economic development through the elimination of unfair economic competition by unscrupulous businesses that do not pay or that underpay their employees; and
- (3) Reducing the number of employees who rely on public assistance for essential needs because their employer does not pay or underpays earned wages.

**Sec. 15-41. Definitions.**

As used in this article the following terms shall have the meaning ascribed to them:

*Employ* shall mean to permit a person to work for wages.

*Employee or complainant employee* shall mean a natural person who performs work within the geographic boundaries of the City while being employed by an employer, but shall not include any bona fide independent contractor.

*Employer or respondent employer* shall include any entity or person who, acting either individually or as an officer, agent, or employee of another person, acts directly or indirectly in the interest of a person or entity employing an employee. Employer includes a third-party labor provider, but such term does not include:

- (1) The United States or a corporation wholly owned by the government of the United States;
- (2) The State of Florida; or
- (3) The City of St. Petersburg.

*Hearing officer* shall mean an attorney who has been licensed to practice law in the State of Florida for a period of at least five years, and who the City determines, in its absolute discretion, is qualified to hear wage theft matters.

*Independent contractor* shall have the same meaning as in the Internal Revenue Code and implementing federal regulations.

*Liquidated damages* shall mean twice the amount a respondent employer is found to have unlawfully failed to pay the complainant employee. Liquidated damages are awarded in addition to back wages in order to compensate for the economic losses suffered by reason of the employee not receiving the wage at the time it was due as well as to serve as a deterrent to employers.

*POD* means the person officially designated by the Mayor to perform the duties described in this Article.

*Reasonable time* shall be presumed to be no later than fourteen (14) ~~calendar~~ business days from the date on which the work is performed unless the employer has established, by policy or practice, a pay schedule whereby employees earn and are consistently paid wages according to regularly recurring pay periods in which case such pay schedule shall govern.

*Threshold amount* shall mean sixty dollars (\$60.00).

*Wage rate* shall mean any form of monetary compensation which the employee agreed to accept in exchange for performing work for the employer, whether a salary, daily or hourly wage, or by piece, and whether exempt or non-exempt from the Fair Labor Standards Act and other federal, state or local overtime laws. In all cases the wage rate shall be no less than the highest applicable rate established by operation of any federal, state or local law.

**Section 15-42. Wage theft violations.**

An employer commits wage theft when the employer fails to pay wages, or a portion of wages, due to an employee according to the wage rate and other laws applicable to that employee within a reasonable time from the date on which that employee performed the work for which those wages were compensation. Upon a finding by a hearing officer that an employer failed to pay wages, or a portion of wages, such violation shall entitle an employee to receive back wages in addition to liquidated damages and reasonable costs and attorney's fees from that employer as stated in the hearing officer's order.

**Section 15-43. Procedures for wage theft complaints.**

(a) *Filing wage theft complaints.*

- (1) The employee must file a written, signed complaint with the City Clerk. Any person or entity may assist the employee in filing his or her complaint.
- (2) The POD will only process a complaint alleging a wage theft violation in which the unpaid wages are equal to no less than the threshold amount.
- (3) A signed complaint for wage theft must be filed with the City Clerk no later than one calendar year after the date wages were due to be paid for work performed for a respondent employer. If the alleged wage theft violation is ongoing at the time of the filing of the complaint, the complaint may also seek recovery of amounts that accrue after the filing of the complaint.
- (4) The complaint shall set forth the facts upon which it is based with sufficient specificity to identify the respondent employer or respondent employers, to determine that the threshold amount has been met, and to identify that an allegation of wage theft has been made.

(b) *Respondent employer.*

- (1) Upon the filing of any complaint, the POD shall promptly determine whether the complaint alleges wage theft, names at least one respondent employer and meets the threshold amount. The duty of the City to determine whether a complaint meets these

criteria is limited to receiving the complaint and comparing the information provided in the complaint to the required criteria. This determination is a ministerial act and may not be based on further investigation or the exercise of independent judgment.

- (2) Upon making such determination, the POD shall serve the complaint and a written notice on the respondent employer, setting forth the allegations, rights and obligations of the parties including, but not limited to, the right to a due process hearing on the matter before a hearing officer and that the respondent employer may be responsible for the costs of the hearing officer and other enforcement costs. Such service shall be by mail and is presumed served upon mailing unless all mail is returned.
- (3) Each respondent employer shall file an answer to the complaint with the POD at the address specified in the notice not later than twenty-one (21) days after service of the complaint and notice from the City. The POD may grant one extension, not to exceed thirty days, for good cause. If no extension is granted by the POD and the POD does not receive an answer to the complaint, the POD will proceed with the conciliation process. If the respondent employer pays the employee the underpayment before the conciliation process has commenced, the complaint will be dismissed upon verified proof of payment or acknowledgement by the employee.

(c) *Conciliation.*

- (1) It is the policy of the City to encourage conciliation of complaints. After the complaint is filed, the POD will coordinate a conciliation process to attempt to resolve the complaint by agreement of both parties. If possible, a written conciliation agreement resolving the dispute between the complainant employee and the respondent employer shall be executed in lieu of referral of the matter to a hearing officer.
- (2) A conciliation agreement arising out of such conciliation shall be a written agreement between the respondent employer and the complainant employee.
- (3) Whenever a party believes that the other party has breached a conciliation agreement, the aggrieved party may file a civil action in a court of competent jurisdiction for enforcement of such agreement.
- (4) If conciliation fails, nothing said in the course of attempting conciliation under this Article may be used as evidence in any subsequent proceeding under this Article or otherwise without the written consent of the parties.

- (5) If the POD determines that the conciliation process has been refused or has reached impasse, the POD will notify the parties and schedule a hearing before the hearing officer.

(d) *Hearing before hearing officer*

- (1) Within fifteen (15) days after the POD gives notice that the conciliation process has been refused or has reached impasse, any party may submit a written request for a hearing before a hearing officer.
- (2) In conducting any hearing to determine whether a violation of this Article has occurred, the hearing officer shall have the authority to administer oaths, issue subpoenas, compel the production of evidence and receive evidence. The hearing officer shall have the authority to consolidate two or more complaints into a single hearing where such complaints name the same respondent employer(s) and involve sufficiently similar allegations of fact to justify consolidation. The final determination of the hearing officer in wage theft matters is subject to appeal in a court of competent jurisdiction.

(3) Pre-hearing matters

- a. If a hearing officer is appointed, any party may request that a subpoena be issued by the hearing officer. Witnesses summoned by subpoena of the hearing officer shall be entitled to the same witness and mileage fees as are witnesses in proceedings in the County Court of Pinellas County, Florida. Fees payable to a witness summoned by subpoena issued at the request of a party shall be paid by the party at the time the subpoena is requested.
- b. Within ten (10) days after service of a subpoena upon any person, such person may petition the hearing officer to revoke or modify the subpoena. The hearing officer shall grant the petition if it finds that the subpoena requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to the matter, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous, or for other good reason.
- c. In the case of refusal to obey a subpoena, the hearing officer or any party may seek enforcement of a subpoena issued under the authority of this Article by filing a petition for enforcement in the County Court of Pinellas County, Florida.
- d. In any enforcement proceedings authorized by this Article, the court ~~may~~ shall award to the prevailing party all or part of the costs and attorney's fees

incurred in obtaining the court order, to the extent such award is authorized by the Florida Rules of Civil Procedure.

- e. Discovery shall be permitted upon motion of any party and shall proceed in the manner provided by the Florida Rules of Civil Procedure.
- f. The hearing officer may direct that the parties submit a pre-hearing statement addressing the issues of law and fact that will be involved in such hearing, identify the witnesses that will testify, and provide a list of all documents or other types of exhibits that will be submitted.
- g. The hearing officer may rule on a motion to dismiss the complaint for failure to state a cause of action under this Article.
- h. In any proceeding under this Article, the burden of proof by a preponderance of the evidence rests upon the employee.
- i. In any hearing before the hearing officer pursuant to this section, the respondent employer may file a written answer to the complaint. All parties shall appear at the hearing in person, with or without counsel, and may submit evidence, cross-examine witnesses, and otherwise be heard. Testimony taken at the hearing shall be under oath and either party may pay the cost to have a transcript made. The City may, at its discretion, utilize a court reporter or electronic recording device to create a verbatim record. If the City chooses to use an electronic device, either party may elect to pay a court reporter to attend the hearing.

(4) Standards for resolving factual disputes.

- a. Adequate records. When the following three conditions are met:
  - i. Where by operation of some other statute or regulation, a respondent employer has an obligation to keep records of an employee's hours worked and/or records of compensation provided to an employee; and
  - ii. Where such records are imprecise, inadequate or do not exist; and
  - iii. Where a complainant employee presents sufficient evidence to show, as a matter of reasonable inference, the amount of work done or the extent of work done or what compensation is due for the work done;

then the burden of persuasion falls on the respondent employer whose obligation it was to keep accurate records and the respondent employer must come forward with evidence of the precise amount of work performed or with evidence to negate the reasonableness of the inference to be drawn from the complainant employee's

evidence. If the respondent employer fails to meet this burden, the hearing officer may award damages based on the complainant employee's evidence.

(5) Representation.

Any person may be represented by counsel in any proceeding herein at that person's expense. Any party, including corporate entities, may authorize a non-lawyer advocate to appear on behalf of that party unless specifically disallowed by the hearing officer for good cause. The employee who asserts the claim must appear at the hearing in person.

(6) Applicability of Florida Rules of Civil Procedure.

- a. The provisions of Rule 1.090, Florida Rules of Civil Procedure shall govern the computation of any period of time prescribed or allowed by this Article or by rules, regulations, or orders adopted pursuant to this Article.
- b. All papers or pleadings required by this Article to be served may be served by certified mail or in accordance with Rule 1.080, Florida Rules of Civil Procedure.

**Section 15-44. Enforcement of wage theft violations.**

- (a) At the conclusion of a hearing and upon a finding of no violation, the hearing officer shall issue a written order to that effect.
- (b) At the conclusion of a hearing and upon a finding of a wage theft violation, the hearing officer shall issue a written order that orders the employer within 45 days of the date of the order:
  - (1) To pay to the affected employee an amount equal to the amount of back wages that the respondent employer is found to have unlawfully failed to pay to the employee, liquidated damages, and reasonable attorney's fees and reasonable costs of pursuing the wage theft violation as determined by the hearing officer.
  - (2) To pay the City the administrative costs of processing the claim and all the costs of the hearing.
- (c) Joint and several liability

In any order issued by the hearing officer, the order may specify two or more respondent employers as jointly and severally liable for any amount payable to the complainant employee or the City or both; however, the total amount the complainant

employee or the City may receive from jointly and severally liable respondent employers shall not exceed the total amount for which respondent employers are jointly and severally liable.

(d) Cumulative rights preserved.

Nothing in this Article shall be construed to limit, preclude or in any way abrogate the cumulative rights or remedies available to employees at common law or by other statute which were not the subject of an employee's complaint or the City's enforcement actions; such cumulative rights, which shall be unaffected by the provisions of this Article unless they are made the subject of a complaint or the City's enforcement action, shall include, but shall not be limited to, rights related to the violation of overtime, minimum wage, living wage, prevailing wage, or equal pay laws.

(e) Enforcement by private persons

(1) If prior to filing a complaint under this Article or during the pendency of such a complaint but prior to the issuance of a final decision by a hearing officer, a complainant employee brings a private action in his or her own right, whether under state law, federal law, or both, in any state or federal court to seek unpaid wages based upon the same facts and allegations as the employee's complaint filed with the City, or affirmatively or by consent opts to participate in any such litigation, that employee's complaint of wage theft shall be deemed withdrawn with respect to any employer named as a defendant in such court action.

(2) Within fifteen (15) days of becoming aware of any private action described herein, the POD shall notify the employee and any employer subject to the private action in writing of this provision and its effect on the complaint. Within thirty (30) days of the issuance of such notice, the POD will dismiss the complaint, with prejudice, only with respect to the employer or employers who are named as a defendant to the private action. The City will notify the employee and any employer of such dismissal in writing.

**Section 15-45. Retaliation prohibited.**

(a) Employers are prohibited from threatening, intimidating, or taking other adverse action against employees in retaliation for asserting any claim to wages pursuant to this Article, and any such actions are violations of this Article. Adverse actions include, but are not limited to, communicating to the employee, whether directly or indirectly, explicitly or implicitly, the willingness to inform a government employee that the employee is not lawfully in the United States.

(b) Where such retaliation resulted in any loss of the employee's wages, upon a finding by a hearing officer that an employer retaliated against an employee in violation of this Article, the employee is entitled to receive ~~back~~ quantifiable wages and liquidated damages.

(c) Violations of the retaliation prohibition shall be determined under the same procedures as wage theft complaints, and in the same proceeding as any related wage theft complaint. The City shall order any employer who has been found to have violated the retaliation prohibition to pay to the City the actual administrative processing costs and costs of the hearing, regardless of the findings on any related wage theft claim.

**Sec. 15-46. Community engagement and proactive investigation.**

(a) It is the policy of the City to engage community-based organizations to implement the purposes of this Article. The POD may coordinate implementation of City-funded community outreach efforts, including developing appropriate guidelines or rules, and contracting with community-based organizations to provide such services. Contracted services may include, but are not limited to, educating employees on their rights and assisting employees who wish to file complaints.

(b) The POD is authorized to direct proactive investigations of designated industries or employers in response to reports of alleged violations of this Article from employees, residents, organizations, or employers.

Section 2. A fiscal report regarding the administrative cost associated with the implementation of the Article shall be submitted to the applicable City Council Committee within six months of its effective date and one year after its effective date. Thereafter, such fiscal report shall be submitted annually. The fiscal report should provide quarterly statistical data about the number of inquiries, number of petitions for hearings, number of hearings scheduled, the cost of the hearings, and the results of the hearings.

Section 3. The unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

Section 4. The administration is authorized and directed to take all actions necessary to implement the provisions of this Article within ~~sixty (60)~~ one hundred and twenty (120) days after this ordinance is enacted.

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

Approved as to form:

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Administration

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**st.petersburg**  
[www.stpete.org](http://www.stpete.org)

**Community Redevelopment Agency  
Meeting of April 16, 2015**

**CRA Case File: IRP 15-2a**

**REQUEST**

Review of the proposed mixed-use project consisting of an existing 6-story building and a proposed 32,000 square foot grocery store, 18,000 square feet of retail space and a three-story parking garage, located at 700 Central Avenue for consistency with the Intown Redevelopment Plan.

**APPLICANT INFORMATION**

<u>Applicant</u>	The ARC Group, Inc. 700 Central Avenue, Suite 104 St Petersburg, FL 33701
<u>Property Owner</u>	The ARC Group, Inc. 700 Central Avenue St Petersburg, FL 33701
<u>Architect/Engineer</u>	Calvin Samuel CSJM Architects, Inc. 700 Central Avenue, Suite 200 St. Petersburg, FL 33701

**OVERVIEW OF PROJECT**

The subject property is located at the southwest corner of Central Avenue and 7<sup>th</sup> Street South. The project consists of an existing 6-story building and a proposed 32,000 square foot grocery store and 18,000 square feet of retail space.

The existing property is developed with a 6-story building with 92,000 square feet. The applicant proposes to keep the existing 6-story and construct the new grocery and retail building and three (3) levels of structured parking.

The existing office building is located on the east side of the subject property. The proposed grocery and retail building will be located on the west side of the property. An at grade plaza will be located in-between the existing building and proposed grocery and retail building. Above the grocery and retail space will be three (3) levels of structured parking.

The proposed retail space will be along Central Avenue and the grocery store will be along 1<sup>st</sup> Avenue South. The entrance to the office building will remain unchanged. Entrance to the retail space will be from Central Avenue and the at grade plaza. Entrance to the grocery store will be from 1<sup>st</sup> Avenue South. The dumpster and loading

areas will be on the east side of the building. The dumpster and loading areas have been concealed from 1<sup>st</sup> Avenue South behind a wall that will be finished to match the building. Access to the parking garage will be from 8<sup>th</sup> Street South.

The proposed architecture of the building has been influenced by the art deco style. The base of the building will have ample amount of glazing to help create a more transparent façade along the street level. The base of the building has been finished with stucco and art deco architectural elements. A tower element has been incorporate along 1<sup>st</sup> Avenue South to create a visual element to the entrance of the proposed grocery store.

The structured parking located above the base of the building is made of precast concrete panels. The concrete panels as shown on the applicant's elevations have not been designed or finished to match the base of the building. The land development regulations have specific design regulations that require the parking structure to be of a recognizable architectural style and that parking structures that are part of an overall project shall utilize the same architecture style, fenestration and detailing as the principal structure. The Intown Redevelopment Plan (IRP) requires all redevelopment to comply with all applicable land development regulations. The IRP encourages all parking structures to provide decorative facades though the utilization of building materials and/or landscaping.

#### **CONSISTENCY WITH INTOWN REDEVELOPMENT PLAN**

The Intown Redevelopment Plan (IRP) requires the Community Redevelopment Agency to evaluate a development proposal to ensure its proposed use and design are consistent with the Plan.

#### Plan Emphasis

The Project is located within the "Residential" area of Intown, which is one of the four focus areas of the IRP, the others being the Core, Webb's City, and the Stadium Complex.

The zoning for the site is DC-1, which does allow commercial uses with a floor area ratio above 7.0. The Project, with a proposed FAR of 1.48, is therefore consistent with the Intown Redevelopment Plan.

#### Design Criteria

Design criteria in the IRP that pertain to this project include:

- *provision of architectural variety to the area and uses that generate street level activities;*
- *sensitivity of building mass and scale to adjacent existing development and residential areas; and*
- *inclusion of streetscaping features to enhance the pedestrian environment.*

The project implements strong urban design elements that enhance the pedestrian experience. These elements include the building being placed up to the sidewalk creating an urban edge, incorporating ample amount of glazing and transparency along the sidewalk and have active uses. However, the structured parking does not comply with the intent of the IRP or the land development regulations. Conditions have been placed in the report that will require the structured parking to match the architectural style of the building.

**SUMMARY AND RECOMMENDATION**

Administration recommends approval of the attached resolution finding the proposed mixed-use project consisting of an existing six-story building and a proposed 32,000 square foot grocery store, 18,000 square feet of retail space a three-story parking garage consistent with the Intown Redevelopment Plan as reflected in report IRP 15-2a based on preliminary plans submitted for review subject to the following conditions:

1. Final building plans must be reviewed and approved by CRA staff;
2. Design of parking structure shall be modified to utilize the same architecture style, fenestration and detailing as the base of the building.
3. Applicant complies with any conditions of approval required by Development Review Services staff.

**EXHIBIT A**  
Site Data

<b>Location</b>	700 Central Avenue 19/31/17/74466/078/0090, 19/31/17/74466/078/0091, 19/31/17/74466/078/0110, 19/31/17/74466/078/0120
<b>Redevelopment Area</b>	Intown Redevelopment Area
<b>Zoning District</b>	DC-1
<b>Existing Land Use</b>	Office use
<b>Proposed Uses</b>	Existing 6-story building, 32,000 square foot grocery story and 18,000 square feet of retail space
<b>Site Area</b>	95,832 sq. ft. or 2.2 acres
<b>Proposed FAR</b>	1.48 FAR
<b>Existing FAR</b>	0.96 FAR
<b>Permitted FAR</b>	Above 7.0
<b>Existing Parking</b>	158 spaces
<b>Proposed Parking</b>	464 spaces

CRA RESOLUTION NO.

RESOLUTION OF THE ST. PETERSBURG COMMUNITY REDEVELOPMENT AGENCY (CRA) FINDING THE PROPOSED MIXED-USE PROJECT CONSISTING OF AN EXISTING SIX-STORY BUILDING AND A PROPOSED 32,000 SQUARE FOOT GROCERY STORE, 18,000 SQUARE FEET OF RETAIL SPACE AND A THREE-STORY PARKING GARAGE, LOCATED AT 700 CENTRAL AVENUE CONSISTENT WITH THE INTOWN REDEVELOPMENT PLAN; AND PROVIDING AN EFFECTIVE DATE (CITY FILE IRP 15-2A).

WHEREAS, the Community Redevelopment Agency of the City Council of the City of St. Petersburg has adopted the Intown Redevelopment Plan and established development review procedures for projects constructed within designated redevelopment areas;

WHEREAS, the Community Redevelopment Agency has reviewed the plans for an existing six-story building and a proposed 32,000 square foot grocery store, 18,000 square feet of retail space and a three-story parking garage described and reviewed in CRA Review Report No. IRP 15-2a; and

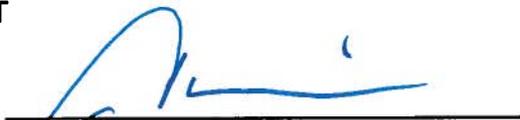
BE IT RESOLVED that the Community Redevelopment Agency of the City of St. Petersburg, Florida, finds the plans of an existing six-story building and a proposed 32,000 square foot grocery store, 18,000 square feet of retail space and a three-story parking garage consistent with the Intown Redevelopment Plan, with the following conditions:

1. Final building plans must be reviewed and approved by CRA staff;
2. Design of parking structure shall be modified to utilize the same architecture style, fenestration and detailing as the base of the building.
3. Applicant must comply with any conditions of approval required by Development Review Services staff.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT

  
\_\_\_\_\_  
City Attorney (designee)

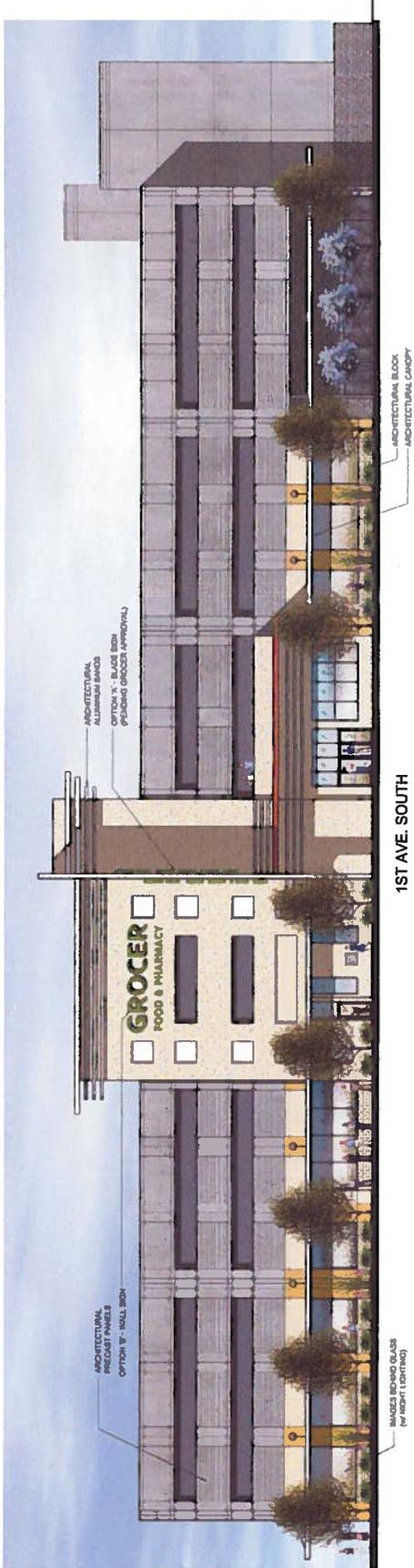
  
\_\_\_\_\_  
Dave Goodwin, Director  
Planning & Economic Development Department



Planning & Economic Development Department  
Case No.: IRP 15-2A  
Address: 700 Central Avenue







1ST AVE. SOUTH



CENTRAL AVE.

Proposed Elevations - 700 Central Ave. (4-2-15)

DOWNTOWN ST. PETERSBURG, FLORIDA



**REVISED**  
APR 15 2015



Proposed Elevations - 700 Central Ave. (4-13-15)

DOWNTOWN ST. PETERSBURG, FLORIDA

CRA



Proposed Elevations - 700 Central Ave. (4-13-15)

DOWNTOWN ST. PETERSBURG, FLORIDA

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of April 16, 2015**

**To: The Honorable Charlie Gerdes, Chair, and Members of City Council**

**Subject:** Awarding a contract to Layne Inliner, LLC in the amount of \$1,870,000 for Sanitary Sewer CIPP Lining – FY15 (Engineering Project No. 15030-111; Oracle No. 14803).

**Explanation:** The Procurement Department received five responsive bids for Sanitary Sewer CIPP Lining – FY15 (see below). The work consists of furnishing all labor, materials and equipment necessary to restore deteriorated 8-inch to 48-inch diameter sanitary sewer gravity pipe utilizing the trenchless Cured-in-Place-Pipe (CIPP) lining method. Work includes traffic control, bypass pumping for diversion of sanitary sewer flows, pipe cleaning, closed circuit television video inspection, furnish and construct cured in place fiberglass pipe lining, and restoration of right-of-way.

Repair locations will be issued to the contractor on a work order basis, based upon citywide priorities determined by the Water Resources and Engineering and Capital Improvements Departments. CIPP lining provides a cost effective method of restoring the structural capacity and flow characteristics of deteriorated clay and concrete gravity sanitary sewer pipe under roadways, without the need for dewatering, sheeting and shoring, excavating, and roadway replacement. The initial contract period shall be 240 days, and the contract may be renewed by Change Order for up to two (2) additional terms from the date of expiration of the initial term. The bid documents require the contractor to provide unit prices for a variety of pipe sizes, and allow the City to award the contract in an amount equal to the project budget amount. The project budget established by Water Resources for the contractor is \$1,870,000.

The contractor will begin work approximately ten calendar days from written Notice to Proceed and is scheduled to complete the work within 240 consecutive calendar days thereafter. The Bids were opened on March 12, 2015 and are tabulated as follows:

<b><u>Bidder</u></b>	<b><u>Base Bid</u></b>
Layne Inliner, LLC (Sanford, FL)	\$1,787,783.50
SAK Construction, LLC (O'Fallon, MO)	\$1,949,730.00
American Infrastructure Technologies Corp. (Hanceville, AL)	\$1,957,900.00
Insituform Technologies, LLC (Chesterfield, MO)	\$1,977,186.00
Lanzo Lining Services, Inc. - Florida; d/b/a	\$2,232,200.22
Lanzo Trenchless Technologies South (Deerfield Beach, FL)	

The lowest responsive and responsible bidder, Layne Inliner, LLC, has met the specifications and terms and conditions of RFQ 5683 dated February 11, 2015. They have satisfactorily performed this work for the City in the past. The Member Manager of Layne Inliner, LLC is Layne Heavy Civil, Inc. whose principals are James R. Easter, Vice President/ Chief Financial Officer; Steven F. Crooke, Vice President/ Secretary; Curtis J. Schmidt, Assistant Treasurer; Mark J. Accetturo, President; Larry D. Purlee, Vice President; and Rene J. Robichaud and David D. Singleton, Directors.

**Recommendation:** Administration recommends awarding this contract to Layne Inliner, LLC in the amount of \$1,870,000. This project qualifies for City Code 2-214/Ordinance 79-H, Local Hiring Construction Incentive Program.

**Cost/Funding/Assessment Information:** Funds have been previously appropriated in the Water Resources Capital Projects Fund (4003), to the SAN CIPP Lining FY15 Project (14803).

**Attachments:** Resolution

**Approvals:**

  
\_\_\_\_\_  
Administrative

  
\_\_\_\_\_  
Budget

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO LAYNE INLINER, LLC FOR COMPLETION OF THE SANITARY SEWER CIPP LINING – FY 15 PROJECT (ORACLE No. 14803) IN A TOTAL COST NOT TO EXCEED \$1,870,000; 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 five bids for completion of the Sanitary Sewer CIPP Lining – FY 15 Project (Oracle No. 14803) pursuant to RFQ No. 5683 dated February 11, 2015; and

WHEREAS, Layne Inliner, LLC has met the specifications, terms and conditions of RFQ No. 5683; and

WHEREAS, the Administration recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the bid and award of an agreement to Layne Inliner, LLC for completion of the Sanitary Sewer CIPP Lining – FY 15 Project (Oracle No. 14803) at a total cost not to exceed \$1,870,000 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 April 16, 2015**

**To: The Honorable Charlie Gerdes, Chair, and Members of City Council**

**Subject:** Renewing a blanket purchase agreement with Infinity Staffing Solutions, LLC dba Lyneer Staffing Solutions, formerly known as Tri-State Employment Services Inc., for temporary staffing services at an estimated annual cost of \$650,000.

**Explanation:** On May 19, 2011 City Council approved a two-year agreement for temporary staffing services through May 31, 2013, with three one-year renewal options. On December 6, 2012 and February 6, 2014 respectively, City Council approved the first and second renewals. This is the final renewal.

The vendor provides personnel, administration, recruitment, testing, screening and training for general labor, clerical, and other entry level temporary staffing positions. The primary users are Water Resources, Sanitation, Stormwater, Pavement and Traffic Operations, and Downtown Facilities Enterprise departments.

The Procurement Department recommends renewal:

Infinity Staffing Solutions, LLC dba Lyneer Staffing Solutions.....\$650,000

The vendor has agreed to uphold the terms and conditions of RFP No. 7111 dated January 24, 2011. Administration recommends renewal of the agreement based upon the vendor's past satisfactory performance, and demonstrated ability to comply with the terms and conditions of the contract. The renewal will be effective from date of approval through May 31, 2016.

**Cost/Funding/Assessment Information:** Funds have been appropriated in the Water Resources Operating Fund (4001) [\$300,000] Cosme WTP Operations & Maintenance account (4202077), Water Reclamation Facility accounts (4202177), (4202181) and (4202173) and Facilities Maintenance (4202229); Sanitation Operating Fund (4021) [\$167,000] Commercial Support (4502265), Residential Support (4502277), Washrack (4502313), Lot Clearing (4502253); Airport Operating Fund (4031) [\$11,000], Downtown Enterprise Facilities Airport Administration (2821877), Marina Operating (4041) [\$21,000], Downtown Enterprise Facilities Marina (2821885) and Sanitation Administration (4502237) accounts; and General Fund (0001) [\$60,000], Stormwater, Pavement & Traffic Operation, Traffic Support (4001265), Traffic Markings (4001277), Fire Department (1501497) and Traffic Signals (4001281) accounts.

**Attachments:** Resolution

**Approvals:**

  
Administrative

 3.30.15  
Budget

A RESOLUTION APPROVING THE THIRD AND FINAL ONE-YEAR RENEWAL OPTION TO THE AGREEMENT (BLANKET AGREEMENT) WITH INFINITY STAFFING SOLUTIONS OF NJ, LLC D/B/A LYNEER STAFFING SOLUTIONS, FORMERLY KNOWN AS TRI-STATE EMPLOYMENT SERVICES INC. FOR TEMPORARY STAFFING SERVICES AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$650,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 19, 2011 City Council approved the award of a two-year agreement (Blanket Agreement) with three one-year renewal options for temporary staffing services to Tri-State Employment Services, Inc. now known as Infinity Staffing Solutions of NJ, LLC d/b/a Lyneer Staffing Solutions ("Infinity") pursuant to RFP No. 7111 dated January 24, 2011; and

WHEREAS, on December 6, 2012 City Council approved the first one-year renewal option of the Agreement; and

WHEREAS, on February 6, 2014, City Council approved the second one-year renewal option of the Agreement; and

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

WHEREAS, Infinity has agreed to uphold the prices, terms and conditions of RFP No. 7111; and

WHEREAS, the Procurement & Supply Management Department recommends approval of this renewal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the third and final one-year renewal option of the agreement (Blanket Agreement) with Infinity Staffing Solutions of NJ, LLC d/b/a Lyneer Staffing Solutions formerly known as Tri-State Employment Services Inc. for temporary staffing services at an estimated annual cost not to exceed \$650,000 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this renewal will be effective from the date of approval through May 31, 2016.

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 April 16, 2015

**TO:** The Honorable Charles Gerdes, Chair and Members of City Council

**SUBJECT:** Authorizing the Mayor or his designee to execute Amendment No. 1 to the Utility Work Agreement ("UWA") between the City of St. Petersburg and Condotte/De Moya JV, LLC ("FIRM") who is under contract with the Florida Department of Transportation ("FDOT") to design and build the Gandy Boulevard Limited Access Road Improvements ("Project"), in the amount of \$1,192,217 for a total revised cost of \$2,892,217; to relocate identified City utilities at an estimated cost of \$544,000; approving the inclusion of the Oak Street Stormwater Drainage Improvement in the utility work to be performed under the UWA in the amount of \$300,000; authorizing the relocation of a disputed portion of the City's 24" water main located in Dr. Martin Luther King Jr. Street North at City expense in the estimated amount of \$348,217, subject to a reservation of the City's rights to seek reimbursement of those costs from FDOT at a later date; authorizing the Mayor or his designee to execute all documents necessary to effectuate these transactions; rescinding unencumbered appropriations from the Water Resources Capital Projects Fund (4003), the DIS Belcher 38-54 Ave FY15 Project (14799) in the amount of \$700,000 and the PC Haines 54-28 St FY15 Project (14800) in the amount of \$350,000; approving a supplemental appropriation in the amount of \$1,050,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) resulting from these rescissions to the DIS FDOT Gandy Overpass FY 13/14/15 Project (13853); rescinding unencumbered appropriation from the Stormwater Drainage Capital Projects Fund (4013), MLK & Gateway Mall SDI Project (12859) in the amount of \$300,000; approving an appropriation of \$300,000 from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013), resulting from this rescission to the Gandy Blvd & Oak Street NE SDI Project (14923); and approving the expenditure and providing an effective date (FPID# 256931-2-52-01). (Engineering Project No. 14069-111; Oracle Nos. 13853, 13854 and Engineering Project 15054-110; Oracle No. 14923)

**EXPLANATION:** In 2013, the FDOT awarded a design/build contract to the FIRM, for the design and construction of a limited access road widening, bridge and drainage improvements within FDOT's right-of-way along Gandy Boulevard (SR 694) from I-275 to east of 4<sup>th</sup> Street North ("Project"). FPID # 256931-2-52-01.

Construction activity commenced in late 2013 and is scheduled to be completed in 2017. The City owns and operates water, reclaimed water and sewer utilities within the Project limits. The FIRM is responsible for managing all utility coordination for the Project, including coordinating the execution and performance under any agreement required for utility work needed in the Project.

The Project is separated into four segments as follows: 1) Gandy Boulevard Mainline, 2) 94<sup>th</sup> Avenue North Overpass, 3) Gandy Frontage Roads and Dr. MLK Jr. Street, and 4) 4<sup>th</sup> Street and Tinney Creek. Utility relocation plans and specifications for the Utility Work are being prepared by the City's consultant Greeley and Hansen in phases as the FIRM progresses from the original conceptual design to final construction plans.

On June 19, 2014, City Council approved a Utility Work Agreement in the amount of \$1,700,000 with the FIRM for replacement and relocation of the City's existing utilities located within FDOT rights of way in conflict with the proposed Project construction for Segment 1, Gandy Mainline. City utilities identified for relocation based on conceptual plans included approximately 3,165 linear feet of potable water mains; 885 linear feet of reclaimed water mains; 1,415 linear feet of sanitary sewer main, and 1,110 linear feet of sanitary sewer force main, ranging in size from 6-inches to 36-inches in diameter ("Utility Work").

This Amendment No. 1 to the UWA provides for additional Utility Work, in the amount of \$544,000, within Segments 1, 2, and 3. Work includes the estimated costs to grout fill or remove abandoned City utility pipes, as directed by the FDOT; construction of steel casing carrier pipe under Gandy Boulevard mainline, frontage, and temporary roadway in Segments 1, 2, and 3, as directed by the FDOT, and construction of Segment 2 and 3 utility relocations, based upon the final design. Amendment No. 1 includes approximately 2,527 linear feet of pipe grouting, 2,850 linear feet of pipe removal, 1,324 feet of steel casing pipe, and 1,949 linear feet of potable water main construction of various sizes.

The additional utility costs are due to increases in scope as made necessary in large part by the FDOT design-build project delivery method. This method compresses the project schedule by starting construction before the final design is completed. The original scope of work was estimated based on conceptual plans, and the detailed design has evolved during construction. The quantities and types of pipe to be relocated have changed, with a net increase in costs.

This UWA Amendment 1, includes a portion of the Oak Street Storm Drainage Improvements at an estimated cost of \$300,000. Work includes design services and construction of 322 linear feet of additional 24" pipe to increase the flow capacity across Gandy Blvd; the cost to increase, 368 linear feet of pipe from 24" to 30" diameter, and increase the size of 792 linear feet of 30" pipe to 48" diameter. Pinellas County has agreed to enter into a Joint Project Agreement with the City for drainage improvements in the Oak Street basin in accordance with the City's consultant study recommendations.

Oak Street Storm Drainage Improvements are necessary to alleviate the existing flooding in the drainage basin. Oak Street, north of Gandy Boulevard, was annexed into the City and has historically experienced significant street flooding. The FDOT and Pinellas County have indicated a desire to construct drainage improvements as part of the Gandy Boulevard Project in a cooperative effort to cost effectively improve the

drainage on Oak Street.

Amendment 1 to the UWA will increase the total amount of the Utility Work to be performed by the FIRM to \$2,544,000.

The UWA specifically provided that the relocation of the 24" water main in Dr. ML King Jr. St. N. was reimbursable and would be handled by a separate agreement. The FDOT maps indicated that the Gandy right of way (ROW) does not extend into MLK St. N. which is a City owned and maintained ROW. However, FDOT and the FIRM have indicated that they will not reimburse the City for relocation expenses associated with that portion of 24" water main at the intersection of Gandy Blvd.. In order to avoid potential delays to the Project and to avoid a disruption of essential operations or conditions adverse to the safety, health, security of person or property, City Engineering and Legal staff recommend the City fund the relocation of the disputed portion of the water main, subject to a reservation of the City's right to seek recovery and reimbursement of all costs and expenses incurred related to the relocation of the disputed portion of the 24" water main from FDOT. FDOT has indicated that the responsibility for any successful claim for reimbursement by the City would rest with FDOT and not the FIRM and has agreed to enter into a stipulation agreement to that effect.

City staff has prepared and provided contract documents to assist the JV in moving forward with the disputed Utility Work in the estimated sum of \$348,217. The UWA Amendment 1, provides that the City will pay for the relocation of the disputed portion of the 24" water main, subject to a reservation of its legal rights to recover such costs from FDOT, provided FDOT executes a stipulation acknowledging that in the event the right of way in question is determined to be City owned and the City is entitled to reimbursement for relocation expenses, FDOT will be solely responsible for such reimbursement.

The amount approved in Amendment No. 1 includes \$2,544,000 for the Utility Work and \$348,217 for the disputed Utility Work for a total increase of \$2,892,217.

**RECOMMENDATION:** Administration recommends authorizing the Mayor or his designee to execute Amendment No. 1 to the Utility Work Agreement ("UWA") between the City of St. Petersburg and Condotte/De Moya JV, LLC ("FIRM") who is under contract with the Florida Department of Transportation ("FDOT") to design and build the Gandy Boulevard Limited Access Road Improvements ("Project"), in the amount of \$1,192,217 for a total revised cost of \$2,892,217; to relocate identified City utilities at an estimated cost of \$544,000; approving the inclusion of the Oak Street Stormwater Drainage Improvement in the utility work to be performed under the UWA in the amount of \$300,000; authorizing the relocation of a disputed portion of the City's 24" water main located in Dr. Martin Luther King Jr. Street North at City expense in the estimated amount of \$348,217, subject to a reservation of the City's rights to seek reimbursement of those costs from FDOT at a later date; authorizing the Mayor or his designee to execute all documents necessary to effectuate these transactions; rescinding unencumbered appropriations from the Water Resources Capital Projects Fund (4003),

the DIS Belcher 38-54 Ave FY15 Project (14799) in the amount of \$700,000 and the PC Haines 54-28 St FY15 Project (14800) in the amount of \$350,000; approving a supplemental appropriation in the amount of \$1,050,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) resulting from these rescissions to the DIS FDOT Gandy Overpass FY 13/14/15 Project (13853); rescinding unencumbered appropriation from the Stormwater Drainage Capital Projects Fund (4013), MLK & Gateway Mall SDI Project (12859) in the amount of \$300,000; approving an appropriation of \$300,000 from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013), resulting from this rescission to the Gandy Blvd & Oak Street NE SDI Project (14923); and approving the expenditure and providing an effective date (FPID# 256931-2-52-01). (Engineering Project No. 14069-111; Oracle Nos. 13853, 13854 and Engineering Project 15054-110; Oracle No. 14923)

**COST/FUNDING/ASSESSMENT INFORMATION:** Funds will be available after the rescission of the unencumbered appropriations from the Water Resources Capital Projects Fund (4003), the DIS Belcher 38-54 Ave FY15 Project (14799) in the amount of \$700,000 and the PC Haines 54-28 St FY15 Project (14800) in the amount of \$350,000; and a supplemental appropriation in the amount of \$1,050,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) resulting from these rescissions to the DIS FDOT Gandy Overpass FY 13/14/15 Project (13853); funds will be available after the rescission of the unencumbered appropriation from the Stormwater Drainage Capital Projects Fund (4013), MLK & Gateway Mall SDI Project (12859) in the amount of \$300,000; approving an appropriation of \$300,000 from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013), resulting from this rescission to the Gandy Blvd & Oak Street NE SDI Project (14923); and approving the expenditure and providing an effective date (FPID# 256931-2-52-01). (Engineering Project No. 14069-111; Oracle Nos. 13853, 13854 and Engineering Project 15054-110; Oracle No. 14923)

**ATTACHMENTS:** Resolution

**APPROVALS:**

tbg

4/2/2015 12:04 PM

  
\_\_\_\_\_  
Administrative

TBG

  
\_\_\_\_\_  
Budget

Resolution No. 2015- \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 1 TO THE UTILITY WORK AGREEMENT ("UWA") BETWEEN THE CITY OF ST. PETERSBURG AND CONDOTTE/DE MOYA JV, LLC ("FIRM") WHO IS UNDER CONTRACT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO DESIGN AND BUILD THE GANDY BOULEVARD LIMITED ACCESS ROAD IMPROVEMENTS ("PROJECT"), IN THE AMOUNT OF \$1,192,217 FOR A TOTAL REVISED COST OF \$2,892,217; TO RELOCATE IDENTIFIED CITY UTILITIES AT AN ESTIMATED COST OF \$544,000; APPROVING THE INCLUSION OF THE OAK STREET STORMWATER DRAINAGE IMPROVEMENT IN THE UTILITY WORK TO BE PERFORMED UNDER THE UWA IN THE AMOUNT OF \$300,000; AUTHORIZING THE RELOCATION OF A DISPUTED PORTION OF THE CITY'S 24" WATER MAIN LOCATED IN DR. MARTIN LUTHER KING JR. STREET NORTH AT CITY EXPENSE IN THE ESTIMATED AMOUNT OF \$348,217, SUBJECT TO A RESERVATION OF THE CITY'S RIGHTS TO SEEK REIMBURSEMENT OF THOSE COSTS FROM FDOT AT A LATER DATE; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; RESCINDING UNENCUMBERED APPROPRIATIONS FROM THE WATER RESOURCES CAPITAL PROJECTS FUND (4003), THE DIS BELCHER 38-54 AVE FY15 PROJECT (14799) IN THE AMOUNT OF \$700,000 AND THE PC HAINES 54-28 ST FY15 PROJECT (14800) IN THE AMOUNT OF \$350,000; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$1,050,000 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES

CAPITAL PROJECTS FUND (4003) RESULTING FROM THESE RESCISSIONS TO THE DIS FDOT GANDY OVERPASS FY 13/14/15 PROJECT (13853); RESCINDING UNENCUMBERED APPROPRIATION FROM THE STORMWATER DRAINAGE CAPITAL PROJECTS FUND (4013), MLK & GATEWAY MALL SDI PROJECT (12859) IN THE AMOUNT OF \$300,000; APPROVING AN APPROPRIATION OF \$300,000 FROM THE UNAPPROPRIATED BALANCE OF THE STORMWATER DRAINAGE CAPITAL PROJECTS FUND (4013), RESULTING FROM THIS RESCISSION TO THE GANDY BLVD & OAK STREET NE SDI PROJECT (14923); AND PROVIDING AN EFFECTIVE DATE (FPID# 256931-2-52-01). (ENGINEERING PROJECT NO. 14069-111; ORACLE NOS. 13853, 13854 AND ENGINEERING PROJECT 15054-110; ORACLE NO. 14923)

WHEREAS, in 2013, the FDOT awarded a design/build contract to the FIRM, for the design and construction of a limited access road widening, bridge and drainage improvements within FDOT's right-of-way along Gandy Boulevard (SR 694) from I-275 to east of 4<sup>th</sup> Street North ("Project") to commence in late 2013 and be completed in 2017; and

WHEREAS, the City owns and operates water, reclaimed water and sewer utilities within the project limits and the FIRM is responsible for managing all utility coordination for the Project, including coordinating the execution and performance under any agreement required for utility work needed in the Project; and

WHEREAS, the project is separated into four segments and the utility relocation plans and specifications are being prepared by the City's consultant Greeley and Hansen in phases as the FIRM progresses from the original conceptual design to final construction plans; and

WHEREAS, on June 19, 2014, City Council approved a Utility Work Agreement in the amount of \$1,700,000 with the FIRM for replacement and relocation of the City's existing utilities located within FDOT rights of way in conflict with the proposed Project construction for Segment 1, Gandy Mainline; and

WHEREAS, this Amendment No. 1 to the UWA provides for additional Utility Work, in the amount of \$544,000, within Segments 1, 2, and 3 including the estimated costs to grout fill or remove abandoned City utility pipes, as directed by the

estimated costs to grout fill or remove abandoned City utility pipes, as directed by the FDOT; construction of steel casing corner pipe under Elevated Gandy Boulevard roadway in Segments 1, 2, and 3, as directed by the FDOT, and construction of Segment 2 and 3 utility relocations, based upon the final design; and

WHEREAS, the UWA also provides for the inclusion of the Oak Street Storm Drainage Improvements in the Utility Work in order to alleviate the existing flooding in the drainage basin and this work will increase the total cost of the Utility Work to be performed; and

WHEREAS, Pinellas County has agreed to enter into a Joint Project Agreement with the City for drainage improvements outside the FDOT Project Area in accordance with the City's consultant study recommendations; and

WHEREAS, the UWA specifically provided that the relocation of the 24" water main in Dr. ML King Jr. St. N. was reimbursable and would be handled by a separate agreement; and

WHEREAS, The FDOT and the FIRM have indicated that they will not reimburse the City for relocation expenses associated with that portion of 24" water main at the intersection of Gandy Boulevard; and

WHEREAS, City Engineering and Legal staff have recommend the City fund the relocation of the disputed portion of the water main, subject to a reservation of the City's right to seek recovery and reimbursement of all costs and expenses incurred related to the relocation of the disputed portion of the 24" water main from FDOT; and

WHEREAS, The UWA Amendment 1, provides that the City will pay for the relocation of the disputed portion of the 24" water main, subject to a reservation of its legal rights to recover such costs from FDOT, provided FDOT executes a stipulation acknowledging that in the event the right of way in question is determined to be City owned and the City is entitled to reimbursement for relocation expenses, FDOT will be solely responsible for such reimbursement.

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 Amendment No. 1 to the Utility Work Agreement between the City of St. Petersburg and Condotte/De Moya JV, LLC who is under contract with the Florida Department of Transportation to design and build the Gandy Boulevard Limited Access Road Improvements Project, in the amount of \$1,192,217 for a total revised cost of \$2,892,217; to relocate identified City utilities at an estimated cost of \$544,000; approving the inclusion of the Oak Street Stormwater Drainage Improvement in the utility work to be performed under the UWA in the amount of \$300,000; authorizing the relocation of a disputed portion of the City's 24" water main located in Dr. Martin Luther King Jr. Blvd. North at City expense in the estimated amount of \$348,217, subject to a reservation of the City's rights to seek reimbursement of those costs from FDOT at a

later date.

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

BE IT FURTHER RESOLVED that the unencumbered appropriations in the amount of \$1,050,000 from the following projects in the Water Resources Capital Projects Fund (4003) are hereby rescinded:

DIS Belcher 38-54 Ave FY15 Project (14799)	\$700,000
PC Haines 54-28 St FY 15 Project (14800)	\$350,000

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Water Resources Capital Projects Fund (4003) resulting from these rescissions the following supplemental appropriation for Fiscal Year 2015:

<u>Water Resources Capital Projects Fund (4003)</u>	
DIS FDOT Gandy Overpass FY13/14/15 (13853)	\$1,050,000

BE IT FURTHER RESOLVED that the unencumbered appropriations in the amount of \$300,000 from the following projects in the Stormwater Drainage Capital Projects Fund (4013) are hereby rescinded:

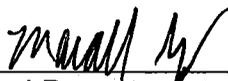
MLK & Gateway Mall SDI Project (12859)	\$300,000
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BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013) resulting from the rescission the following appropriation for Fiscal Year 2015:

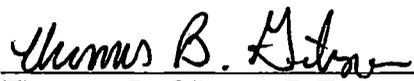
<u>Stormwater Drainage Capital Projects Fund (4013)</u>	
Gandy Blvd. & Oak Street NE SDI Project (14923)	\$300,000

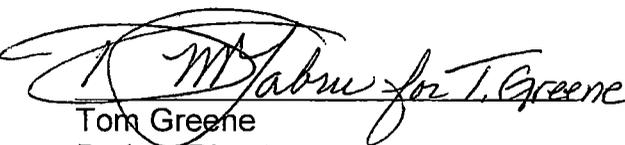
This resolution shall become effective immediately upon its adoption.

Approved by:

  
\_\_\_\_\_  
Legal Department  
By: (City Attorney or Designee)

Approved by:

  
\_\_\_\_\_  
Thomas B. Gibson, P.E.  
Engineering Director

  
\_\_\_\_\_  
Tom Greene  
Budget Director

# ST. PETERSBURG CITY COUNCIL

## Consent Agenda

Meeting of April 16, 2014

**TO:** The Honorable Charles Gerdes, Chair and Members of City Council

**SUBJECT:** Authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 12-04-GH/W with Greeley and Hansen, LLC in the amount not to exceed \$100,000 for professional engineering and construction inspection services for the relocation of conflicting city potable water, wastewater and reclaimed water in association with the Florida Department of Transportation (FDOT) Gandy Boulevard Limited Access Roadway Improvement Project, for a total Task Order amount of \$368,690; and approving the expenditure and providing an effective date (Engineering Project No. 14069-111; Oracle No. 13853 and 13854); FPID 256913-2-52-01.

**EXPLANATION:** In 2013, the FDOT awarded a contract to the design/build firm Condotte/De Moya JV, LLC (FIRM), for the design and construction of a limited access road widening, bridge and drainage improvements within FDOT's right-of-way along Gandy Boulevard (SR 694) from I-275 to east of 4<sup>th</sup> Street North and for the replacement of the existing box culvert on 4<sup>th</sup> Street North at Tinney Creek. ("Project"). FPID # 256931-2-52-01. The Project is currently underway with all design activities scheduled to be completed in 2015. Construction activity commenced in late 2013 and is scheduled to be completed in 2017. The FIRM is responsible for managing all utility coordination for the project.

The Project is separated into four segments as follows: 1) Gandy Boulevard Mainline, 2) 94<sup>th</sup> Avenue north Overpass, 3) Gandy Frontage roads and Dr. MLK Jr. Street, and 4) 4<sup>th</sup> Street and Tinney Creek. Utility relocation plans and specifications for the Utility Work are being prepared by the City's consultant Greeley and Hansen in phases as the FIRM progresses from the original conceptual design to final construction plans.

On June 19, 2014, City Council approved a Utility Work Agreement in the amount of \$1,700,000 with the FIRM for replacement and relocation of the City's existing utilities located within FDOT rights of way in conflict with the proposed Project construction for Segment 1, Gandy Mainline. City utilities identified for relocation based on conceptual plans included approximately 3,165 linear feet of potable water mains; 885 linear feet of reclaimed water mains; 1,415 linear feet of sanitary sewer main, and 1,110 linear feet of sanitary sewer force main, ranging in size from 6-inches to 36-inches in diameter ("Utility Work").

On November 19, 2012, the City Council approved a Master Agreement with the professional consulting engineering firm of Greeley and Hansen LLC, for engineering services related to the design and construction of Potable Water, Wastewater and Reclaimed Water Projects (A/E Agreement revised July 17, 2014)

On May 9, 2014, Task Order No. 12-04-GHW, was administratively approved in the amount of \$72,690 and pertained to design, permitting, and bidding services for the utility relocation for the Project, based on conceptual plans.

On December 4, 2014, City Council approved Amendment No.1 to Task Order No. 12-04-GHW in the not-to-exceed sum of \$196,000 for construction inspection services for the Project.

In March 2015, the FIRM submitted final plans for Segments 1, 2, and 3 of this Project. The requirements for City Utility Relocations have increased, based on final design and include approximately 1,454 LF of potable water mains, 2,527 LF of existing pipe to be grouted in place, 2,850 LF of existing pipe to be removed, and 1,324 LF of steel casing pipe.

Amendment No 2 to Task Order 12-04-GHW in the amount of \$100,000 provides for professional engineering design and construction inspection services of utility relocations in Segments 1, 2, 3, and 4. The scope of work includes, but is not limited to, project management, consultation, data collection, design, bidding services, permitting, and construction inspection services.

**RECOMMENDATION:** Administration recommends authorizing the Mayor or his designee to execute Amendment No. 2 to Task Order No. 12-04-GHW with Greeley and Hansen, LLC in the amount not to exceed \$100,000 for professional engineering and construction inspection services for the relocation of conflicting city potable water, wastewater and reclaimed water in association with the Florida Department of Transportation (FDOT) Gandy Boulevard Limited Access Roadway Improvement Project, for a total Task Order amount of \$368,690; and approving the expenditure and providing an effective date (Engineering Project No. 14069-111; Oracle No. 13853 and 13854); FPID 256913-2-52-01.

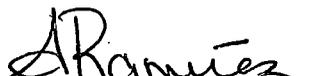
**COST/FUNDING/ASSESSMENT INFORMATION:** Funds are available in the Water Resources Capital Projects Fund (4003), DIS FDOT Gandy Overpass FY13/14/15 Project (13853) and SAN FDOT Gandy Overpass FY13 Project (13854).

**ATTACHMENTS:** Resolution

**APPROVALS:**

bfl

  
\_\_\_\_\_  
Administrative  
TB6

  
\_\_\_\_\_  
Budget

4/1/2015 11:46 AM

RESOLUTION NO. 2015 \_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 2 TO TASK ORDER NO. 12-04-GH/W WITH GREELEY AND HANSEN, LLC IN THE AMOUNT NOT TO EXCEED \$100,000 FOR PROFESSIONAL ENGINEERING AND CONSTRUCTION INSPECTION SERVICES FOR THE RELOCATION OF CONFLICTING CITY POTABLE WATER, WASTEWATER AND RECLAIMED WATER IN ASSOCIATION WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) GANDY BOULEVARD LIMITED ACCESS ROADWAY IMPROVEMENT PROJECT, FOR A TOTAL TASK ORDER AMOUNT OF \$368,690; AND APPROVING THE EXPENDITURE AND PROVIDING AN EFFECTIVE DATE (ENGINEERING PROJECT NO. 14069-111; ORACLE NO. 13853 AND 13854); FPID 256913-2-52-01.

WHEREAS, in 2013, the FDOT awarded a contract to the design/build firm Condotte/De Moya JV, LLC (FIRM), for the design and construction of a limited access road widening, bridge and drainage improvements within FDOT's right-of-way along Gandy Boulevard (SR 694) from I-275 to east of 4<sup>th</sup> Street North and for the replacement of the existing box culvert on 4<sup>th</sup> Street North at Tinney Creek. ("Project"); and

WHEREAS, the Project is currently underway with all design activities scheduled to be completed in 2015 and construction activity commenced in late 2013 and is scheduled to be completed in 2017; and

WHEREAS, the FIRM is responsible for managing all utility coordination for the Project; and

WHEREAS, the Project is separated into four segments and utility relocation plans and specifications for the Utility Work are being prepared by the City's consultant Greeley and Hansen in phases as the FIRM progresses from the original conceptual design to final construction plans; and

WHEREAS, on November 19, 2012, the City Council approved a Master Agreement with the professional consulting engineering firm of Greeley and Hansen, LLC, for engineering services related to the design and construction of Potable Water, Wastewater and Reclaimed Water Projects (A/E Agreement revised July 17, 2014); and

WHEREAS, on May 9, 2014, Task Order No. 12-04-GH/W, was administratively approved in the amount of \$72,690 and pertained to design, permitting, and bidding services for the utility relocation for the Project, based on conceptual plans; and

WHEREAS, on June 19, 2014, City Council approved a UWA in the amount of \$1,700,000 with the FIRM for replacement and relocation of the City's existing utilities located within FDOT rights of way in conflict with the proposed Project construction for Segment 1, Gandy Mainline; and

WHEREAS, on December 4, 2014, City Council approved Amendment No.1 to Task Order No. 12-04-GH/W in the not-to-exceed sum of \$196,000 for construction inspection services for the Project; and

WHEREAS, in March 2015, the FIRM submitted final plans for Segments 1, 2, and 3 of this Project and the requirements for City Utility Relocations have increased, based on final design; and

WHEREAS, this Amendment No. 2 to Task Order 12-04-GH/W in the amount of \$100,000 provides for professional engineering design and construction inspection services of utility relocations in Segments 1, 2, 3, and 4.

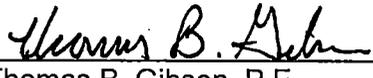
NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to execute Amendment No. 2 to Task Order No. 12-04-GH/W with Greeley and Hansen, LLC in the amount not to exceed \$100,000 for professional engineering and construction inspection services for the relocation of conflicting city potable water, wastewater and reclaimed water in association with the Florida Department of Transportation (FDOT) Gandy Boulevard Limited Access Roadway Improvement Project, for a total Task Order amount of \$368,690; and approving the expenditure and providing an effective date (Engineering Project No. 14069-111; Oracle No. 13853 and 13854); FPID 256913-2-52-01.

This resolution shall become effective immediately upon its adoption.

Approved by:

  
\_\_\_\_\_  
Legal Department  
By: (City Attorney or Designee)

Approved by:

  
\_\_\_\_\_  
Thomas B. Gibson, P.E.  
Engineering Director

**SAINT PETERSBURG CITY COUNCIL  
Consent Agenda  
Meeting of April 16, 2015**

**To: The Honorable Charlie Gerdes, Chair, and Members of City Council**

**Subject:** Accepting a proposal from Parkson Corporation, a sole source provider, to rehabilitate two bar screens for the Water Resources Department at a cost not to exceed \$194,864.

**Explanation:** The vendor will rehabilitate two existing Aqua Guard Model AG-MN-A Fine Bar Screens at the Northwest Water Reclamation Facility. The bar screens remove debris from the influent channel prior to treatment. The screens also protect the wastewater equipment and pumps from debris, thereby extending their service life. The work will include a complete rebuild for each unit. Worn or damaged parts will be replaced or repaired. When completed, each unit will be in new, reconditioned form with a service life close to the life of a new unit. The cost for the rehabilitation was estimated through an initial evaluation; however additional repair requirements may be discovered upon disassembly.

A sole source purchase is recommended because the vendor is the original equipment manufacturer and they are the only OEM source/supplier for these screens and parts necessary for repair. The estimated cost of two new screens in lieu of repair would be approximately \$750,000 (\$375,000 each). The vendor will provide a one year mechanical warranty for all new parts installed on the existing screens.

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

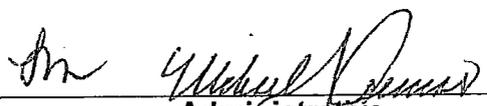
Parkson Corporation.....\$194,864

This purchase is made in accordance with Section 2-241 (d) of the Sole Source Procurement of the Procurement Code, which authorizes City Council to approve the purchase of a supply or service over \$100,000 without competitive bidding if it has been determined that the supply or service is available from only one source. The vendor has satisfactorily performed similar work for the city and for the City of Port Orange, Florida. The principals of the firm are Shamus Hurley, President/CEO and Mark D. Turpin, Vice President.

**Cost/Funding/Assessment Information:** Funds are available in the Water Resources Capital Projects Fund (4003), WRF NW HW Scr St/Odor Con FY13 (13823).

**Attachments:** Sole Source  
Resolution

**Approvals:**

  
\_\_\_\_\_  
Administrative

  
\_\_\_\_\_  
Budget

City of St. Petersburg  
Sole Source Request

Department: Water Resources Requisition No. 5319597

Check One:  Sole Source  Proprietary Specifications

Proposed Vendor: Parkson Corporation

Estimated Total Cost: \$194,864.00

Description of Items (or Services) to be purchased:

Complete rebuild of two Parkson Fine Mesh Bar Screens for the Northwest Water Reclamation Facility.

Purpose of Function of items:

Removes large materials, debris and non treatable products from the raw sewage coming into the plant. Removes rags, wood, stones, cloth, plastics, metal and etc. found in raw sewage.

Justification for Sole Source of Proprietary specification:

Parkson is the original designer, manufacturer and supplier of the bar screens. Parkson supplies OEM Parts, Materials, Trained Factory Technicians and Workmen for a complete rebuild back to original OEM specifications. Parkson Corporation is the sole Authorized supplier of OEM parts for Parkson Fine Mesh Screens and has all the original specifications and design drawings for the units.

I hereby certify that in accordance with Section 2-232(d) of the City of St. Petersburg Procurement Code, I have conducted a good faith review of available sources and have determined that there is only one potential source for the required items per the above justification. I also understand that under Florida Statute 838.22(2) it is a second degree felony to circumvent a competitive bidding process by using a sole-source contract for commodities or services.

*Steve Leach*  
\_\_\_\_\_  
Department Director

*04/01/15*  
\_\_\_\_\_  
Date

*Willard Damm*  
\_\_\_\_\_  
Administrator/Chief

*4-2-15*  
\_\_\_\_\_  
Date

*Louis Moore*  
\_\_\_\_\_  
Louis Moore, Director  
Procurement & Supply Management

*4/2/15*  
\_\_\_\_\_  
Date

CRW

A RESOLUTION DECLARING PARKSON CORPORATION TO BE A SOLE SOURCE SUPPLIER; ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT TO PARKSON CORPORATION TO REHABILITATE TWO BAR SCREENS FOR THE WATER RESOURCES DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$194,864; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to rehabilitate two existing bar screens at the Northwest Water Reclamation Facility and thereby extend their service life to that of a new unit; and

WHEREAS, Parkson Corporation is the original equipment manufacturer of the screens and is the only supplier for the screens and parts necessary for the rehabilitation; and

WHEREAS, Section 2-249 of the City Code provides requirements for sole source procurement of a supply or service over \$100,000 without competitive bidding if it has been determined that the supply or service is available from only one source; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Water Resources Department, recommends approval of the award of an agreement to Parkson Corporation as a sole source supplier; and

WHEREAS, the Mayor or his designee has prepared a written statement to the City Council certifying the condition and circumstances for the sole source purchase.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that Parkson Corporation is a sole source supplier; and

BE IT FURTHER RESOLVED that the award of an agreement to Parkson Corporation to rehabilitate two bar screens for the Water Resources Department at a total cost not to exceed \$194,864 is hereby approved and the Mayor or the Mayor's designee is authorized to execute all necessary documents to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

  
\_\_\_\_\_  
City Attorney (Designee)

**ST. PETERSBURG CITY COUNCIL**  
**Consent Agenda**

**April 16, 2015**

**TO:** The Honorable Charlie Gerdes, Chair and Members of City Council

**SUBJECT:** A resolution reappointing the City Council Member from District 6 as the representative for the “City Council Member for the Zone” category on the Board of Commissioners of the Enterprise Zone Development Agency (EZDA); reappointing the City Council Member from District 7 as the representative for the “City Council Member for the Zone” category on the Board of Commissioners of the EZDA; reappointing 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 EZDA; reappointing the Director of Codes Compliance Assistance as the representative for the “Local Code Enforcement Agency” category on the Board of Commissioners of the EZDA; reappointing the Chief of Police as the representative for the “Local Law Enforcement Agency” category on the Board of Commissioners of the EZDA; and reappointing Gloria Campbell as the representative of the local “Private Industry Council” category on the Board of Commissioners of the EZDA, all to serve a four year term expiring April 20, 2019; 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 January 14, 2015 meeting, the EZDA voted unanimously to reappoint the City Council Member from District 6 to the “City Council Member for the Zone” seat; to reappoint the City Council Member from District 7 to the “City Council Member for the Zone” seat; to reappoint the City Council Member from District 8 to the “City Council Member for the Zone” seat; to reappoint the Director of Codes Compliance Assistance to the “Local Code Enforcement Agency” seat; to reappoint the Chief of Police to the “Local Law Enforcement Agency” seat; and to reappoint Gloria Campbell to the local “Private Industry Council” seat on the Board of Commissioners of the EZDA, all to serve a four year term expiring April 20, 2019; 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 reappointing the City Council Member from District 6 as the representative for the “City Council Member for the Zone” category on the Board of Commissioners of the Enterprise Zone Development Agency (EZDA); reappointing the City Council Member from District 7 as the representative for the “City Council Member for the Zone” category on the Board of Commissioners of the EZDA; reappointing 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 EZDA; reappointing the Director of Codes Compliance Assistance as the representative for the “Local Code Enforcement Agency” category on the Board of Commissioners of the EZDA; reappointing the Chief of Police as the representative for the “Local Law Enforcement Agency” category on the Board of Commissioners of the EZDA; and reappointing Gloria Campbell as the representative of the local “Private Industry Council” category on the Board of Commissioners of the EZDA, all to serve a four year term expiring April 20, 2019; reappointing Karl Nurse as Chair and Robert L. Williams, III as Vice-Chair of the Board of Commissioners of the EZDA.

RESOLUTION NO. 2015- \_\_\_\_\_

A RESOLUTION REAPPOINTING THE CITY COUNCIL MEMBER OF DISTRICT 6 AS THE REPRESENTATIVE FOR THE "CITY COUNCIL MEMBER FOR THE ZONE" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE ENTERPRISE ZONE DEVELOPMENT AGENCY (EZDA); REAPPOINTING THE CITY COUNCIL MEMBER OF DISTRICT 7 AS THE REPRESENTATIVE FOR THE "CITY COUNCIL MEMBER FOR THE ZONE" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE EZDA; REAPPOINTING THE CITY COUNCIL MEMBER OF DISTRICT 8 AS THE REPRESENTATIVE FOR THE "CITY COUNCIL MEMBER FOR THE ZONE" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE EZDA; REAPPOINTING THE DIRECTOR OF CODES COMPLIANCE ASSISTANCE AS THE REPRESENTATIVE FOR THE "LOCAL CODE ENFORCEMENT AGENCY" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE EZDA; REAPPOINTING THE CHIEF OF POLICE AS THE REPRESENTATIVE FOR THE "LOCAL LAW ENFORCEMENT AGENCY" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE EZDA; AND REAPPOINTING GLORIA CAMPBELL AS THE REPRESENTATIVE OF THE LOCAL "PRIVATE INDUSTRY COUNCIL" CATEGORY ON THE BOARD OF COMMISSIONERS OF THE EZDA, ALL TO SERVE A FOUR YEAR TERM EXPIRING APRIL 20, 2019; 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 are three (3) vacancies for expired terms on the Board of Commissioners of the EZDA in the category of City Council Member for the Zone (Districts 6, 7, and 8), one (1) vacancy for an expired term in the category of Local Code Enforcement Agency, one (1) vacancy for an expired term in the category of Local Law Enforcement Agency, and one (1) vacancy for an expired term in the category of Private Industry Council; 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 (Districts 6, 7, and 8), Local Code Enforcement Agency, Local Law Enforcement Agency and Private Industry Council; 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 six (6) positions to the Board of Commissioners of the EZDA in the categories of City Council for the Zone (Districts 6, 7, and 8), Local Code Enforcement Agency, Local Law Enforcement Agency and Private Industry Council; 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 6 is reappointed as the representative for the "City Council Member for the Zone" category on the Board of Commissioners of the Enterprise Zone Development Agency (EZDA); the City Council Member from District 7 is reappointed as the representative for the "City Council Member for the Zone" category on the Board of Commissioners of the EZDA; the City Council Member from District 8 is reappointed as the representative for the "City Council Member for the Zone" category on the Board of Commissioners of the EZDA; the Director of Codes Compliance Assistance is reappointed as the representative for the "Local Code Enforcement Agency" category on the Board of Commissioners of the EZDA; the Chief of Police is reappointed as the representative for the "Local Law Enforcement Agency" category on the Board of Commissioners of the EZDA; and Gloria Campbell is reappointed as the representative of the local "Private Industry Council" category on the Board of Commissioners of the EZDA, all to serve a four year term expiring April 20, 2019; 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 6 CC Member	04/16/15	04/20/19
City Council Member from Zone	District 7 CC Member	04/16/15	04/20/19
City Council Member from Zone	District 8 CC Member	04/16/15	04/20/19
Local Code Enforcement Agency	Director of Codes Compliance Assistance	04/16/15	04/20/19
Local Law Enforcement Agency	Chief of Police	04/16/15	04/20/19
Private Industry Council	Gloria Campbell	04/16/15	04/20/19

This Resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:



City Attorney (Designee)

APPROVED BY:



Dave Goodwin, Director  
Planning & Economic Development

Dept.

By: \_\_\_\_\_

**ST. PETERSBURG CITY COUNCIL**

**Consent Agenda**

**Meeting of April 16, 2015**

**TO:** The Honorable Charles W. Gerdes, Chair and Members of City Council

**SUBJECT:** A resolution authorizing the Mayor, or his Designee, to execute a License Agreement with Gary and Cortney Webb to use and fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main for a period of five (5) years at an aggregate fee of \$250.00; to execute all documents necessary to effectuate same; and providing an effective date.

**EXPLANATION:** Real Estate and Property Management ("REPM") received a request from Gary and Cortney Webb ("Licensee") to renew a five (5) year License Agreement to continue to allow the use and fencing of a portion of a City-owned property ("Property") located in Safety Harbor for the City's 36-Inch Water Transmission Main adjacent to Licensee's property. This is the first renewal of a standard license agreement that the Water Resources Department ("Water Resources") requested REPM to develop for uses related to the City's transmission main properties.

The current License Agreement with the Licensee was approved on April 15, 2010 for a 5-year term. Prior to the License Agreement, the Licensee previously received an authorization letter from Water Resources to use and fence the Property. They fenced the Property with black vinyl chain link fence required by the City and installed a gate for City access for inspection and maintenance of the Transmission Main. The area that the Licensee has been allowed to use and fence does not impede the City's access to the property for City maintenance purposes.

The Property is legally described as follows:

The West ½ of the South 102 Feet of Lot 8, all of Lot 16, and the West ½ of Lot 17, Block 3, HARBOR HIGHLANDS, as recorded in Plat Book 15, Page 19, of the Public Records of Pinellas County, Florida.

Pinellas County Parcel I. D. Nos.: 04/29/16/35964/003/0070 &  
04/29/16/35964/003/0160

Approximate Street Address: 1730 Main Street, Safety Harbor

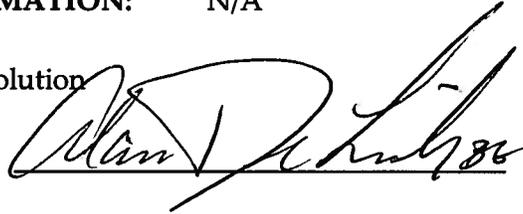
The Licensee has executed a License Agreement ("Agreement") for a term of five (5) years, subject to City Council approval. The Agreement provides that the Licensee shall be responsible for all applicable costs associated with the Licensee's use of the Property. The Licensee shall pay an aggregate fee of \$250.00, including applicable taxes, to the City for the entire term. Additionally, the Licensee shall maintain a \$500,000 Premise Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee's use of the Property. The Licensee shall maintain the Property at its own cost and expense, remove the fence and deliver up the Property in good condition upon expiration of this Agreement.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a License Agreement with Gary and Cortney Webb to use and fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main for a period of five (5) years at an aggregate fee of \$250.00; to execute all documents necessary to effectuate same; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** N/A

**ATTACHMENTS:** Illustrations and Resolution

**APPROVALS:** Administration:



Budget:

N/A

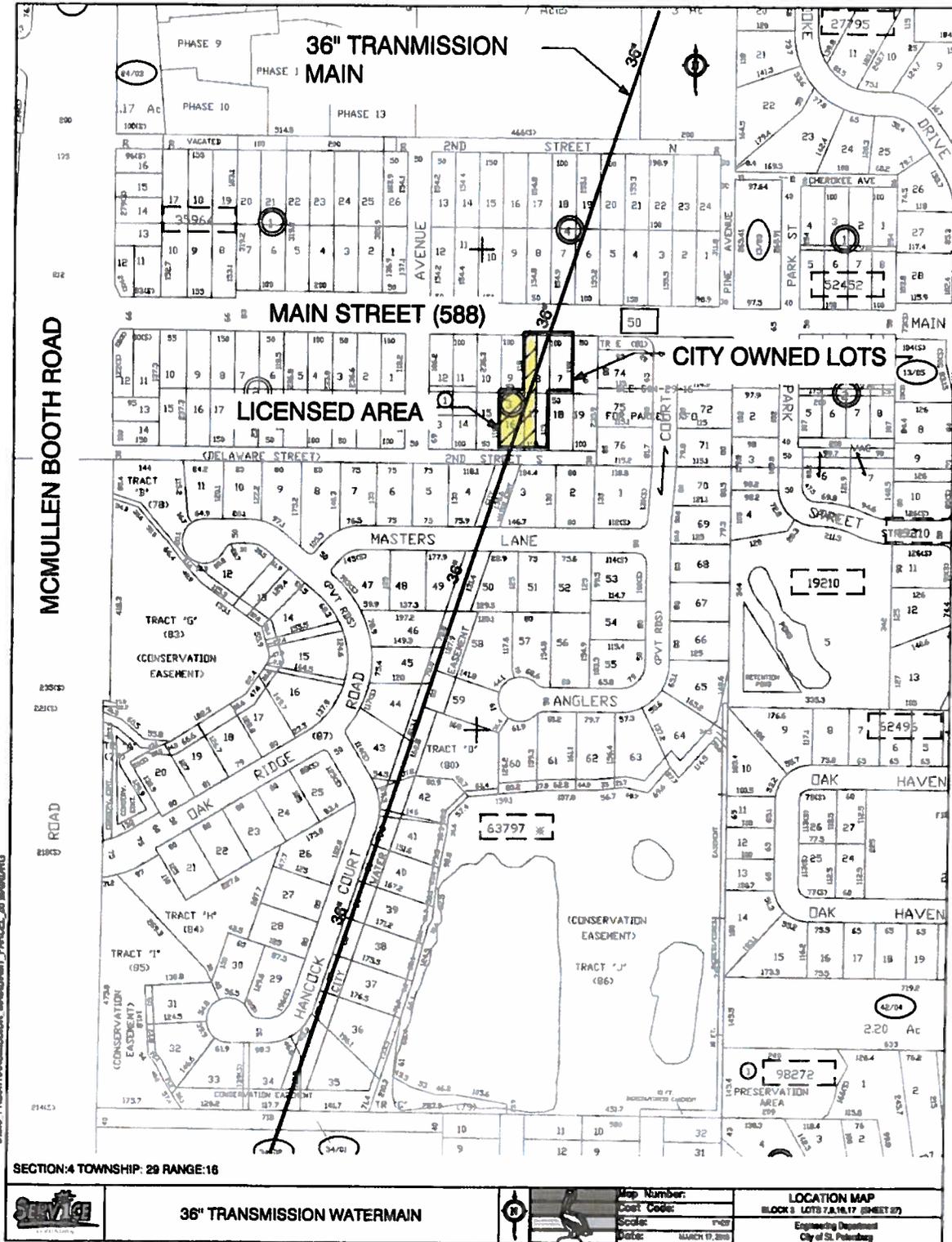
Legal:



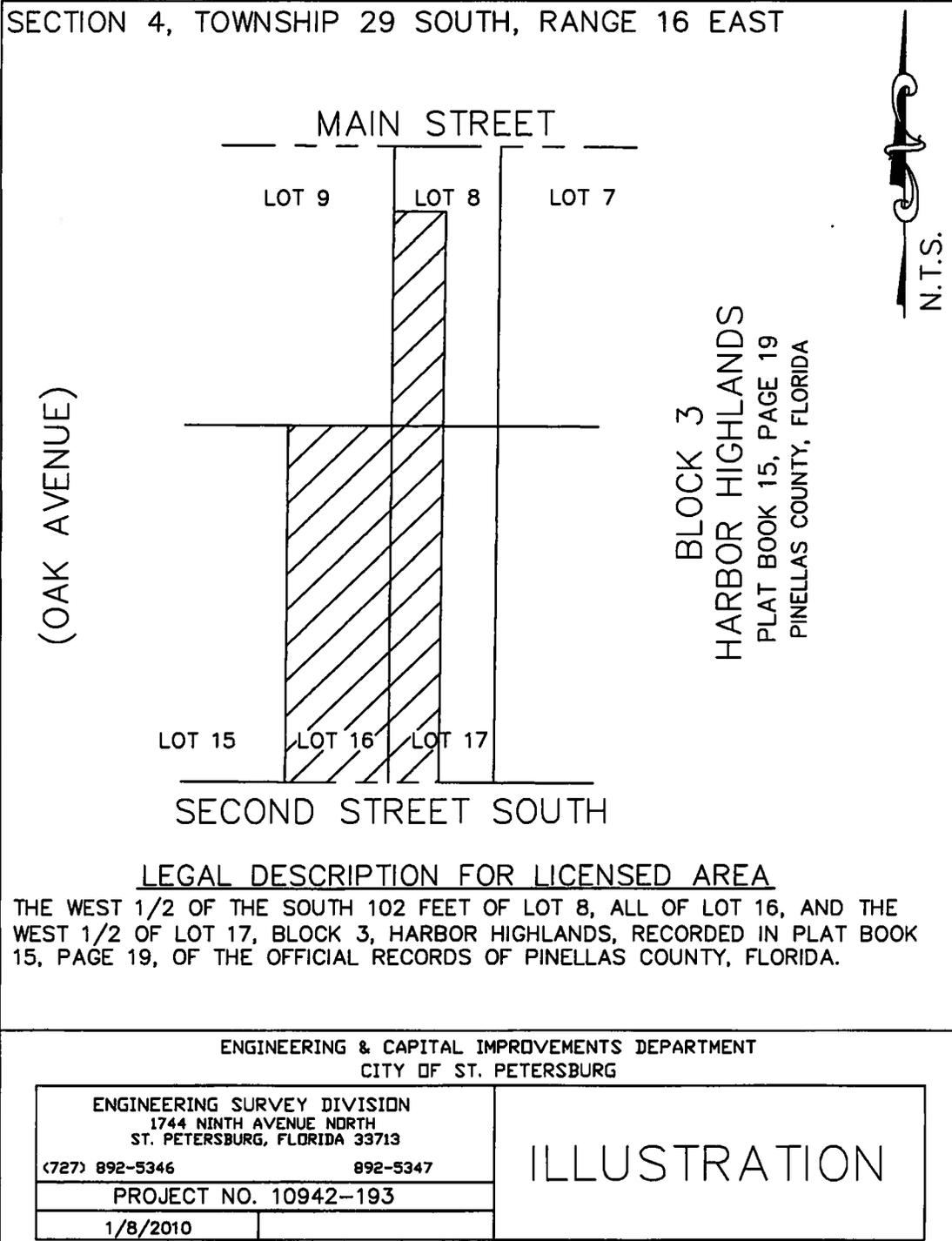
(As to consistency w/attached legal documents)

Legal: 00216930.doc V. 2

# ILLUSTRATION - 1



**ILLUSTRATION - 2**



Resolution No. 2015 - \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH GARY AND CORTNEY WEBB TO USE AND FENCE A PORTION OF A CITY-OWNED PROPERTY LOCATED IN SAFETY HARBOR FOR THE CITY'S 36-INCH WATER TRANSMISSION MAIN FOR A PERIOD OF FIVE (5) YEARS AT AN AGGREGATE FEE OF \$250.00; TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management ("REPM") received a request from Gary and Cortney Webb ("Licensee") to renew a five (5) year License Agreement to continue to allow the fencing and use of a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main adjacent to their property; and

WHEREAS, this is the first renewal of a standard license agreement that the Water Resources Department ("Water Resources") requested REPM to develop for uses related to the City's transmission main properties; and

WHEREAS, the current License Agreement with Licensee was approved on April 15, 2010 for a 5-year term; and

WHEREAS, the Licensee previously had a letter of permission from Water Resources to use and fence and maintain the property; and

WHEREAS, the Licensee fenced the property with black vinyl chain link fence as required by the City and installed a gate for City access for inspection and maintenance of the Transmission Main; and

WHEREAS, the area that the Licensee has been allowed to use and fence does not impede the City's access to the property for City maintenance purposes; and

WHEREAS, the Property is legally described as follows:

The West ½ of the South 102 Feet of Lot 8, all of Lot 16, and the West ½ of Lot 17, Block 3, HARBOR HIGHLANDS, as recorded in Plat Book 15, Page 19, of the Public Records of Pinellas County, Florida

Pinellas County Parcel I. D. No.: 04/29/16/35964/003/0070 &  
04/29/16/35964/003/0160; and

WHEREAS, the Licensee has executed a License Agreement ("Agreement") wherein the Licensee is responsible for all applicable costs associated with the Licensee's use of the Property, subject to City Council approval; and

WHEREAS, the Licensee shall pay an aggregate fee of \$250.00, including applicable taxes, to the City for the entire term; and

WHEREAS, the Licensee shall maintain a \$500,000 Premises Liability policy, protecting the City against all claims which may arise or be claimed on account of the Licensee's use of the Property; and

WHEREAS, the Licensee shall maintain the Property at its own cost and expense, remove the fence and deliver up the Property in good condition upon expiration of the Agreement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to execute a License Agreement with Gary and Cortney Webb to use and fence a portion of a City-owned property located in Safety Harbor for the City's 36-Inch Water Transmission Main, as legally described above, for a period of five (5) years at an aggregate fee of \$250.00; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

  
\_\_\_\_\_  
City Attorney (Designee)

Legal: 00216930.doc V. 2

APPROVED BY:

  
\_\_\_\_\_  
Steven Leavitt, Director  
Water Resources Department

APPROVED BY:

  
\_\_\_\_\_  
Bruce E. Grimes, Director  
Real Estate and Property Management

## ST. PETERSBURG CITY COUNCIL

### Consent Agenda

Meeting of April 16, 2015

**TO:** The Honorable Charles W. Gerdes, Chair and Members of City Council

**SUBJECT:** A resolution authorizing the Mayor, or his Designee, to execute a thirty-six (36) month lease agreement with The Canterbury School of Florida, Inc., a Florida not-for-profit corporation, for the use of an area outside the referendum approved leased premises, as illustrated and legally described in the attached Exhibit "A" as Subject Area of Short-Term Lease; and to execute all documents necessary to effectuate same; and providing an effective date. *(Requires affirmative vote of at least six (6) members of City Council.)*

**EXPLANATION:** Real Estate and Property Management ("Real Estate") received a request from The Canterbury School of Florida, Inc. ("Canterbury"), a Florida not-for-profit corporation, to enter into a new lease for the use of certain City property outside the referendum approved land area that Canterbury has leased since March 1, 2007, which is described in the attached Exhibit "A" as Subject Area of Short-Term Lease ("Additional Area").

Canterbury currently leases property from the City for its activity field (±8.13 acres) and a driveway parcel (1.25 acres or less) constructed on City-owned land situated at the rear of the Northeast Water Reclamation Facility located at 1160 – 62<sup>nd</sup> Avenue Northeast and abutting the Canterbury school complex located at 990 - 62<sup>nd</sup> Avenue Northeast, St. Petersburg ("Long Term Lease Premises"). The improvements were constructed pursuant to a lease enabled by Ordinance 458-G scheduling a referendum question, approved by the electorate at the March 27, 2001 election, and implemented with City Council approval of a twenty-five (25) year lease ("Long Term Lease") with Resolution No. 2003-105.

Canterbury also currently leases the Additional Area on a short term basis because deviations during the construction of improvements pursuant to the Long Term Lease resulted in certain Canterbury improvements being placed on the Additional Area, which is outside the original Long Term Lease Premises. The construction deviations necessitated entering into a separate lease for the Additional Area for a period of three (3) years in accordance with the City Charter restriction for residentially-zoned property, and the execution of an amendment to the Long Term Lease that modified the original legal description for the Long Term Lease Premises to ensure that no net additional land was utilized by Canterbury over the total area authorized by the referendum.

Accordingly, on March 1, 2007, Canterbury commenced a three (3) year lease for use of the Additional Area and the legal description for the Driveway was modified through execution of the First Amendment to the Long Term Lease to reflect the as-built conditions at that time within the area authorized by the referendum. Canterbury requested continued use of the Additional Area in December 2012. The City and Canterbury entered into another lease for use of the Additional Area in 2013. The term of the Additional Area lease was set at twenty-six (26) months at the recommendation of Real Estate in order to align the Additional Area lease

commencement date with the Long Term Lease commencement date of May 1, causing both annual rental adjustment dates to occur at the same time.

Canterbury has executed a new lease agreement ("Lease") for use of the Additional Area for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding leases. The rental rate is One Hundred Three and 84/100 dollars (\$103.84) per month for the Lease term. Rent adjustments will be made each year based on the CPI increase for the prior twelve (12) month period coinciding with the annual CPI adjustments made on the Long Term Lease.

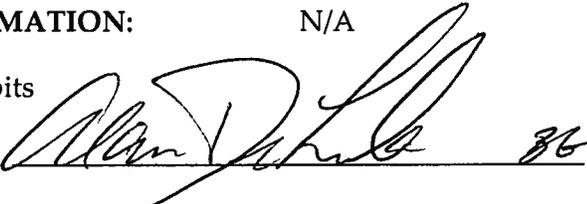
Canterbury is responsible for maintaining the Premises together with any improvements constructed on the Premises and utilities including, but not limited to, water, electric, telephone/microwave communications, internet, cable television, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance. Additionally, Canterbury is required to maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence with a \$2,000,000 aggregate, and excess liability coverage not less than \$4,000,000 per occurrence, protecting the City against all claims or demands that may arise or be claimed on account of Canterbury's use of the Premises. The City, at its sole option, shall have the right to terminate this Lease if the City determines the Premises are required for environmental mitigation or other wastewater treatment facilities and/or operations by providing Canterbury with one (1) year advance written notice. Canterbury shall have the right to terminate this Lease at any time during the Term.

This Lease is in compliance with Section 1.02(c)(2) of the City Charter which permits the leasing of residentially-zoned property for a period not exceeding three (3) years with an affirmative vote of at least six (6) members of City Council. The Additional Area is zoned NS-1 (Neighborhood Suburban Single-Family 1) and P (Preservation), both of which are residential zoning.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a thirty-six (36) month lease agreement with The Canterbury School of Florida, Inc., a Florida not-for-profit corporation, for the use of an area outside the referendum approved leased premises, as illustrated and legally described in the attached Exhibit "A" as Subject Area of Short-Term Lease; and to execute all documents necessary to effectuate same; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** N/A

**ATTACHMENTS:** Resolution and Exhibits

**APPROVALS:** Administration:  86

Budget: \_\_\_\_\_ N/A

Legal:  \_\_\_\_\_

(As to consistency w/attached legal documents)  
Legal: 00228338.doc V. 3

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A THIRTY-SIX (36) MONTH LEASE AGREEMENT WITH THE CANTERBURY SCHOOL OF FLORIDA, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF AN AREA OUTSIDE THE REFERENDUM APPROVED LEASED PREMISES, AS ILLUSTRATED AND LEGALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" AS SUBJECT AREA OF SHORT-TERM LEASE; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management ("Real Estate") received a request from The Canterbury School of Florida, Inc. ("Canterbury") to enter into a new lease agreement for the use of certain City-owned property outside the referendum approved land area that Canterbury has leased since March 1, 2007, which is described in the attached Exhibit "A" as Subject Area of Short-Term Lease ("Additional Area"); and

WHEREAS, Canterbury currently leases property from the City for its activity field (±8.13 acres) and a driveway parcel (1.25 acres or less) constructed on City-owned land situated at the rear of the Northeast Water Reclamation Facility located at 1160 – 62<sup>nd</sup> Avenue Northeast and abutting the Canterbury school complex located at 990 - 62<sup>nd</sup> Avenue Northeast, St. Petersburg ("Long Term Lease Premises"); and

WHEREAS, the improvements were constructed pursuant to a lease enabled by Ordinance 458-G scheduling a referendum question, approved by the electorate at the March 27, 2001 election, and implemented with City Council approval of a twenty-five (25) year lease ("Long Term Lease") with Resolution No. 2003-105; and

WHEREAS, Canterbury also currently leases the Additional Area on a short term basis because deviations during the construction of improvements pursuant to the Long Term Lease resulted in certain Canterbury improvements being placed on the Additional Area, which is outside the original Long Term Lease Premises; and

WHEREAS, the construction deviations necessitated entering into a separate lease for the Additional Area for a period of three (3) years in accordance with the City Charter restriction for residentially-zoned property and the execution of an amendment to the Long Term Lease that modified the original legal description for the Long Term Lease Premises to ensure that no net additional land was utilized by Canterbury over the total area authorized by the referendum; and

WHEREAS, accordingly, on March 1, 2007, Canterbury commenced a three (3) year lease for use of the Additional Area; and

WHEREAS, the legal description for the Driveway was modified through execution of the First Amendment to the Long Term Lease to reflect the as-built conditions at that time within the area authorized by the referendum; and

WHEREAS, Canterbury requested continued use of the Additional Area in December 2012; and

WHEREAS, the City and Canterbury entered into another lease for use of the Additional Area in 2013; and

WHEREAS, the term of the Additional Area lease was set at twenty-six (26) months at the recommendation of Real Estate in order to align the Additional Area lease commencement date with the Long Term Lease commencement date of May 1, causing both annual rental adjustment dates to occur at the same time; and

WHEREAS, Canterbury has executed a new lease agreement ("Lease") for use of the Additional Area for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding leases; and

WHEREAS, the rental rate is One Hundred Three and 84/100 dollars (\$103.84) per month for the Lease term; and

WHEREAS, rent adjustments will be made each year based on the CPI increase for the prior twelve (12) month period coinciding with the annual CPI adjustments made on the Long Term Lease; and

WHEREAS, Canterbury is responsible for maintaining the Premises with any improvements constructed on the Premises and utilities including, but not limited to, water, electric, telephone/microwave communications, internet, cable television, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance; and

WHEREAS, Canterbury will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence with a \$2,000,000 aggregate, and excess liability coverage not less than \$4,000,000 per occurrence, protecting the City against all claims or demands that may arise or be claimed on account of Canterbury's use of the Premises; and

WHEREAS, the City, at its sole option, shall have the right to terminate this Lease if the City determines the Premises are required for environmental mitigation or other wastewater treatment facilities and/or operations by providing Canterbury with one (1) year advance written notice; and

WHEREAS, Canterbury shall have the right to terminate this Lease at any time during the Term; and

WHEREAS, this Lease is in compliance with Section 1.02(c)(2) of the City Charter which permits the leasing of residentially-zoned property for a period not exceeding three (3) years with an affirmative vote of at least six (6) members of City Council; and

WHEREAS, the Additional Area is zoned NS-1 (Neighborhood Suburban Single-Family 1) and P (Preservation), both of which are residential zoning.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his Designee, is hereby authorized to execute a thirty-six (36) month Lease Agreement with The Canterbury School of Florida, Inc., a Florida not-for-profit corporation, for the use of an area outside the referendum approved leased premises, as illustrated and legally described in the attached Exhibit "A" as Subject Area of Short-Term Lease; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

  
\_\_\_\_\_  
City Attorney (Designee)  
Legal: 00228338.doc V. 3

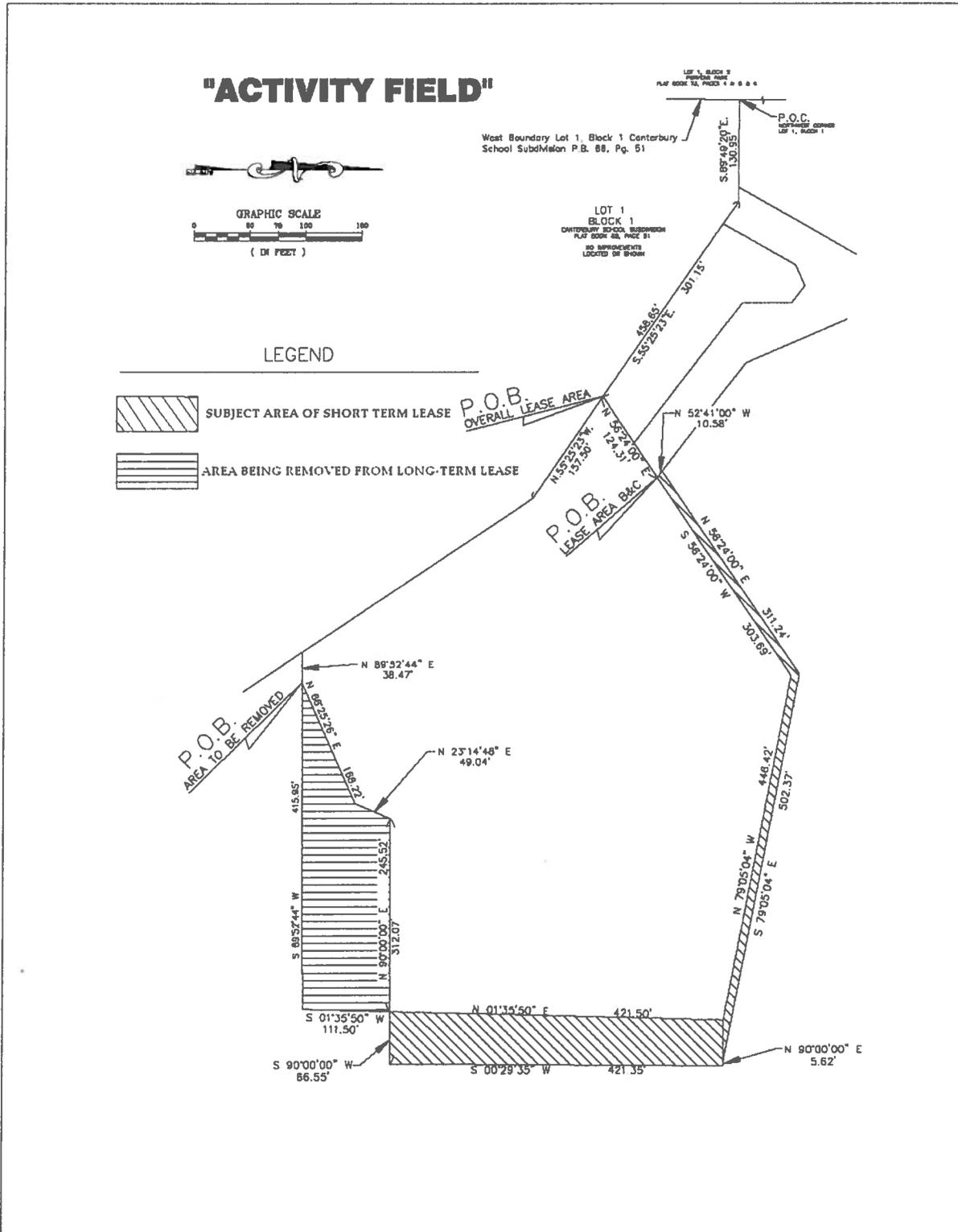
APPROVED BY:

  
\_\_\_\_\_  
Steven Leavitt, Director  
Water Resources

APPROVED BY:

  
\_\_\_\_\_  
Bruce E. Grimes, Director  
Real Estate & Property Management

EXHIBIT "A" - Page 1 of 2



**EXHIBIT "A" - Page 2 of 2**  
*(Activity Field - Legal Description)*

**SUBJECT AREA OF SHORT-TERM LEASE:**

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 30 SOUTH, RANGE 17 EAST, PINELLAS COUNTY, FLORIDA. BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, "CANTERBURY SCHOOL SUBDIVISION" AS RECORDED IN PLAT BOOK 88, PAGE 51 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG THE BOUNDARY OF SAID LOT 1 THE FOLLOWING, S 89°49'20" E, A DISTANCE OF 130.95 FEET; THENCE RUN S 55°25'23" E, A DISTANCE OF 301.15 FEET; THENCE LEAVING SAID BOUNDARY, N 56°24'00" E, A DISTANCE OF 124.31 FEET; TO THE POINT-OF-BEGINNING; THENCE RUN N 52°41'00" W, A DISTANCE OF 10.58 FEET; THENCE RUN N 56°24'00" E, A DISTANCE OF 311.24 FEET; THENCE RUN S 79°05'04" E, A DISTANCE OF 502.37 FEET; THENCE RUN N 90°00'00" E, A DISTANCE OF 5.62 FEET; THENCE RUN S 00°29'35" W, A DISTANCE OF 421.35 FEET; THENCE RUN S 90°00'00" W, A DISTANCE OF 66.55 FEET; THENCE N 01°35'50" E, A DISTANCE OF 421.50 FEET; THENCE N 79°05'04" W, A DISTANCE OF 446.42 FEET; THENCE S 56°24'00" W, A DISTANCE OF 303.69 FEET TO THE POINT-OF-BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 34,148 SQ. FT.

**ST. PETERSBURG CITY COUNCIL**  
**Consent Agenda**  
**Meeting of April 16, 2015**

**TO:** The Honorable Charlie Gerdes, Esq., Chair and Members of City Council

**SUBJECT:** A resolution decreasing the size of the Consolidated Plan Ad Hoc Application Review Committee ("Committee") to eight (8) members; confirming the Mayor's appointments to the Committee for FY 2015/2016; and providing an effective date.

**EXPLANATION:** On April 3, 2003, City Council adopted Resolution No. 2003-185, which amended and restated previous resolutions dealing with Consolidated Plan Application and Project Criteria ("Project Criteria") and Appointment, Composition, and Term of Members of the Consolidated Plan Ad Hoc Application Review Committee ("Committee"). The purpose of the Committee is to review Consolidated Plan applications from non-profit organizations and make recommendations to City Council for funding.

The Administration has received Consolidated Plan applications for funding for FY 2015/2016 and needs to have a Committee in place for review of those applications in a timely manner. While City Council Resolution No. 2007-241, established the original size of the Committee at nine (11) members, the size of the Committee has varied over the years. The most recent Committee for FY 2014/2015 was comprised of nine (9) members.

The Administration has received applications and resumes from four interested citizens who would like to participate in the Consolidated Planning process. In addition, four members of City Council would like to serve on the Committee. The Administration requests that the size of the Committee be reduced to eight (8) members. The Mayor has reviewed all applications and resumes and requests that City Council confirm the appointment of the following residents to serve for a term of one year or until a new Committee is appointed, whichever occurs first:

- Ms. Rene Y. Robinson-Flowers, representing the substance abuse category.
- Ms. Katie Everlove-Stone, Esq., representing the elderly services category.
- Ms. Jessica K. Fetherston-Resch, representing the education category.
- Ms. Page K. Douangboupha, representing the economic development category.

The Mayor also requests that Council confirm the appointment of the following City Council members who have volunteered to serve on the Committee for a term of one year or until a new Committee is appointed, whichever occurs first:

- Karl Nurse, Councilmember
- Wengay Newton, Councilmember
- Amy Foster, Councilmember
- Steve Kornell, Councilmember

**RECOMMENDATION:** The Administration recommends that City Council adopt the attached resolution decreasing the size of the Consolidated Plan Ad Hoc Application Review Committee (“Committee”) to eight (8) members; confirming the Mayor’s appointments to the Committee for FY 2015/2016; and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** This action will not result in additional funding allocations.

**ATTACHMENTS:** Resolution  
Resumes

**APPROVALS:**

Administration: 

Budget: 

Legal: 00228579.doc V. 1

Resolution No. 2015 - \_\_\_\_\_

A RESOLUTION DECREASING THE SIZE OF THE CONSOLIDATED PLAN AD HOC APPLICATION REVIEW COMMITTEE ("COMMITTEE") TO EIGHT (8) MEMBERS; CONFIRMING THE MAYOR'S APPOINTMENTS TO THE COMMITTEE FOR FY 2015/2016; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 3, 2003, City Council passed Resolution No. 2003-185, which amended and restated previous resolutions dealing with Consolidated Plan Application and Project Criteria ("Project Criteria") and Appointment, Composition, and Term of Members of the Consolidated Plan Ad Hoc Application Review Committee ("Committee"); and

WHEREAS, the Administration has received Consolidated Plan applications for funding for FY 2015/2016 and needs to have a Committee in place for review of those applications in a timely manner; and

WHEREAS, City Council Resolution No. 2013-138 established the size of the Committee at eight (8) members; and

WHEREAS, the Administration has received applications from four private citizens to serve on the Committee; and

WHEREAS, four Councilmembers have been designated to serve on the Committee; and

WHEREAS, FY 2014/2015 Committee consisted of nine (9) members; and

WHEREAS, the Administration has requested that the size of the Committee be decreased to eight (8) members; and

WHEREAS, the Mayor has made the following appointments to the Committee for FY 2015/2016:

Ms. Rene Y. Robinson-Flowers, representing the substance abuse category  
Ms. Katie Everlove-Stone, Esq., elderly services category  
Ms. Jessica K. Fetherston-Resch, representing the education category  
Ms. Page K. Douangboupha, representing the economic development category.  
Karl Nurse, Councilmember  
Wengay Newton, Councilmember  
Amy Foster, Councilmember  
Steve Kornell, Councilmember

;and

WHEREAS, this City Council has determined that it is in the best interest of the City to decrease the size of the Committee to eight (8) members and to confirm the appointments of the above persons to the Committee.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the size of the Consolidated Plan Ad Hoc Application Review Committee ("Committee") shall be decreased to eight (8) members and that the following appointments by the Mayor to the Committee for FY 2015/2016 are confirmed:

- Ms. Rene Y. Robinson-Flowers, representing the substance abuse category
- Ms. Katie Everlove-Stone, Esq., elderly services category
- Ms. Jessica K. Fetherston-Resch, representing the education category
- Ms. Page K. Douangboupha, representing the economic development category.
- Karl Nurse, Councilmember
- Wengay Newton, Councilmember
- Amy Foster, Councilmember
- Steve Kornell, Councilmember

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal: /s/ RBB

Administration: M. R. Dione

Legal: 00228580.doc V. 1

ST. PETERSBURG CITY COUNCIL

**Consent Agenda**

Meeting of April 16, 2015

TO: The Honorable Charlie Gerdes, Chair, and Members of City Council

FROM: Sherry McBee, Leisure Services Administrator

SUBJECT: A resolution approving an agreement with St. Anthony's Hospital, Inc. ("Agreement") for a three (3) year term with one (1) three-year renewal option to stage the triathlon event in the City of St. Petersburg, authorizing the Mayor or his designee to execute the Agreement and all documents necessary to effectuate this transaction and providing an effective date.

EXPLANATION: St. Anthony's Hospital, Inc. ("St. Anthony's"), has organized, promoted and staged an annual triathlon event in downtown St. Petersburg since 1985. St. Anthony's desires to enhance its ability to obtain funding for its annual triathlon event held in the last week of April by eliminating the possibility of anyone else staging a competing triathlon event in the City the same time of year as St. Anthony's triathlon event.

The previous agreement has expired. The City desires to enter into a new agreement with St. Anthony's for a three (3) year term with one (1) three-year renewal option which grants St. Anthony's the exclusive right and authority to stage the triathlon event in the City pursuant to the terms and conditions set forth in such agreement.

Administration recommends Council adopt the attached resolution.

ATTACHMENT: Resolution

Approval:   
Sherry McBee

A RESOLUTION APPROVING AN AGREEMENT WITH ST. ANTHONY'S HOSPITAL, INC. FOR A THREE (3) YEAR TERM WITH ONE (1) THREE-YEAR RENEWAL OPTION TO STAGE THE TRIATHLON EVENT IN THE CITY OF ST. PETERSBURG; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Anthony's Hospital, Inc. ("St. Anthony's"), has organized, promoted, and staged an annual triathlon event in downtown St. Petersburg since 1985; and

WHEREAS, the City of St. Petersburg ("City") desires to promote events that are of interest and benefit to the residents of the City, expand national and international tourism to the City and enhance economic opportunities for the benefit of the City and its residents; and

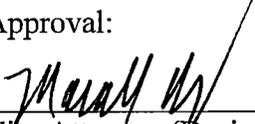
WHEREAS, the City has approved the organization, promotion and staging of the triathlon event and found that it meets the desires and goals of the City; and

WHEREAS, the City desires to enter into an agreement that grants St. Anthony's an exclusive right to stage the triathlon event in the City pursuant to the terms and conditions set forth in the agreement, and to conduct other activities in connection with the triathlon event.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that an agreement ("Agreement") with St. Anthony's Hospital, Inc., for a three (3) year term with one (1) three-year renewal option to stage the triathlon event in the City of St. Petersburg is hereby approved and the Mayor or his designee is authorized to execute the Agreement and all documents necessary to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approval:

  
\_\_\_\_\_  
City Attorney (Designee)

St. Petersburg City Council  
Meeting of April 16, 2015

Consent Item

To: The Honorable Charlie Gerdes, Chair, and Members of City Council

SUBJECT: Approval of a resolution approving a transfer of \$50,000 from the Management Evaluation Fiscal Year 2015 to the Community Services Department for the Read to Me Early Childhood Program.

BACKGROUND: The Community Services and Urban Affairs Department have worked with the Pinellas County Schools Title I Office to develop an early childhood mentoring program. This program is modeled after the Title I Read to Me effort in which an individual reads to 4 year olds in licensed early childhood centers. Each child receives a book during the session then participates in activities related to the story.

The City's Read to Me initiative will be a year round program involving 20 high school students as mentors to prepare lesson plans, read to the younger children then engage them in classroom activities. The children will also receive activities through which they can engage their families. Boley Centers, Inc. will manage this program similar to its role for the Summer Youth Internship and After School Youth Employment Programs.

RECOMMENDATION: Support of the attached resolution to approve a transfer of \$50,000 from Management Evaluation FY 2015 to the Community Services Department.

COST/FUNDING/ASSESSMENT INFORMATION: Monies will be transferred from the Management Evaluation FY (010-1001), to the Community Services Department, Neighborhood Services (083-1081) \$50,000 for the Read to Me Early Childhood Program.

**COUNCIL AGENDA  
NEW BUSINESS ITEM**

**TO:** Members of City Council  
**DATE:** March 20, 2015  
**COUNCIL DATE:** April 2, 2015  
**RE:** *Boley Centers "Read to Me" Initiative*

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**ACTION DESIRED:**

Respectfully requesting City Council to fund the Boley Centers "Read to Me" initiative with an additional \$50,000 for a total of \$100,000 to provide 20 after school jobs for at-risk youth.

**RATIONALE:**

Staff has done such an excellent job of identifying efficiencies for the City Council office, that a management study is no longer required. The \$50,000 that was to be used for the management study can now be directed to the Boley Centers "Read to Me" initiative.

Wengay Newton, Council Member  
District 7

RESOLUTION NO. \_\_\_\_

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF \$50,000 FROM MANAGEMENT EVALUATION FISCAL YEAR 2015 TO THE COMMUNITY SERVICES DEPARTMENT FOR THE READ TO ME EARLY CHILDHOOD PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, monies for the 2015 management evaluation were not spent; and

WHEREAS, there is a community need to increase the number opportunities for youth employment; and

WHEREAS, there is also a community need to provide opportunities to enhance early childhood learning skills; and

WHEREAS, through the efforts of the City's Urban Affairs and Community Services Departments, and Pinellas County Title I Program, a Read to Me pilot program has been developed; and

WHEREAS, the program will provide potential employment opportunities for high school students to serve as mentors to 4 year olds enrolled in early childhood centers; and

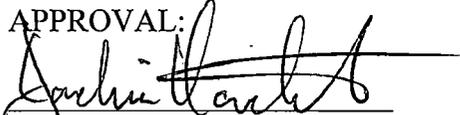
WHEREAS, the mentors will spend time reading to the young students but also engage them in book-related activities and provide additional activities to encourage family engagement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that there is hereby approved the transfer of \$50,000 appropriation from the Management Evaluation FY 2015 (010-1001), to:

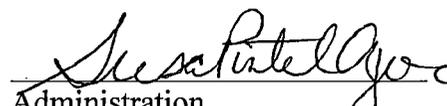
Community Services Department, Neighborhood Services (083-1081) \$50,000 for the Read to Me Early Childhood Program.

This resolution shall become effective immediately upon its adoption.

APPROVAL:

  
City Attorney

  
Budget and Management

  
Administration