

COUNCIL MEETING

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

CITY OF ST. PETERSBURG

June 11, 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, 1st Floor, City Hall, 175 Fifth Street North, on the Monday preceding the regularly scheduled Council meeting. *The agenda and backup material is also posted on the City's website at www.stpete.org and generally electronically updated the Friday preceding the meeting and again the day preceding the meeting. The updated agenda and backup material can be viewed at all St. Petersburg libraries.* An updated copy is also available on the podium outside Council Chamber at the start of the Council meeting.

If you are deaf/hard of hearing and require the services of an interpreter, please 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. Awards and Presentations

1. [Presentation regarding Tampa International Airport Master Plan Expansion by Joe Lopano, CEO.](#)
2. [The 32nd Annual Award recognition of the inductees of the Senior Hall of Fame.](#)
3. [Update on Hunger Initiatives for Families and Children.](#)

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

F. Reports

1. Homeless Leadership Board. (Oral) (Vice-Chair Foster)
2. [Approving an Agreement between the City and St. Pete Pride, Inc. to provide City funding for 2015 St. Pete Pride events.](#)
3. [Acquisition of Property in Support of the City's Bio-Solids to Energy Project.](#)
4. [Universal Curbside Recycling Update. \(Councilmember Rice\)](#)

G. New Business

1. [Requesting City Council add a Charter Amendment to be placed on the November general election ballot. \(Councilmember Nurse\)](#)

2. [Requesting City Council pass a resolution in support of the Clean Power Plan letter to Governor Scott \(attached\). \(Councilmember Kornell\)](#)

H. Council Committee Reports

1. [Budget, Finance & Taxation Committee. \(05/28/15\)](#)
 - (a) Authorizing the Mayor or his designee to advertise the City's draft FY2015/16 Annual Action Plan and to execute all other documents necessary to effectuate this resolution.
2. [Public Services & Infrastructure Committee. \(05/28/15\)](#)
 - (a) Ordinance amending the St. Petersburg City Code, Chapter 17, Article V; clarifying language; updating subsection titles; creating a subsection for prohibited acts; and clarifying permit application procedures and criteria for granting or denying a permit; and creating a subsection for permit renewal.
3. [Housing Services Committee. \(05/28/15\)](#)
4. [Co-Sponsored Events Subcommittee. \(06/04/15\)](#)
 - (a) Ordinance providing for the sale and consumption of alcoholic beverages in Elva Rouse Park on March 7, 2016.
 - (b) Approving events for co-sponsorship in name only by the City for Fiscal Year 2015; waiving the non-profit requirement of Resolution No. 2000-562(a)8 for the co-sponsored event to be presented by Beach Drive Events, LLC; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.
 - (c) Approving events for co-sponsorship in name only by the City for Fiscal Year 2016; waiving the non-profit requirement of Resolution No. 2000-562(a)8 for the co-sponsored events to be presented by Generation Food Truck, Inc., Cox Media, LLC., Festivals of Speed, LLC, Times Publishing Company, Paragon Fine Arts Festivals, Inc., IHeart Media + Entertainment, Inc.; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.
 - (d) Resolution in accordance with City Code Section 21-38(d) exempting 97X Next Big Thing (Vinoy Park), Ribfest (Vinoy Park), Chillounge Night (North Straub Park), St Pete Power and Sailboat Show (Albert Whitted Park), 97X BBQ (Vinoy Park), Festivals of Speed (Vinoy Park), Tampa Bay Bluesfest (Vinoy Park), and FIVB St. Pete Grand Slam (Spa Beach Park) from the beer and wine only restrictions in City Code Section 21-38 (d) upon the issuance of a permit for alcoholic beverages (for on premises consumption only) to be sold, served, dispensed, possessed, used and/or consumed at their respective venues, during their events as set forth herein.

I. Legal

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

Public Hearings

*NOTE: The following Public Hearing items have been submitted for **consideration** by the City Council. If you wish to speak on any of the Public Hearing items, please obtain one of the **YELLOW** cards from the containers on the wall outside of Council Chamber, fill it out as*

directed, and present it to the Clerk. You will be given 3 minutes ONLY to state your position on any item but may address more than one item.

1. [Confirming the preliminary assessment for Lot Clearing Number 1551.](#)
2. [Confirming the preliminary assessment for Building Securing Number 1200.](#)
3. [Confirming the preliminary assessment for Building Demolition Number 427.](#)
4. [Ordinance 1070-V approving the vacation of portions of a north-south alley located north of 11th Avenue South between Union Street South and 22nd Street South. \(City File 15-33000007\)](#)
5. [Ordinance 175-H establishing a Redevelopment Trust Fund for the South St. Petersburg Community Redevelopment Area.](#)
6. [Ordinance 176-H of the City of St. Petersburg creating a new Article III of Chapter 9, Civil Citations; providing authority; authorizing the issuance of Civil Citations; adding definitions; providing for one or more Special Magistrates to exercise the powers as provided in this Article and State law related to code enforcement; providing for an appeals process to contest a citation, which includes the assessment of administrative charges; and providing a schedule of violations and penalties.](#)
7. [Ordinance 177-H amending the St. Petersburg City Code; amending Section 8-201 to clarify that correction of certain code violations by the City may be charged to the property owner as a Special Assessment and to clarify notice requirements and provide a new appeals process; amending Section 16.40.060 by reassigning who may hear lot clearing appeals and to clarify that removal of junk, rubbish, and garbage is included in the costs that may be charged as a Special Assessment to real property; and correcting typos relating to other appellate procedures.](#)
8. [Ordinance 178-H amending Chapter 2 of the St. Petersburg City Code by revising Section 2-122 relating to the required date for Mayor's submission of an annual estimated budget to City Council and adding a provision authorizing City Council to establish an earlier date, with restrictions.](#)
9. [Ordinances in accordance with Section 1.02\(c\)\(5\)A., St. Petersburg City Charter, authorizing the restrictions contained in Site Dedications \("Site Dedications"\) dedicating the boat ramp project areas \("Project Areas"\) at Demens Landing Park and Bay Vista Park to the public as boating access facilities for the use and benefit of the general public from the date of execution of the Site Dedications by the City to June 30, 2035, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission \("FFWCC"\) Grants from the Florida Boating Improvement Program, Boating and Waterways Section for boat ramp improvements at Demens Landing Park and Bay Vista Park; authorizing the Mayor or his designee to execute Site Dedications for the Project Areas for a period ending June 30, 2035, and all other documents necessary to effectuate these Ordinances.](#)
 - (a) Ordinance 179-H for Demens Landing Park.
 - (b) Ordinance 180-H for Bay Vista Park.
10. [Ordinance 181-H amending the St. Petersburg City Code by creating a new Article to regulate nuisance properties; making findings; providing for definitions; providing for the](#)

declaration of nuisance properties and chronic nuisance properties; providing for exemptions; providing for notice; requiring a written action plan; providing for appeals; providing for penalties; providing for the recovery of police costs; providing a procedure for collection; and authorizing collection through the non ad valorem assessment method.

Second Reading and Second Public Hearings

11. Ordinance 168-H approving amendments to the Comprehensive Plan pertaining to Section 1.7, Definitions; and Chapter 3, Future Land Use Element. (City File LGCP-2015-01)

Quasi-Judicial Proceedings

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

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

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

12. Ordinance 744-Z amending the Official Zoning Map Designation of an estimated 0.78 acre portion of a 1.96 acre parcel, generally located on the southwest corner of 5th Avenue North and 34th Street North from CRT-1 (Corridor Residential Traditional-1) to CCS-1 (Corridor Commercial Suburban-1), or other less intensive use. (City File ZM-4)

K. Open Forum

L. Adjournment

CONSENT AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

**Consent Agenda A [NONE]
June 11, 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.

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda B June 11, 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. [Approving the purchase of loaders and trailers from Nortrax, Inc. for the Fleet Management Department at a total cost of \\$193,656.](#)
2. [Awarding a five-year blanket purchase agreement to Fisher Scientific Company L.L.C. for laboratory, safety supplies and equipment for the Water Resources Department at an estimated annual cost of \\$120,000.](#)
3. [Authorizing the Administration to negotiate an agreement with Hodge Management, LLC for the Woodlawn Gym Police Athletic League Facility Fire Protection Upgrade Project.](#)
4. [Accepting a proposal from SCI Distribution LLC, a sole source supplier, for a web-based fuel and fleet management system for the Fleet Management department and RFID readers to record participation rates in the City's Universal Residential Curbside Recycling program at a total cost not to exceed \\$195,590; and approving a supplemental appropriation of \\$49,655 from the unappropriated balance of the Water Resources Capital Projects Fund \(4003\) to the WRF SW CNG Fueling Station FY15 project \(14936\).](#)

(City Development)

5. [Authorizing the Mayor or his Designee to execute a License Agreement with Arts Center Association, Inc. d/b/a Morean Arts Center for a period of five \(5\) years to continue to maintain ten \(10\) fence panels for displaying artwork on a portion of the City-owned Pinellas Trail Extension for an annual use fee of \\$50.00.](#)
6. [Resolution accepting redevelopment authority from the Pinellas County Board of County Commissioners to establish a redevelopment trust fund for the South St. Petersburg Community Redevelopment Area.](#)

(Public Works)

7. [Approving a Traffic Signal Maintenance and Compensation Agreement between the City of St. Petersburg \("City"\) and the Florida Department of Transportation \("FDOT"\) to provide for FDOT annual reimbursement of expenses associated with the City's operation and maintenance of traffic signals and traffic signal systems serving state routes within the City limits.](#)

(Miscellaneous)

8. Waiving public construction bonds for American Housing Builders, Inc. and Griffin Contracting, Inc. for the construction of five single family homes.
9. Confirming the appointment of Samantha Sooknarine as a regular member to the City Beautiful Commission to serve an unexpired three-year term ending December 31, 2016.
10. Approving the transfer of \$60,000 from the unappropriated balance of the General Capital Improvement Fund (3001) to the Sanitation Operating Fund (4021); approving a supplemental appropriation in the amount of \$60,000 from the increase in the unappropriated balance in Sanitation Operating Fund resulting from this transfer to the Codes Compliance Assistance Department (100-1129), Object Code 5320310 to fund eligible costs associated with demolition and securing; approving the transfer of \$60,000 from the unappropriated balance of the General Capital Improvement Fund (3001) to the General Fund (0001); approving a supplemental appropriation in the amount of \$60,000 from the increase in the unappropriated balance in the General Fund resulting from this transfer to the Planning and Economic Development Department (370-2609) Residential Rehabs Program Project 141000 to fund eligible costs associated with rebates for Residential Rehabs Program; and authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution.
11. Authorizing the Mayor or his designee to execute a First Amendment to License Agreement with Pinellas Studio of Dance, Inc., a Florida corporation, for use of ±6,140 sq. ft. within the St. Petersburg Shuffleboard Club building located at 559 Mirror Lake Drive North, St. Petersburg, for a period of twelve (12) months at a rental rate of \$300.00 per month, with the right to request an extension for an additional one (1) year term, subject to approval by City Council. (Requires affirmative vote of at least six (6) members of City Council.)
12. Authorizing the Mayor or his designee to execute a Second Amendment to License Agreement with Beach Drive Banquet, LLC, a Florida limited liability company, to extend its use of the North Yacht Basin and the surrounding areas known as Space No. EX500 to rent and operate vessels for a period of one (1) year for a monthly base rent of \$500.00. (Requires affirmative vote of at least six (6) members of City Council.)

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MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

Co-Sponsored Events Subcommittee

Thursday, June 4, 2015, 2:00 p.m., Room 100

City Council Workshop - Historic Designation Ordinance

Thursday, June 4, 2015, 3:00 p.m., Room 100

Budget, Finance & Taxation Committee

Thursday, June 11, 2015, 8:00 a.m., Room 100

Public Services & Infrastructure Committee

Thursday, June 11, 2015, 9:15 a.m., Room 100

Youth Services Committee

Thursday, June 11, 2015, 10:30 a.m., Room 100

Energy, Natural Resources & Sustainability Committee (ENRS)

Thursday, June 11, 2015, 1:00 p.m., Room 100

Fiscal Year 2016 Public Budget Summit

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

CITY OF ST. PETERSBURG

Board and Commission Vacancies



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.

CITY COUNCIL AGENDA
AWARDS & PRESENTATIONS

May 20, 2015

TO: The Mayor and Members of City Council

SUBJECT: *Presentation regarding Tampa International Airport Master
Plan Expansion by Joe Lopano, CEO*

PRESENTER:

Charlie Gerdes, Chair
City Council

SCHEDULE FOR COUNCIL ON:

June 11, 2015

CITY COUNCIL AGENDA AWARDS & PRESENTATIONS

May 26, 2015

TO: The Honorable Members of City Council

SUBJECT: The 32nd Annual Award recognition of the inductees of the Senior Hall of Fame.

PRESENTER: Mayor Rick Kriseman

SCHEDULE FOR COUNCIL ON:

June 11, 2015

CITY COUNCIL AGENDA
AWARDS & PRESENTATIONS

May 28, 2015

TO: The Mayor and Members of City Council

SUBJECT: *Update on Hunger Initiatives for Families and Children*

PRESENTER:

Tampa Bay Network to End Hunger

SCHEDULE FOR COUNCIL ON:

June 11, 2015

Charlie Gerdes, Chair
City Council



CITY OF ST. PETERSBURG

MEMORANDUM

TO: Council Chair Gerdes and Members of City Council

FROM: Joe Zeoli, City Development Administration

DATE: June 5, 2015

SUBJECT: Report Item F-2 (St. Pete Pride) on City Council's June 11th Agenda

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St. Pete Pride, Inc. has requested City financial support for the 2015 and 2016 LGBT Pride Parade and Pride Festival. Administration has worked with St. Pete Pride on the development of a proposed funding agreement that is attached for Council's review. The proposed agreement provides that St. Pete Pride will not be responsible for the first \$35,000 of City Services costs for the Pride events in 2015 and 2016.

A representative of St. Pete Pride will present part of the report to be heard at your June 11th meeting, and will be available to address any Council questions.

Also attached is a proposed Resolution should Council approve the funding agreement.

cc: Gary Cornwell
Alan DeLisle
Macall Dyer

RESOLUTION NO. 2015-_____

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND ST. PETE PRIDE, INC., THAT PROVIDES FOR CITY SUPPORT OF THE ST. PETE PRIDE EVENTS TO BE CONDUCTED IN 2015 AND 2016; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE AGREEMENT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") desires to provide events that are of interest to our residents and visitors and promote economic activity within the community; and

WHEREAS, St. Pete Pride, Inc. ("St. Pete Pride") desires to hold a variety of community events in St. Petersburg, including a LGBT Pride Parade and a Pride Street Festival in 2015 and 2016; and

WHEREAS, the City has agreed to provide St. Pete Pride annual funding in the amount of \$35,000 that will be used to offset up to \$35,000 of the charges for city services provided to support the 2015 and 2016 St. Pete Pride Events.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the agreement between the City of St. Petersburg, Florida ("City"), and St. Pete Pride, Inc. that provides for City support of the St. Pete Pride events to be conducted in 2015 and 2016 is hereby approved.

BE IT FURTHER RESOLVED that the City Attorney's Office is authorized to make non-substantive changes to the agreement to correct typographical errors and clarify provisions of the agreement to conform to City Council's direction.

BE IT FURTHER RESOLVED that 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 adoption.

Approved as to Form and Content:



City Attorney (designee)
June 11 235129



City Development Administration

AGREEMENT
Between
THE CITY OF ST. PETERSBURG, FLORIDA
and
ST. PETE PRIDE, INC.

THIS AGREEMENT (“Agreement”) is made and entered into this ___ day of June, 2015 (“Execution Date”), by and between the City of St. Petersburg, Florida, a municipal corporation (the “City”), and St. Pete Pride, Inc., a Florida non-profit corporation (“St. Pete Pride”), (the City and St. Pete Pride collectively referred to herein as the “Parties”).

RECITALS

WHEREAS, the City desires to support events that are of interest and benefit to the residents of the City and the City also wishes to expand national and international tourism to the City as well as otherwise enhance economic and cultural opportunities for the benefit of the City and its residents; and

WHEREAS, the City and St. Pete Pride have agreed that St. Pete Pride shall produce and conduct the St. Pete Pride Events (as defined herein) in St. Petersburg pursuant to the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the promises and covenants contained herein (including those contained in the foregoing recitals), and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

ARTICLE I: DEFINITIONS

1.1 **Definitions.** The following definitions will be used for purposes of this Agreement:

A. The abbreviations of the Parties set forth in the preamble will be used for purposes of this Agreement.

B. “City Services” means those services customarily provided by the City for its residents and its facilities, including without limitation, (i) police, fire and EMS services; (ii) garbage and refuse disposal; (iii) maintenance personnel; (iv) crowd control and traffic control, (vi) utilities and (vii) any additional services as the City deems appropriate in its sole and absolute discretion.

C. “Concessions” means all concessions associated with St. Pete Pride Events including, without limitation, (i) food; (ii) alcoholic beverages; (iii) non-alcoholic beverages; (iv) wearing apparel; (v) programs; (vi) souvenirs; (vii) seating; and (viii) all other merchandise or services offered for sale in connection with the St. Pete

Pride Events. The term Concessions specifically excludes the activities of otherwise properly licensed St. Petersburg merchants and business persons (excluding sidewalk vendors) in conducting their trade or business at their regular business premises during the St. Pete Pride Events and the concessions offered by either the City or its licensees or parties with which it has contracted to provide concessions on an annual basis at any City owned property or facility.

D. "Laws" means all existing and future federal, state, and local constitutions, statutes, ordinances, rules, regulations and resolutions, and all orders and decrees of lawful authorities having jurisdiction over the matter at issue.

E. "St. Pete Pride Events" means the LGBT Pride Parade and Pride Street Festival to be held in St. Petersburg. The dates of the St. Pete Pride Events to be conducted in the year 2015 shall be June 27, 2015 and June 28, 2015. The dates of the St. Pete Pride Events to be conducted in the year 2016 shall be mutually agreed upon by the Parties.

F. "St. Pete Pride Events Logo(s)" means the logo(s), mark(s), symbol(s), trademark(s), or trade name(s) used by St. Pete Pride in connection with the St. Pete Pride Events.

G. "St. Pete Pride Events Period" means from 8:00 a.m. on Saturday, June 27, 2015, until 11:00 p.m. on Sunday, June 28, 2015. The dates and times of the St. Pete Pride Events Period for the St. Pete Pride Events to be conducted in the year 2016 shall be mutually agreed to by the Parties.

ARTICLE II: WARRANTIES AND REPRESENTATIONS

2.1 Warranties and Representations by St. Pete Pride. St. Pete Pride warrants and represents to the City as follows:

A. St. Pete Pride is a non-profit corporation, duly formed, presently existing and in good standing under the laws of Florida.

B. All appropriate action exists or has been accomplished by St. Pete Pride so as to duly authorize the officers set forth below to execute this Agreement and all documents contemplated hereby on behalf of St. Pete Pride so as to fully and firmly bind St. Pete Pride to the terms and provisions of this Agreement and such other documents.

C. St. Pete Pride has the financial capability to conduct the St. Pete Pride Events in accordance with this Agreement.

2.2 Warranties and Representations by City. The City warrants and represents to St. Pete Pride as follows:

A. The City is a municipality organized and existing under the laws of the State of Florida.

B. All appropriate action exists or has been accomplished by the City so as to duly authorize the officials set forth below to execute this Agreement and all documents contemplated hereby on behalf of the City so as to fully and firmly bind the City to the terms and provisions of this Agreement and such other documents.

ARTICLE III: GENERAL TERMS

3.1 **Obligation to Conduct the St. Pete Pride Events.** St. Pete Pride shall produce and conduct the St. Pete Pride Events commencing in the year 2015. The St. Pete Pride Events shall be conducted along Central Avenue between 22nd Street and 27th Street during the St. Pete Pride Events Period. The St. Pete Pride Events shall be conducted in accordance with the terms and conditions of this Agreement. St. Pete Pride shall provide the City with written notice no later than December 1, 2015 advising the City whether or not it will conduct the St. Pete Pride Events in 2016, and if so, specifying the exact date of the St. Pete Pride Events, and a schedule of such events, if available. St. Pete Pride hereby acknowledges that the City has police powers pursuant to applicable Laws to take reasonable and appropriate action in the event the conduct of the St. Pete Pride Events or any portion thereof is endangering the health, safety or welfare of the general public. The safety of the St. Pete Pride Events participants and attendees shall be controlled by and be the sole responsibility of St. Pete Pride.

3.2 **Concession Rights.** The City hereby grants St. Pete Pride the right to operate, or to license (in whole or in part) to others, the Concessions during the St. Pete Pride Events Period. The City agrees not to hereafter extend any concession rights to any person or entity other than St. Pete Pride which would permit the operation or licensing of concessions, or the vending or offering for sale of any goods or services competitive with the Concessions; provided, however, the City shall have the right, should it desire, to operate a concession at the St. Pete Pride Events so long as such concession does not compete with the Concessions contemplated herein of St. Pete Pride and its supporting sponsors. Further, provided, the City shall also be permitted to operate, at no cost to the City, up to five (5) informational booths from which Concessions are not sold. Notwithstanding the foregoing, this grant of rights to Concessions shall not affect the activities of otherwise properly licensed St. Petersburg merchants and business persons in conducting their trade or business at their regular business premises during the St. Pete Pride Events.

3.3 **Media and Broadcast Rights.** The City hereby grants to St. Pete Pride the rights to license any and all media coverage, television broadcasts, or other broadcasts, locally, nationally, internationally, or otherwise, related to the St. Pete Pride Events. St. Pete Pride shall notify the City of the identity of media entities that will cover the St. Pete Pride Events. St. Pete Pride shall endeavor to reflect in such coverage and broadcast the location of the St. Pete Pride Events and the involvement of the City incident to this Agreement.

3.4 **St. Pete Pride Events Logo(s).**

A. The City acknowledges that St. Pete Pride is the owner of the St.

Pete Pride Events Logo(s), and that the City shall not interfere with St. Pete Pride's use or licensing of such St. Pete Pride Events Logo(s), provided that St. Pete Pride complies with the provisions of this Article 3.4.

B. The City may use the St. Pete Pride Events Logo(s) for promotion of the City or the St. Pete Pride Events with St. Pete Pride's prior written consent, which consent shall not be unreasonably withheld or delayed. The City shall not alter or modify the St. Pete Pride Events Logo(s) without St. Pete Pride's prior written consent.

C. St. Pete Pride may use City owned logo(s) and trademark(s) for promotion of the St. Pete Pride Events with the City's prior written consent, which consent shall not be unreasonably withheld or delayed. St. Pete Pride shall not alter or modify the City's logo(s) or trademark(s) without the City's prior written consent.

3.5 Compliance with Laws and Related Matters. St. Pete Pride shall comply with all applicable Laws, including without limitation, the Florida Public Records Law (Chapter 119, Florida Statutes) and the Americans with Disabilities Act.

3.6 Business Plan, Records and Reports.

A. On or before June 15, 2015, St. Pete Pride shall provide the City a detailed business plan which shall include a financial pro-forma identifying all revenues and expenses anticipated for the St. Pete Pride Events to be conducted in 2015. St. Pete Pride shall provide the City a detailed business plan which shall include a financial pro-forma identifying all revenues and expenses anticipated for the St. Pete Pride Events to be conducted in 2016 at least thirty (30) days prior to the St. Pete Pride Events to be conducted in 2016.

B. St. Pete Pride shall maintain financial books, records, and accounting information related to this Agreement. These books, records, and information shall comply with generally accepted accounting principles. St. Pete Pride shall provide an independent audit of such books, records and information by a Certified Public Accountant upon request by the City, at no cost to the City, within ninety (90) days of such request. Except as otherwise authorized by the City, St. Pete Pride shall retain all such books, records and information for a minimum of five (5) years after the end of the Term (as defined herein). Nothing herein shall be construed to allow destruction of records that may be required to be retained longer by the statutes of the State of Florida. St. Pete Pride shall, at any reasonable time requested by the City and as often as the City may deem necessary, make available to the City for examination all of its books, records and information with respect to all matters covered by this Agreement and shall permit the City or its designated authorized representatives to audit and inspect all such books, records and information relating to all matters covered by this Agreement.

3.7 Funding by the City.

A. Subject to receipt of the business plan pursuant to Article 3.6A., the City agrees that St. Pete Pride shall not be responsible for payment of charges for City

Services up to thirty-five thousand dollars (\$35,000) for any St. Pete Pride Events conducted during the Term (provided St. Pete Pride shall be responsible for payment of charges for City Services in excess of thirty-five thousand dollars (\$35,000)).

B. The City shall not be responsible for and shall not be deemed to have excused St. Pete Pride from the responsibility for any charges, fees, or other costs except as expressly set forth in this Agreement. Without limiting the generality of the foregoing, all obligations of St. Pete Pride pursuant to this Agreement shall be performed by St. Pete Pride at its sole cost and expense unless this Agreement specifically provides otherwise.

C. Nothing in this Article 3.7 shall not be construed to limit St. Pete Pride from completing and returning to the City a co-sponsored events application.

D. All funding required to be provided by the City pursuant to this Agreement is subject to Article 7.12.

3.8 City Services. The City shall provide City Services for the St. Pete Pride Events, as requested by St. Pete Pride and which the City has available or at its disposal; provided that such City Services are mutually agreed upon in writing by the Parties. If the charges for City Services exceed thirty-five thousand dollars (\$35,000), the City shall invoice St. Pete Pride for the additional charges for City Services that exceed thirty-five thousand dollars (\$35,000) and St. Pete Pride shall pay such amount within thirty (30) days after receipt of such invoice.

3.9 City Promotional Opportunities.

A. St. Pete Pride shall provide the City (i) at least five (5) complimentary entries in the LGBT Pride Parade to be conducted in 2015 and (ii) at least five (5) complimentary entries in the LGBT Pride Parade to be conducted in 2016.

B. St. Pete Pride shall provide the City six (6) complimentary tickets to all St. Pete Pride fundraising events and galas held in St. Petersburg during the Term.

C. St. Pete Pride shall provide the City (i) one (1) full page ad space in the official Pride guide for the St. Pete Pride Events to be conducted in 2015, at no cost to the City, for promotional purposes and (ii) one (1) full page ad space in the official Pride guide for the St. Pete Pride Events to be conducted in 2016, at no cost to the City, for promotional purposes.

3.10 Authorizations. St. Pete Pride shall be responsible for seeking and obtaining any and all permits (e.g., street closure permit and parade permit), licenses, certifications, consents, or other authorizations required by any public or private entity for organizing and conducting the St. Pete Pride Events and all other matters in connection therewith.

3.11 Unanticipated Events and Needs. The Parties acknowledge that certain needs and/or changes related to the St. Pete Pride Events cannot be anticipated far in advance (e.g., weather conditions). Each party shall give the other reasonable notice under the circumstances of request for performance or modification of performance under this Agreement that could not reasonably have been anticipated pursuant to notice required or contemplated in other articles of this Agreement. In the event such notice is given pursuant to this Article 3.11, the Parties shall attempt to negotiate such amendments to this Agreement that may be necessary.

ARTICLE IV: TERM AND EXTENSION

4.1 Term and Extension. This Agreement shall commence on the Execution Date and expire at midnight on September 30, 2016 (“Term”), unless earlier terminated as provided for herein.

ARTICLE V: DEFENSE OF CLAIMS, INDEMNIFICATION AND INSURANCE

5.1 Indemnification.

A. St. Pete Pride shall defend, pay on behalf of, indemnify and hold the City, its officers, agents, employees, elected and appointed officials, and volunteers (collectively, “Indemnified Parties”) harmless from any and all claims, suits, demands, liabilities, losses, damages, liens and fines, regardless of whether a lawsuit is filed (collectively, “Claim(s)”), arising out of or in any way connected with the St. Pete Pride Events; and from any and all Claims, which are alleged or claimed to be arising from or in connection with (i) the sole or contributory negligence (active or passive) of St. Pete Pride, its agents, employees, contractors, subcontractors, concessionaires, licensees, patrons, spectators, volunteers, participants, or customers; (ii) the negligence of the Indemnified Parties arising out of St. Pete Pride Events; (iii) the intentional wrongful acts and omissions of St. Pete Pride, its agents, employees, contractors, subcontractors, concessionaires, licensees, patrons, spectators, volunteers, participants or customers; (iv) any allegations of dangerous condition of public property or premises liability for the property of the Indemnified Parties; (v) the failure of St. Pete Pride, its agents, employees, contractors, subcontractors, concessionaires, licensees, patrons, spectators, volunteers, participants or customers to comply and conform with all applicable Laws; (vi) the St. Pete Pride Events or any portion thereof obstructing physical access to property; and (vii) the St. Pete Pride Events or any portion thereof causing a nuisance, including Claims in the nature of nuisance.

B. The City shall promptly notify St. Pete Pride in writing of any Claim against any of the Indemnified Parties of which the foregoing indemnification relates. St. Pete Pride shall have the right to control the defense of any Claim subject to indemnification and to settle any such Claim provided that St. Pete Pride pays the entire amount of any settlement or judgment and there is no finding of fault against the Indemnified Parties, or as otherwise agreed to in writing by the City.

C. The provisions of this Article 5.1 are independent of, and will not be

limited by, any insurance required to be obtained by St. Pete Pride pursuant to this Agreement or otherwise obtained by St. Pete Pride, and shall survive the expiration or earlier termination of this Agreement with respect to any Claims or liability arising in connection with any event occurring prior to such expiration or termination.

5.2 Insurance Coverage.

A. St. Pete Pride shall carry the following minimum types and amounts of insurance at its own expense:

- 1) Commercial general liability insurance in an amount of at least One Million Dollars (\$1,000,000) per occurrence, Two Million Dollars (\$2,000,000) aggregate in occurrences form. This policy shall include coverage for (i) personal injury or death or property damage or destruction; (ii) fire legal liability in the minimum amount of One Hundred Thousand Dollars (\$100,000); and (iii) contractual liability under this Agreement.
- 2) Automobile liability insurance of \$1,000,000 combined single limit covering all owned, hired and non-owned vehicles.
- 3) Workers' Compensation insurance as required by Florida law and Employers' Liability insurance in an amount of at least \$100,000 each accident, \$100,000 per employee, and \$500,000 for all diseases.
- 4) If approved to dispense alcohol, Liquor Liability Insurance in the amount of One Million Dollars (\$1,000,000).

B. All of St. Pete Pride's insurance policies, except Workers' Compensation, shall name the Indemnified Parties as additional insureds.

C. All policies shall provide that the City will be provided notice at least thirty (30) days prior to any cancellation, reduction or material change in coverage.

D. St. Pete Pride shall provide the City with Certificates of Insurance on a standard ACORD form reflecting all required coverage. At the City's request, St. Pete Pride shall provide copies of current policies with all applicable endorsements.

E. All insurance required shall be provided by responsible insurers licensed in the State of Florida and rated at least A - in the then current edition of Best's Insurance Guide or similar rating service approved by the City.

F. St. Pete Pride will obtain insurance policies that waive all subrogation rights of its insurance carriers in favor of the Indemnified Parties. This provision is intended to waive fully, and for the benefit of the Indemnified Parties, any rights or claims which might give rise to a right of subrogation in favor of any insurance

carrier or St. Pete Pride.

ARTICLE VI - TERMINATION

6.1 For Convenience. The City may terminate this Agreement for its convenience upon thirty (30) days prior written notice to St. Pete Pride. In the event of termination pursuant to this Article 6.1, the City shall have no liability to St. Pete Pride related to termination of this Agreement by the City for convenience.

6.2 For Default. Either party may terminate this Agreement upon written notice to the defaulting party in the event either party defaults on any of the terms or conditions of this Agreement and such failure continues for a period of thirty (30) days following notice from the notifying party specifying the default.

ARTICLE VII - MISCELLANEOUS

7.1 Notices.

A. Any and all notices to be given to St. Pete Pride under this Agreement or required by law to be given to St. Pete Pride may be given or served by certified or registered letter deposited in the U.S. Mail with postage prepaid, overnight courier, or facsimile, addressed to:

St. Pete Pride, Inc.
3251 Third Avenue N, Suite 125
St. Petersburg, FL 33733
727-342-0084
Attn: Eric Skains

B. Any and all notices to be given to the City under this Agreement or required by law to be given to the City may be given or served by certified or registered letter deposited in the U.S. Mail with postage prepaid, overnight courier, or facsimile, addressed to:

City of St. Petersburg
175 5th Street North
St. Petersburg, Florida 33701
727-892-5065
Attn: Joseph Zeoli

C. All notices shall be deemed given or served upon receipt. Any party may change its address for the giving of notice pursuant to notice given in accordance with the provisions of this Article 7.1, which notice shall be effective upon receipt by the other party.

7.2 Assignment. St. Pete Pride shall not assign this Agreement, or any part thereof, without first obtaining the written consent of City, which consent may be

withheld by City at its sole discretion. Any assignment of this Agreement contrary to this Article 7.2, whether voluntary or involuntary, shall be void and shall confer no rights upon an assignee.

7.3 No Waiver. No provision of this Agreement will be deemed waived by either party unless expressly waived in writing signed by the waiving party. No waiver shall be implied by delay or any other act or omission of either party. No waiver by either party of any provision of this Agreement shall be deemed a waiver of such provision with respect to any subsequent matter relating to such provision, and the City's consent respecting any action by St. Pete Pride shall not constitute a waiver of the requirement for obtaining the City's consent respecting any subsequent action.

7.4 Severability. In the event that any portion of this Agreement shall be held to be invalid for any reason, such invalidity shall not affect the remaining portions of this Agreement and the same shall remain in full force and effect.

7.5 Applicable Law and Venue. This Agreement shall be deemed to have been executed, delivered and performed in the State of Florida and it shall be governed by and interpreted in accordance with the laws of the State of Florida. Venue for any action brought in state courts shall be in Pinellas County, St. Petersburg Division. Venue for any action brought in federal court shall be in the Middle District of Florida, Tampa Division, unless a division shall be created in St. Petersburg or Pinellas County, in which case the action shall be brought in that division.

7.6 Parties in Interest. All agreements made and entered into in connection with the transactions contemplated herein shall be binding upon and shall inure to the benefit of the Parties hereto, their successors and assigns.

7.7 Captions. Captions are for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Agreement.

7.8 Relationship of Parties. This Agreement does not in any way constitute St. Pete Pride as the agent, employee or legal representative of the City for any purpose whatsoever. St. Pete Pride is in all respects an independent contractor and nothing contained in this Agreement shall create or be construed as creating a partnership or joint venture between the City and St. Pete Pride. The City shall in no way be responsible for any debts incurred by St. Pete Pride.

7.9 Nondiscrimination. St. Pete Pride shall not discriminate against anyone in the participation in the St. Pete Pride Events because of race, color, religion, gender, national origin, marital status, age, disability, sexual orientation, genetic information or other protected category.

7.10 Force Majeure. Each party shall be excused from performance of its obligations hereunder when such performance has been delayed, hindered or prevented by any cause or causes beyond such party's reasonable control, which shall include, without limitation, labor disputes, riots, civil commotion or insurrection, war, war-like

operations, or terrorist acts, invasion, rebellion, military or usurped power, sabotage, governmental restrictions, regulations or controls, inability to obtain any materials or services, fire or other casualties, natural disasters or acts of God.

7.11 Consent and Action by City.

A. For purposes of this Agreement, any required written permission, consent, acceptance, approval, or agreement (“Approval”) by the City means the Approval of the Mayor or his authorized designee, unless otherwise set forth in this Agreement or unless otherwise required to be exercised by City Council pursuant to the City Charter or applicable Laws.

B. For purposes of this Agreement, any right of the City to take any action permitted, allowed, or required by this Agreement may be exercised by the Mayor or his authorized designee, unless otherwise set forth in this Agreement or unless otherwise required to be exercised by City Council pursuant to the City Charter or applicable Laws.

7.12 Non-Appropriation. The obligations of the City as to any funding required pursuant to this Agreement 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, sufficient monies for the funding that is required during that year. 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 Agreement.

7.13 No Third Party Beneficiaries. Persons or entities not a party to this Agreement may not claim any benefit hereunder or as third party beneficiaries hereto.

7.14 Entire Agreement. This Agreement and the documents to be delivered hereunder constitute the entire agreement between the Parties pertaining to the subject matters covered hereby and there are no oral representations, arrangements or understandings between or among the Parties relating to the subject matters of this Agreement. No change to this Agreement will be valid unless made by a written amendment duly executed by the Parties.

7.15 Survival. All obligations (including indemnity and payment obligations) or rights of any party arising during or attributable to the period prior to expiration or earlier termination of this Agreement shall survive such expiration or earlier termination.

7.16 Payment of Taxes. Unless otherwise specifically provided for in this Agreement, St. Pete Pride shall pay before they become delinquent all applicable taxes associated with the St. Pete Pride Events.

IN WITNESS WHEREOF the Parties hereto have caused this Agreement to be executed by their duly authorized representatives on the date first above written.

CITY OF ST. PETERSBURG, FLORIDA:

ATTEST:

By: _____
Mayor or Designee

Chan Srinivasa, City Clerk

(Seal)

ST. PETE PRIDE, INC.

WITNESSES

Sign: _____
Print: _____
Title: _____

Sign: _____
Print: _____

Sign: _____
Print: _____

Approved as to Content and Form:

City Attorney (Designee)

By: _____
Assistant City Attorney

Document No. 235124

ST. PETERSBURG CITY COUNCIL

Meeting of June 11, 2015

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

SUBJECT

Acquisition of Property in support of the City's Bio-Solids to Energy Project

OBJECTIVE

To authorize the Mayor, or his Designee, to purchase one (1) unimproved parcel, for use as a compressed natural gas station generally located at the southwest corner of I-275 and 26th Avenue South, subject to easements allowing for the continued maintenance and operation of a billboard.

EXPLANATION

Real Estate & Property Management ("REPM") received a request from Public Works Administration ("Public Works") to investigate the availability of properties that would accommodate a compressed natural gas ("CNG") station in support of the City's Bio-Solids to Energy Project to fuel City-owned vehicles using gas byproduct from the Southwest Water Reclamation Facility ("SWWRF"). The directed area of focus for the initial investigation of properties that could accommodate the proposed use was the 34th Street Corridor from 20th Avenue South to 46th Avenue South. After review of the initially investigated properties available for sale in the targeted area and the economic development potential of such sites, Administration requested a broader investigation of alternative sites that were feasible but not necessarily being openly marketed for sale. An alternative site was subsequently identified within the required distance of the SWWRF for potential acquisition and REPM contacted the owner to determine if it would consider selling its property. The identified site is a triangularly shaped parcel generally bordered by I-275 to the east, 33rd Street to the west, from 26th Avenue South to 28th Avenue South ("Property").

Based on the current schedule, the City should begin producing renewable natural gas ("RNG") in approximately three (3) years. Thus, it is expected that the CNG station will mainly be used to process and dispose of wastewater system byproduct over the long-term notwithstanding that, during the first (3) three years, it is not expected that there will be any such byproduct produced. Thus, during that timeframe, it is expected that the CNG will exclusively benefit the Sanitation Department as a conduit of CNG purchased on the open market. Based on a thirty-year life expectancy for the CNG station, the CNG station's capital costs should be paid as follows:

<u>Period</u>	<u>Pay Rate</u>	<u>Department</u>
Years 1 thru 3	0.1	Sanitation Department
Years 4 thru 30	0.9	Water Resources Department

As such, only 90% of the purchase price is being funded from funds of the City's Public Utility System (water, wastewater, stormwater) as such term is defined in Resolution No. 99-227 adopted on April 22, 1999, as amended (the "Bond Resolution").

BACKGROUND

The City's current design for the Bio-Solids to Energy Project consists of a tube trailer filling concept that includes a CNG fueling facility at the SWWRF ("Mother Station") and a slow fill station at the Sanitation Complex located at 2601 - 20th Avenue North ("Daughter Station"). The tube trailers would be filled with RNG by the Mother Station at the SWWRF and then driven to the Sanitation Complex. The Daughter Station would then transfer the RNG into the fleet of sanitation vehicles. Once the tube trailers were emptied they would be transported back to the SWWRF for refilling. It is projected that two (2) tube trailer rotations would be required per day to support the Sanitation department's current operations.

Alternatively, the acquisition of the Property will enable the City to construct and operate a fast-fill CNG fueling station ("CNG Station"), which will eliminate the entire tube trailer filling concept. The CNG dispensed fuel will be a blend of TECO utility natural gas and RNG. The RNG is biogas from the City's SWWRF Bio-Solids to Energy Project that has been cleaned and upgraded to a utility gas quality. The RNG will be conveyed from the Mother Station approximately two (2) miles to the CNG Station at 26th Avenue South via a City-owned gas utility pipeline that will be constructed along the public right-of-way.

The primary function of the CNG Station will be to provide a fast-fill fueling facility for the City's new CNG powered Sanitation fleet. The CNG Station will also allow the City to expand its fleet of CNG powered vehicles to other City departments as well as providing access to the public and commercial operations with positive business and environmental aspects. The construction of the proposed CNG Station and the elimination of the tube trailer filling concept will provide numerous advantages to the City and the surrounding residents namely:

- The elimination of over one hundred (100) monthly tube trailer filling operations and truck rotations at the SWWRF and the adjacent Pinellas Bayway. This will significantly reduce traffic noise and congestion near Eckerd College and the surrounding residential neighborhoods.
- The elimination of the tube trailer filling concept will reduce the overall project budget by nearly one million dollars (\$1,000,000).
- The elimination of the tube trailer filling concept will address Eckerd College's concerns regarding the potential of tube trailer trucks queuing up on the Pinellas Bayway waiting to enter and exit the SWWRF.

- The elimination of the tube trailer filling concept will eliminate the potential for accidents while filling and transporting the tube trailers to the Sanitation complex.
- The construction of the fast fill station would enable the City to dispense nearly six (6) times more fuel than would be possible by having the same equipment solely dedicated to the Sanitation department operations at their 20th Avenue North location, while significantly reducing capital costs.
- The site is relatively obscure from most views as it abuts I-275 and is located behind and immediately east of commercial properties along 34th Street South. The site's close proximity to the I-275 entrance and exit ramps promotes efficient interstate truck access to the station while minimizing the same on 34th Street South.

PRESENT SITUATION

The identified Property is owned by Clear Channel Outdoor, Incorporated ("Clear Channel"), who currently maintains a billboard on the Property.

The Property's legal description is as follows:

Legal Description: Lot 1, Block 1, FAITH COMMUNITY FELLOWSHIP, according to the plat thereof as recorded in Plat Book 102, Pages 26 and 27, Public Records of Pinellas County, Florida.

Pinellas County I.D. No.: 35/31/16/27443/001/0010

Although Clear Channel indicated that it would consider selling the Property, it would only do so if it could continue to operate and maintain a billboard on the Property. As negotiations evolved, Clear Channel agreed to sell the Property if it would be granted easements at the time of conveyance that would allow it to retain the billboard on the Property and provide for its uninterrupted operation and maintenance of the billboard. The easements, which are an integral part of the purchase agreement, provide an area for the sign location (approximately 20 ft. x 60 ft.), an access and utility area, in addition to a visibility maintenance area that restricts the installation of any obstructions that would impair the view of the sign from I-275 as depicted on the attached illustration. After review with Public Works, it was determined that the billboard and the easement areas would not significantly impact the City's planned use of the Property.

REPM negotiated an Agreement for Sale and Purchase ("Agreement") at a price of \$102,500 for the Property, subject to Clear Channel receiving the previously described easements. The Agreement, which has been signed by Clear Channel, is subject to City Council approval. The Agreement provides for Clear Channel to pay for a title commitment and survey of the Property; provides for a sixty (60) day due diligence period for the City to perform its

inspections and environmental investigations of the Property; and provides for the closing to occur within ninety (90) days.

As a result of the City granting the easements, Clear Channel will be responsible for the payment of all taxes separately assessed against the easement areas and any improvements thereon including, but not limited to, the billboard structure(s).

The Property was appraised by McCormick, Braun, & Seaman, Scott W. Seaman SRA, Certified General Appraiser, on May 6, 2015, who stated that in his opinion the estimated market value of the encumbered fee simple interest being sold to the City is \$113,100. Closing costs in the approximate amount of \$1,000 will be paid by the City.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to purchase one (1) unimproved parcel, subject to easements allowing for the continued maintenance and operation of a billboard, for use as a compressed natural gas station generally located at the southwest corner of I-275 and 26th Avenue South, St. Petersburg, from Clear Channel Outdoor, Incorporated for the sum of \$102,500; to pay closing related costs in an amount not to exceed \$1,000; and to execute all documents necessary to effectuate same; and approving a supplemental appropriation of \$22,150 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW CNG Fueling Station FY15 Project (14936); approving a supplemental appropriation of \$10,350 from the unappropriated balance of the Sanitation Equipment Replacement Fund (4027) to the WRF SW CNG Fueling Station FY15 Project (14936); and providing an effective date.

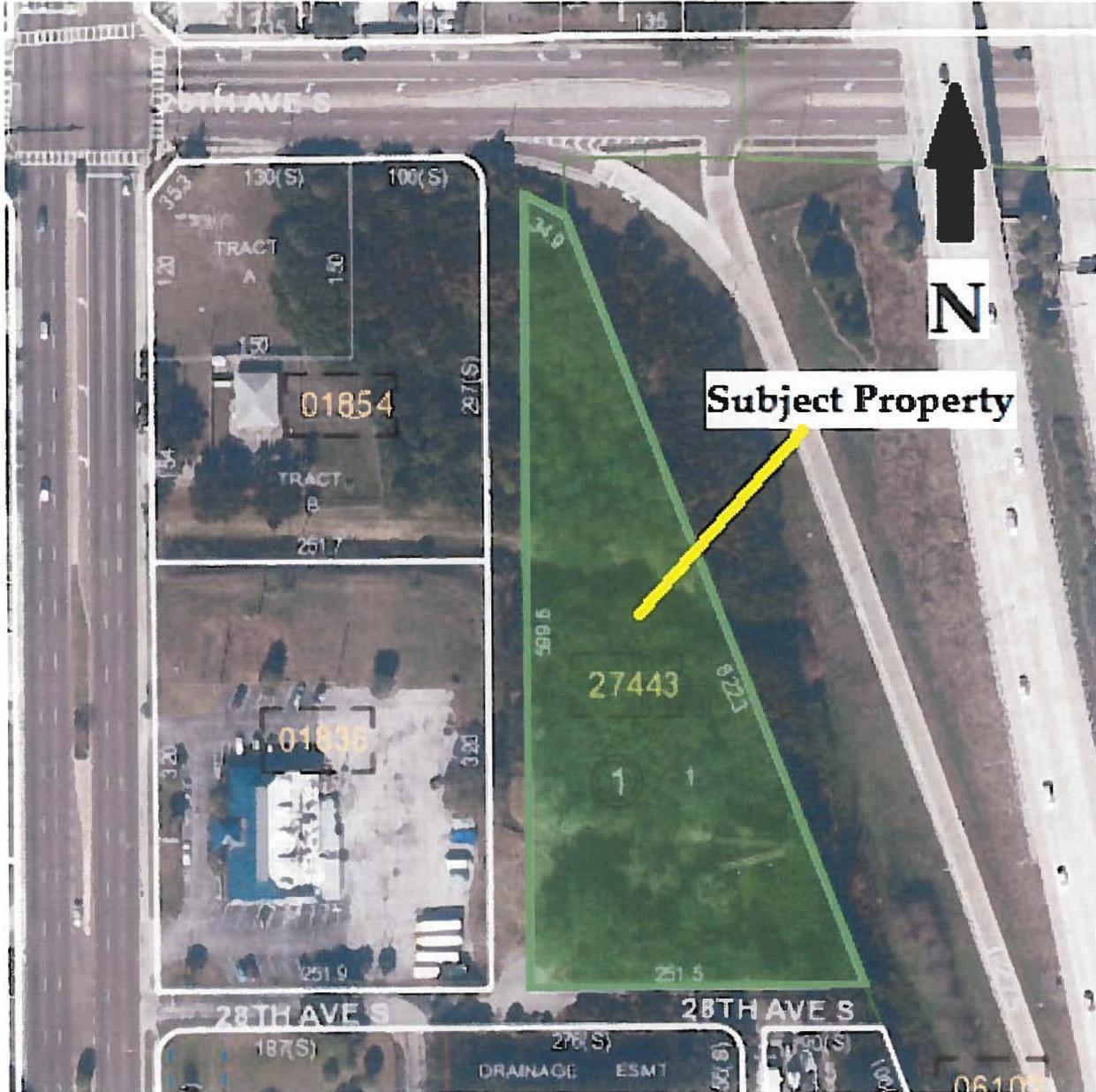
COST/FUNDING/ASSESSMENT INFORMATION: A supplemental appropriation of \$22,150 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW CNG Fueling Station FY15 Project (14936) and a supplemental appropriation of \$10,350 from the unappropriated balance of the Sanitation Equipment Replacement Fund (4027) to the WRF SW CNG Fueling Station FY15 Project (14936) will be necessary. Funding for the purchase of the parcel is being provided from the proceeds of previously sold Revenue Bonds.

ATTACHMENTS: Illustrations, Appraisal and Resolution

Legal: 00234491.doc V. 5

ILLUSTRATION – 1

Pinellas County Parcel I.D. No.: 35/31/16/27443/001/0010



APPRAISAL REPORT

**A Vacant Site
26th Avenue South & I-275
St. Petersburg, Florida 33711**

PREPARED FOR:

**Mr. Bruce E. Grimes, Director
Real Estate and Property Management
City of St. Petersburg
P. O. Box 2842
St. Petersburg, Florida 33731-2842**

AS OF:

May 6, 2015

Prepared by:

McCORMICK, BRAUN, & SEAMAN

**Scott W. Seaman, SRA
State-Certified General Real Estate
Appraiser RZ1758
Licensed Real Estate Broker**

MBS FILE # 15235

McCormick, Braun, & Seaman

Real Estate Appraisers & Consultants

1262 Dr. Martin Luther King, Jr. Street North

St. Petersburg, Florida 33705

Phone: (727) 821-6601

Fax: (727) 823-5625

May 12, 2015

Mr. Bruce E. Grimes, Director
Real Estate and Property Management
City of St. Petersburg
P. O. Box 2842
St. Petersburg, Florida 33731-2842

RE: Appraisal Report
A Vacant Site
26th Avenue South & I-275
St. Petersburg, Florida 33711

Dear Mr. Grimes:

In response to your request, we have prepared an **Appraisal Report** on a vacant site located at 26th Avenue South & I-275, in St. Petersburg, Florida.

This is a summary appraisal report which is intended to comply with the reporting requirements set forth under the Uniform Standards of Professional Appraisal Practice (USPAP), Financial Institutions Reform Recovery and Enforcement Act of 1989 (FIRREA) and the appraisal requirements of City of St. Petersburg. This is a summary report and as such, presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as an aid in asset decisions. The appraiser is not responsible for unauthorized use of this report.

The scope of work in this appraisal included gathering land sales comparables from the subject's market area. However, in the absence of adequate data, we expanded our search to other areas of Pinellas County. Each sale was inspected and verified. The sales were adjusted to the subject on a Sales Comparison Grid based on several factors. The per square foot multiplier was then applied to the subject and the "As Is" fee simple market value was determined via the Sales Comparison Approach. The subject is being appraised as vacant land, the Cost and Income Approaches are not applicable when valuing vacant land.

Mr. Bruce E. Grimes, Director
Real Estate and Property Management
City of St. Petersburg
May 12, 2015
Page 2

RE: Summary Appraisal Report
A Vacant Site
26th Avenue South & I-275
St. Petersburg, Florida 33711

This report should be read in its entirety, in order to fully understand the values being reported herein.

According to the survey provided prepared 8/14, the subject site has a total of 75,400 SF MOL or 1.73 acres, with approximately 599.6 feet of frontage on 33rd Street South a non-existing road and 622.3 feet of frontage along the entrance ramp to I-275 from 26th Avenue South. The property is zoned "RC-1" or Retail Center with a Land Use of "Commercial". The property is currently vacant with the exception of a billboard which will be retained by Clear Channel in easement agreements for visibility access and utility. There also is a drainage and utility easement along the western elevation. The property is located in flood zones "AE" and "X" and appears to be below grade. The City of St. Petersburg has a contract to purchase the property for \$102,500.

Fee Simple Title "As Is": It is our opinion, considering the various factors contained within this report, that the estimated Market Value of the subject property, subject to the Limiting Conditions as noted on pages 3 - 6 of this report, Unencumbered, "As Is", in Fee Simple Title, as of May 6, 2015 was:

ONE HUNDRED THIRTEEN THOUSAND ONE HUNDRED (\$113,100) DOLLARS

Extraordinary Assumptions: In estimating the value of the subject, we have not made any extraordinary assumptions.

Hypothetical Conditions: In estimating the vacant value of the subject, we have not assumed any hypothetical condition.

Note: The values stated herein assume that the site is free of environmental contamination.

McCORMICK, BRAUN, & SEAMAN


Scott W. Seaman, SRA
State-Certified General Real Estate
Appraiser RZ1758
Licensed Real Estate Broker

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EXHIBITS

Appraiser's Qualifications	Exhibit "A"
Zoning Ordinance	Exhibit "B"
Client Furnished	Exhibit "C"

McCORMICK, BRAUN, & SEAMAN

CERTIFICATION

I Certify that, to the best of our knowledge and belief:

- * The statements of fact contained in this report are true and correct.
- * The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial and unbiased professional analyses, opinions, and conclusions.
- * I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- * I have no bias with respect to the property that is the subject of this appraisal report or to the parties involved with this assignment.
- * My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- * My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- * I have not performed a previous appraisal, appraisal review, appraisal consulting assignment or other service involving the subject property within the three years prior to this assignment.
- * The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
- * The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- * The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- * Scott W. Seaman, SRA and made a personal inspection of the property that is the subject of this report.
- * No one provided significant real property appraisal assistance to the person signing this certification

McCORMICK, BRAUN, & SEAMAN

CERTIFICATION (Continued):

- * As of the date of this report, Scott W. Seaman, SRA has completed the continuing education program of the Appraisal Institute.


_____ Date: 5/12/15

Scott W. Seaman, SRA
State-Certified General Real Estate
Appraiser RZ1758
Licensed Real Estate Broker

McCORMICK, BRAUN, & SEAMAN

CONTINGENT AND LIMITING CONDITIONS AND SPECIAL ASSUMPTIONS:

Limiting Conditions:

This report is for no purpose other than a property valuation, and the appraiser(s) are neither qualified nor attempting to go beyond that narrow scope. The reader should be aware that there are inherent limitations to the accuracy of the information and analysis contained in this report. Before making any decisions based on the information and analysis contained in this report, it is critically important to read this entire report.

This Report is not a survey:

- *** It is assumed that the utilization of the land and improvements (if any) is within the boundaries of the property lines of the property described and that there is no encroachment unless so noted within the report.
- *** No survey has been made by the appraiser(s) and no responsibility is assumed in connection with such matters. Any maps, plats, or drawings reproduced and included in this report are intended only for the purpose of showing spatial relationships. A surveyor should be consulted, if there are any concerns on boundaries, set-backs, encroachments or other survey matters.

This Report is not a legal opinion:

- *** No responsibility is assumed for matters of a legal nature that affect title to the property, nor is an opinion of title rendered. The title is assumed to be good and marketable. The value estimate is given without regard to any questions of title, boundaries, encumbrances or encroachments.
- *** It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations laws unless non-compliance is defined and considered in the report.
- *** It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless noncompliance/nonconformity is stated, defined, and considered in this report. Any significant question(s) should be addressed to local zoning and land use officials or an attorney.

McCORMICK, BRAUN, & SEAMAN

ASSUMPTIONS, CONTINGENT, AND LIMITING CONDITIONS (Continued):

This Report is not an engineering or property inspection report:

- *** This report should not be considered a report on the physical items that are a part of this property. Although the report may contain information about the physical items being appraised, it should be clearly understood that this information is only to be used as a general guide for property valuation and is not a complete or detailed physical report. The appraiser(s) are not construction, engineering, environmental, or legal experts, and any statement given on these matters in the report should be considered preliminary in nature.
- *** The observed conditions of the foundation, roof, exterior walls, interior walls, floors, heating systems, plumbing, insulation, electrical service and all mechanical and construction is based on a visual inspection only and no detailed inspection was made. The structures were not checked for building code violations, and it is assumed that all buildings meet the applicable building codes unless so stated in the report.
- *** It is assumed that there are no hidden or unapparent conditions of the property, sub-soil, or structures that would render it more or less valuable. No engineering or sub-soil tests were provided. No responsibility is assumed for such conditions.
- *** We do not have the expertise necessary to determine the existence of environmental hazards such as the presence of formaldehyde foam insulation, toxic wastes, toxic mold, asbestos or hazardous building materials or any other environmental hazard on the subject or surrounding properties. An expert in the field should be consulted if any interested party has questions on environmental factors.
- *** No chemical or scientific tests were performed by the appraiser(s) on the subject property, and it is assumed that the property presents no physical or health hazard. This includes but is not limited to: toxic molds, radon gas, lead based paints, air-borne pollutants or any other environmental contaminants.
- *** The age of any improvement on the subject property mentioned in this report should be considered a rough estimate. We are not sufficiently skilled in the construction trades to be able to reliably estimate the age of the improvement by observation. Parties interested in knowing the exact age of improvements on the property may wish to pursue additional investigation.
- *** Because no detailed inspection was made, and such knowledge goes beyond the scope of this report, any observed condition or comments given in this report should not be taken as a guarantee that a problem does not exist specifically. If any interested party is concerned about the existence, condition, or adequacy of any particular item, we suggest that a construction expert be hired for a detailed investigation.

McCORMICK, BRAUN, & SEAMAN

ASSUMPTIONS, CONTINGENT, AND LIMITING CONDITIONS (Continued):

*** The Americans with Disabilities Act went into effect on January 26, 1992. Among other goals, this legislation is intended to eradicate discrimination regarding access to public and commercial facilities. The requirements of the Act are extensive and complex and it is beyond the appraiser(s) expertise to evaluate the effects, if any, on the subject property. The value estimate is based upon the assumption that there is no significant effect on the value of the property by virtue of the American with Disabilities Act. The reader is urged to retain an expert in this field, if desired.

This Report is made under conditions of uncertainty with limited data:

*** Before relying on any statement made in the report, interested parties should contact us for the exact extent of our data collection in order to determine if the extent of our data gathering was adequate for their needs.

*** Information (including projections of income and expenses) provided by local sources is assumed to be true, correct, and reliable.

*** The comparable sales data relied upon in the report is believed to be from reliable sources, and our best efforts have been made to confirm the data used. A diligent effort was made to verify the comparables used in this report.

*** All values shown in the report are projections based on our analysis as of the date of the report. These values may not be valid in other time periods or as circumstances change. We take no responsibility for events, conditions, or circumstances that take place subsequent to the date of value of this report.

*** Since mathematical models and other projections are based on estimates and assumptions which are inherently subject to uncertainty and variations depending upon evolving events, we do not represent them as results that will actually be achieved.

Report limitations:

*** These reports are technical documents addressed to the specific technical needs of clients. Casual readers should understand that this report does not contain all the information concerning the subject property or the real estate market. While no factor we believe to be significant to the client has been knowingly withheld, it is always possible that we have information of significance which may be important to others.

McCORMICK, BRAUN, & SEAMAN

ASSUMPTIONS, CONTINGENT, AND LIMITING CONDITIONS (Continued):

- *** Reports made for lenders are technical documents specifically made to lender requirements. Casual readers are cautioned about their limitation and cautioned against possible misunderstanding of the information contained in these reports. The appraiser(s) should be contacted with any question before this report is relied on for decision making by other than the addressee.
- *** This report was prepared at the request of and for the exclusive use of the client to whom the report is addressed. No third party shall have any right to use or rely upon this report for any purpose.
- *** Value and conclusions for various components of the subject property as contained with this report are valid only when making a summation; they are not to be used independently for any purpose, and must be considered invalid if so used.
- *** This report is made for the information and/or guidance of the client and possession of this report, or a copy thereof, does not carry with it a right of publication.
- *** There is no requirement by reason of this report to give testimony or to appear in court with reference to the property, unless sufficient notice is given to allow preparation, and additional fees paid by the client.

McCORMICK, BRAUN, & SEAMAN

SUMMARY

Appraisal Problem: Provide an estimate of the "As Is" market value of the subject property.

Definition of Market Value: Definition of Market Value: Market Value is defined by the federal financial institutions as, "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and the seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- (1) Buyer and seller are typically motivated;
- (2) Both parties are well informed or well advised, and each acting in what he considers his own best interest;
- (3) A reasonable time is allowed for exposure in the open market;
- (4) Payment is made in terms of cash and US dollars or in terms of financial arrangements comparable thereto; and
- (5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Intended Use of Report: Intended to assist the client in purchase decisions.

Intended User of the Report: City of St. Petersburg and/or affiliates

Interest Valued: Fee Simple

Effective Date of Value: May 6, 2015

Date of Report: May 12, 2015

1 Department of the Treasury, Office of Comptroller of the Currency, Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, Office of Thrift Supervision and National Credit Union Administration under 12 CFR Part 34, Real Estate Appraisals and Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 ("FIRREA"); and the Interagency Appraisal and Evaluation Guidelines, Federal Register, Volume 75, No. 237, December 10, 2010.

McCORMICK, BRAUN, & SEAMAN

SUMMARY (Continued):

Scope of Work: Inspected the subject site. Market research was gathered from numerous sources including but not limited to: Public Records of Pinellas County, Property Appraiser=s office of Pinellas County, The Planning & Zoning Departments of the City of St. Petersburg and Pinellas County, Real Estate Solutions and Multiple Listing Service. The primary emphasis in the data research centered on the subject’s market area of South-Pinellas County. However, in the absence of adequate data, the search was expanded to all of Pinellas County.

The Land Comparables were then adjusted to the subject vacant parcel on a Land Sales Comparison Grid based on several factors. The per square foot multiplier was then applied to the subject vacant parcel and the “As Is”, value was estimated.

The subject is being valued as vacant land. Therefore, we have utilized the Sales Comparison Approach to value the subject. The Cost and Income Approaches are not applicable when valuing vacant land.

Owner of Record: Clear Channel Outdoor, Inc.

Property Address: 26th Avenue South & I-275
St. Petersburg, Florida 33711

Legal Description: Faith Community Fellowship Block 1, Lot 1, as recorded in the Public Records of Pinellas County, Florida in Plat Book 102, Page 026.

Flood Plain Map: According to the Pinellas County FEMA Flood Map #12103C0281G, Map Revised 9/3/2003, the subject is located in flood zone "X" which are not areas prone to flooding.

Parcel Number: 35-31-16-27443-001-0010

Census Tract: 201.01

Land Area: 75,400 MOL or 1.73 acres according to the survey provided.

Access: Access is available to the site from 28th Avenue South on the southern elevation.

McCORMICK, BRAUN, & SEAMAN

SUMMARY (Continued):

Zoning: "RC-1" – Retail Center District - City of St. Petersburg -
Land Use – Commercial.

Market Area & Analysis: The subject is located on the north side of 28th Avenue South adjacent to Interstate 275. This area is bounded by Dr. M.L.K. Street South to the east, 34th Street South to the west, Central Avenue to the north and Tampa Bay to the south. There is mainly residential & multi-family properties in the subject area off of 34th Street. Improvements along 34th Street are all types of commercial properties.

The subject is being appraised as vacant land available for development. There has been a drop in the demand for vacant properties. This has caused a drop in the market value for these types of properties as well as a drop in the demand and market value of vacant parcels.

Five Year Sales History: According to public records, there have been no transfers on the subject for the past five years.

Listing Data: The subject is not currently listed for sale.

Tax Information: 2014 Assessed Value: \$ 104,292
2014 Taxes: \$ 2,385.67

Note: According to the tax collector's office, the subject taxes were paid 11-28-14 in the discounted amount of \$2,290.24 for early payment.

Estimated Marketing Time: It is our opinion that the estimated marketing time for the subject would be nine to twelve months. This is based on the assumption that it is properly priced, advertised and marketed by a firm experienced in the sale of this type of property.

McCORMICK, BRAUN, & SEAMAN

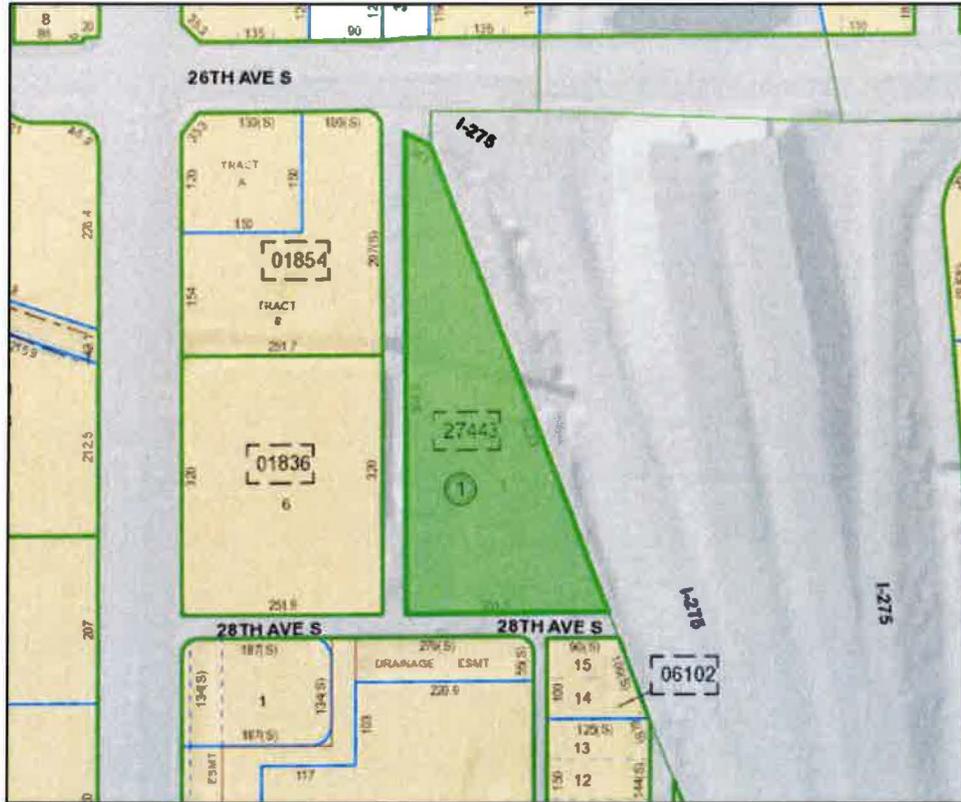
SUMMARY (Continued):

- Competency Provision: The appraiser has appraised numerous properties similar to the subject and is qualified in education and experience to perform this assignment.
- Reasonable Exposure Time: Based on an analysis of the subject property and its competitive market area, it has been estimated that a reasonable exposure time for the subject property, if it had been offered for sale prior to the date of valuation, would have been nine to twelve months. This is based on the assumption that it would have been marketed by a firm experienced in the sale of this type of property with their time and effort being adequate, sufficient and reasonable.
- Highest & Best Use
As though Vacant: Based on the location and zoning of the subject site, the highest and best use of the site as vacant, would be for a future commercial development when the market improves and demand warrants it.

SUBJECT LOCATION MAP

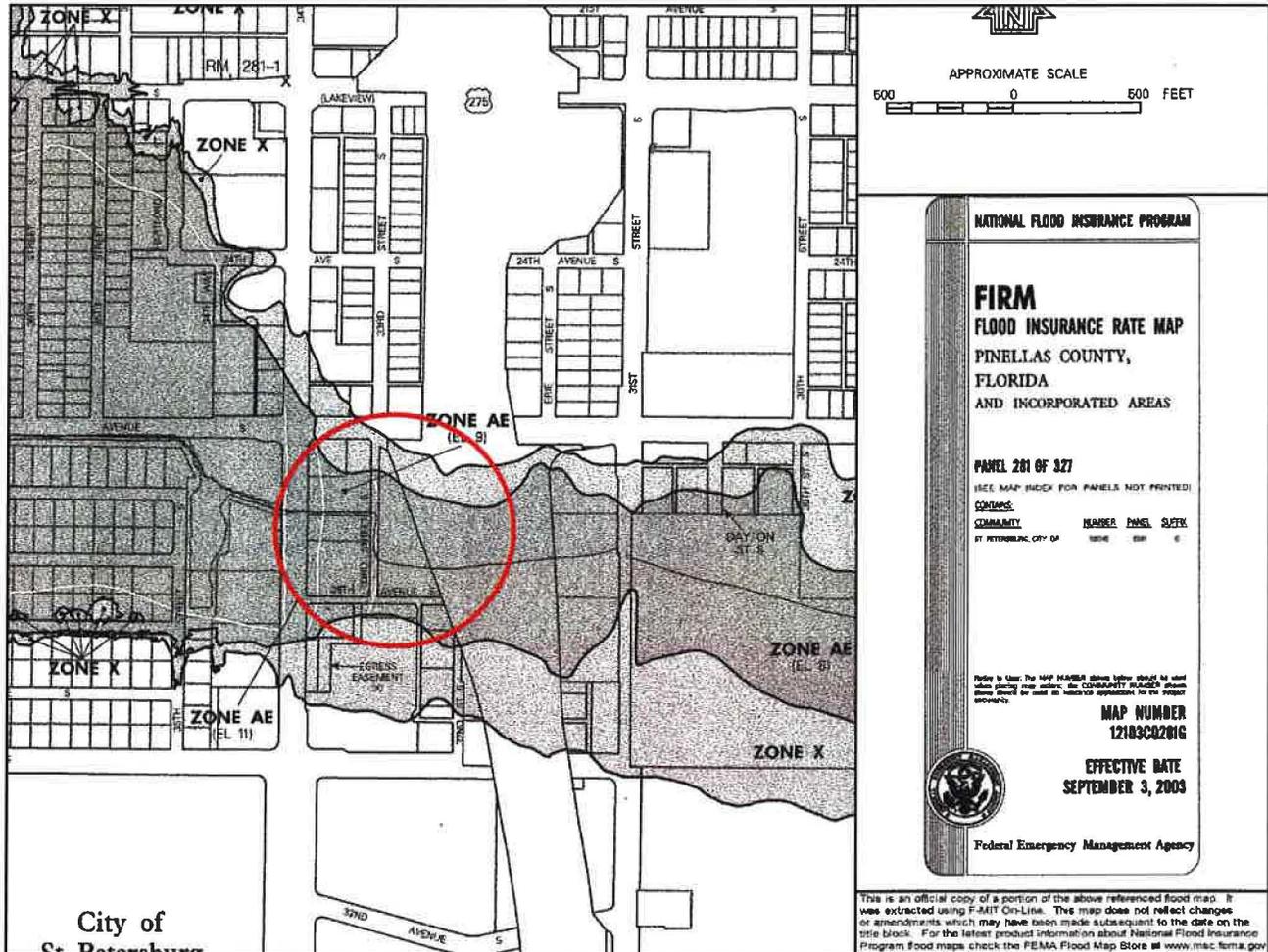


SUBJECT PLAT MAP



Parcel ID #: 35-31-16-27443-001-0010
26TH Avenue South & I-275 Easement

SUBJECT FLOOD MAP



PHOTOGRAPHS



VIEW OF THE SUBJECT EAST



REAR VIEW OF SUBJECT LOOKING SOUTHEAST

PHOTOGRAPHS



VIEW OF THE SUBJECT SOUTHWEST



VIEW OF THE SUBJECT LOOKING NORTHWEST

PHOTOGRAPHS



STREET SCENE LOOKING SOUTHEAST ON I-275 ENTRANCE



STREET SCENE LOOKING NORTHWEST ON I-275 ENTRANCE

McCORMICK, BRAUN, & SEAMAN

SALES COMPARISON APPROACH

According to The Appraisal of Real Estate, 14th Edition, The sales comparison approach is: "The process of deriving a value indication for the subject property by comparing similar properties that have sold recently with the property being appraised, identifying appropriate units of comparison, and making adjustments to the sale pricing (or unit prices, as appropriate) of the comparable properties based on relevant, market-derived elements of comparison."²

The Direct Sales Comparison Approach involves a number of logical steps.

- (1) The gathering of sales data and information from appropriate sources.
- (2) Analyzing and verifying data; or sorting out of valid value indications from incomparable and unusable data.
- (3) Then an adjustment process is applied. The adjustment process compares each comparable sale to the subject property in terms of physical characteristics as well as items such as financing.
- (4) A summation is made of all measurable differentials into a single adjusted indication of value for each comparable property.
- (5) A reconciliation of each indicated comparable value into a final estimate of value via the Direct Sales Comparison Approach.

In the reconciliation, all factors are reviewed in terms of their strengths and weaknesses in order to assess the overall quality and comparability of the data. In this way, the greatest weight is typically placed on those comparable sales which would be the best indications of value for the subject property.

This approach measures directly the actions and attitudes of buyers and sellers in the market through analysis of properties which have recently sold and have characteristics similar to the property being appraised. No two properties are exactly alike and thus are unique to themselves. Because of this fact, the process of comparing properties to the Subject involve making necessary adjustments for dissimilarities. Adjustments normally made consist of but are not limited to: time of sale, conditions of sale or financing terms, physical and income characteristics, location, and zoning.

We conducted a search of the subject's market area to locate sales of similar vacant sites. We located four sales in the Pinellas County area that we felt were capable of being adjusted to the subject.

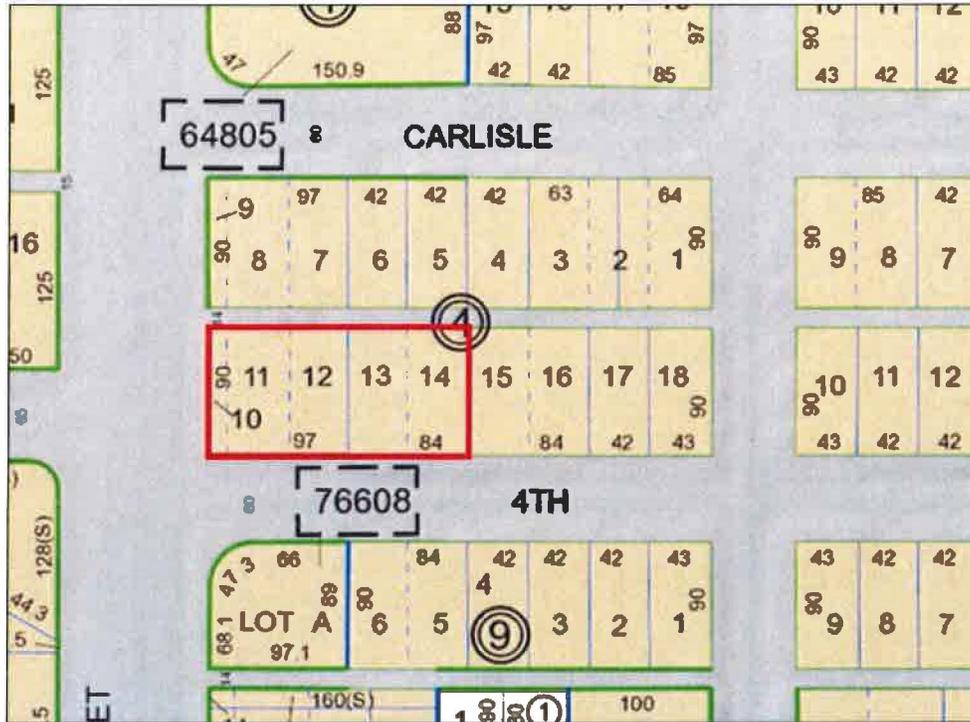
Included on the following pages are a sales location map and details of the four comparables.

²The Appraisal of Real Estate, 14th Edition, Appraisal Institute, Chicago, IL, 2013, Page 377

SALES COMPARISON MAP



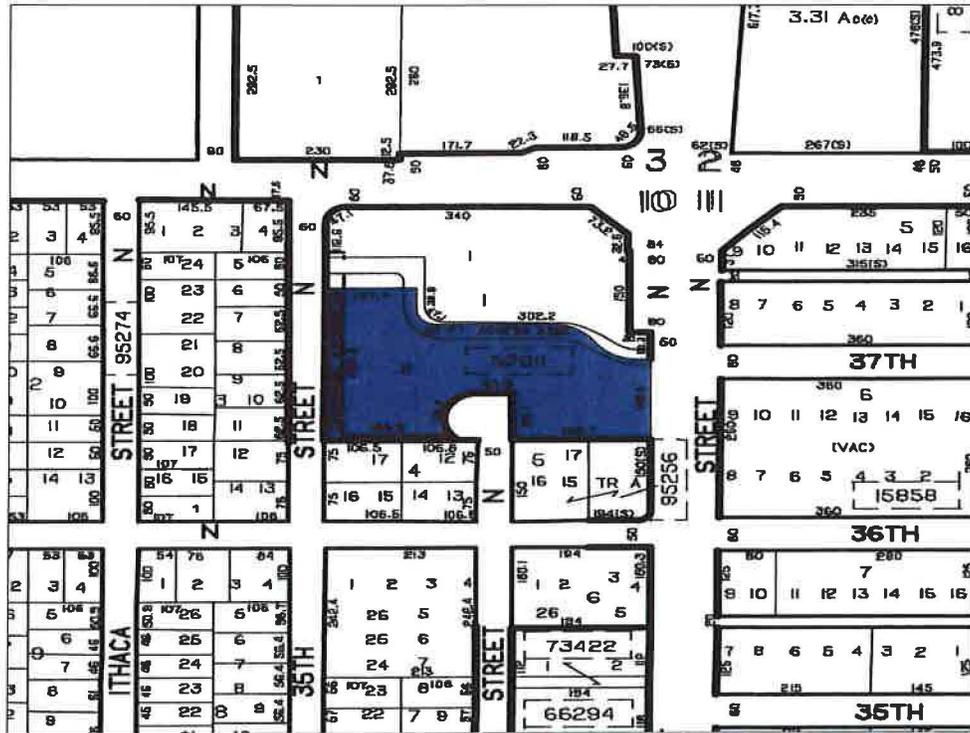
McCORMICK, BRAUN & SEAMAN
COMPARABLE LAND SALE NO. 1



Date of Sale: June, 2014
 Location: NE corner of 4th Avenue South & 34th Street South, St Petersburg, FL 33712
 Grantor: Phillip G. Tinker
 Grantee: Vista Butte Properties, LLC
 Recording: 18443/1614
 Sale Price: \$100,000
 Financing: Cash
 Cash equivalency: N/A
 Land Size: 16,290 SF (0.374 acres MOL)
 Price PSF: \$6.14 PSF
 Parcel Number: 23-31-16-76590-004-0100 & 0130
 Zoning: CCS-2
 Flood Zone: X
 Verification: Loop-Net, Costar, Property Appraiser, Deed and Realtor

Comments: This was the sale of a vacant parcel that had an older billboard on the site at the time that has since been removed. The property is zoned similar to the subject.

McCORMICK, BRAUN & SEAMAN
COMPARABLE LAND SALE NO. 2

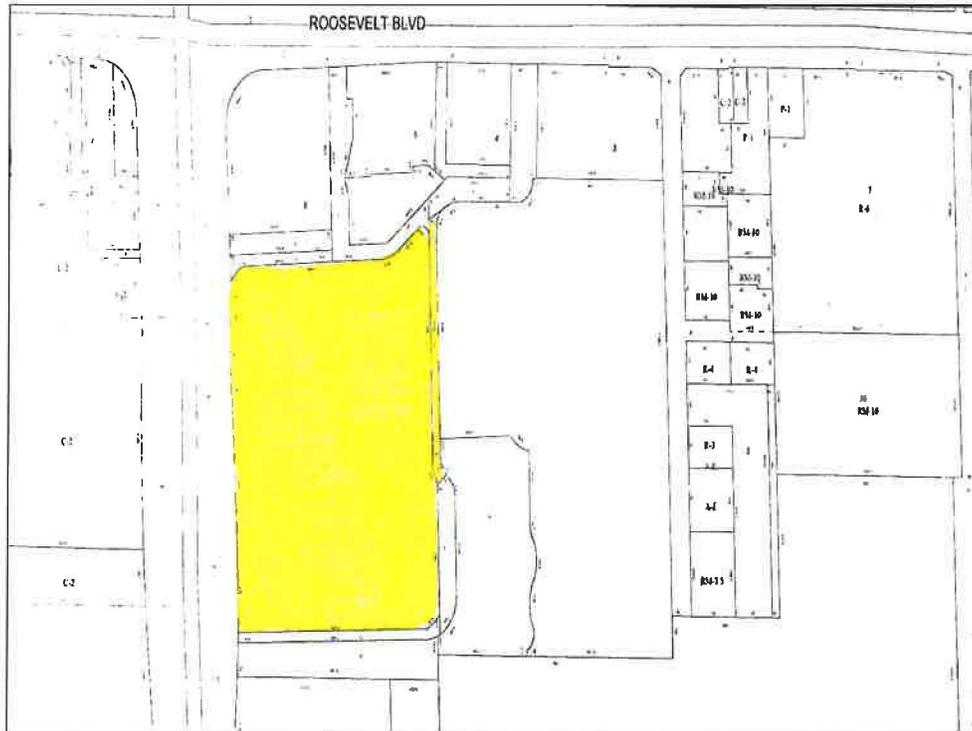


Date of Sale: April, 2013
 Location: 3650 34th Street North, St. Petersburg, 33713
 Grantor: Carl W. Lindell, Jr.
 Grantee: Agree St. Petersburg, LLC
 Recording: 17984/1793
 Sale Price: \$927,000
 Financing: None indicated
 Cash equivalency: Cash to seller, no adjustments required
 Land Size: 94,525 SF (2.170 acres MOL)
 Price PSF: \$9.81 PSF
 Parcel Number: 10-31-16-52011-001-0020
 Zoning: CCS-1 (Corridor Commercial Suburban)
 Flood Zone: X
 Verification: Doug Bartley with Commercial Advisory Services, Listing broker
 (813) 221-7878

Comments: This was the sale of a commercial site that had a vacant auto dealership building that was demolished after the sale in May of 2013. The buyer purchased the property and pre-leased it for the development of a WaWa Gas Station & Convenience Store. The parcel is irregular in shape and level at road grade with utilities available. Access is from multiple points. There is approximately 178 feet of frontage on 34th Street with one curb cut and 285 feet on 35th Street with one curb cut. We have assumed that the impact fee credits will offset the cost of demolition.

McCORMICK, BRAUN & SEAMAN

COMPARABLE LAND SALE NO. 3

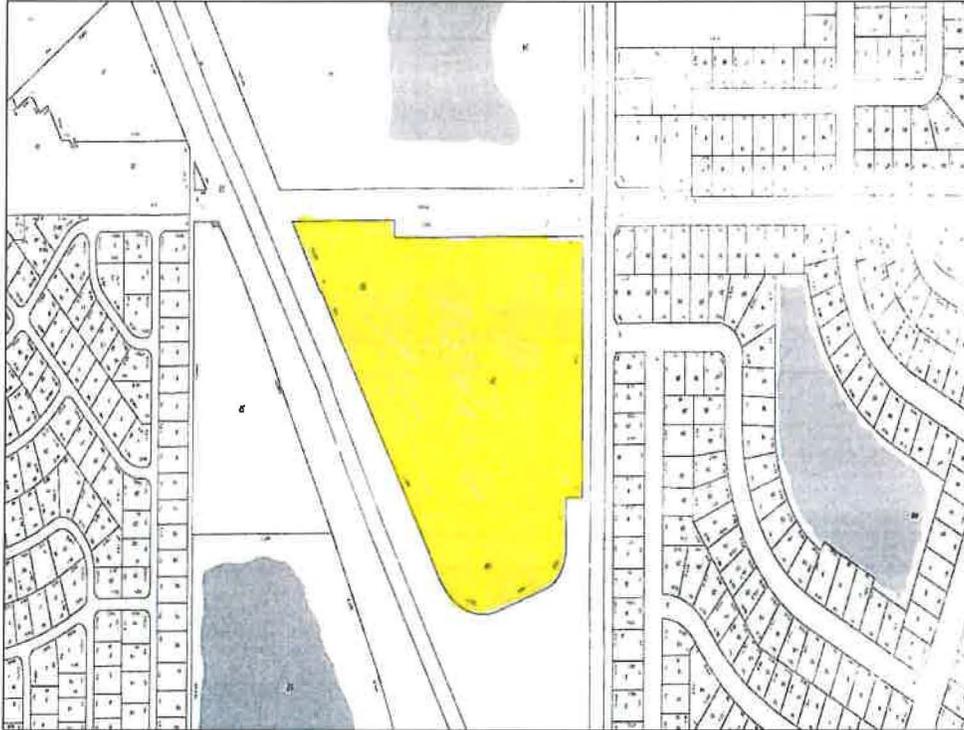


Date of Sale: April, 2013
Location: 15579 US Highway 19, Clearwater, FL 33764
Grantor: KB Crossroads, LLC
Grantee: Wal-Mart Stores East, LP
Recording: 17970/0856
Sale Price: \$7,900,000
Financing: None
Cash equivalency: N/A
Land Size: 603,366 SF (13.851 acres MOL)
Price PSF: \$13.09 PSF
Parcel Number: 32-29-16-50122-000-0010 & a portion of 0040
Zoning: Commercial
Flood Zone: X
Verification: CoStar, Deed, Public Records & Realtor, Wal-Mart Charles Holley (479-273-4000)

Comments: This was the sale of a 13.85 acre site which has been improved with a Wal-Mart Store.

McCORMICK, BRAUN & SEAMAN

COMPARABLE LAND SALE NO. 4



Date of Sale: June, 2013
Location: 9401 US Highway 19 North, Pinellas Park, FL 33782
Grantor: Argonaut Holdings, LLC
Grantee: Capital Resources of Florida, LLC
Recording: 18037/2471
Sale Price: \$4,150,000
Financing: None
Cash equivalency: N/A
Land Size: 536,224 SF (12.310 acres MOL)
Price PSF: \$7.74 PSF
Parcel Number: 21-30-16-69822-100-3100
Zoning: Commercial
Flood Zone: X
Verification: Public Record, Deed, CoStar and Realtor, Brewser Brown (850-727-0939)

Comments: This was the purchase of a closed car dealership at 49th Street North and US 19. The property is to be re-developed with retail. There are currently five buildings that were built in 1984. We have estimated the demolition cost will be offset by impact fee credits.

**A Vacant Land Parcel
26th Ave S. & I-275
St. Petersburg, Florida**

LAND SALES ADJUSTMENT GRID

SALE NUMBER	SUBJECT	1	2	3	4
DATE OF SALE	<i>Current</i>	<i>Jun-14</i>	<i>Apr-13</i>	<i>Apr-13</i>	<i>Jun-13</i>
SALE PRICE	\$102,500	\$100,000	\$927,000	\$7,900,000	\$4,150,000
SIZE (SF)	75,400	16,290	94,525	603,366	536,224
SALE PRICE PSF	\$1.36	\$6.14	\$9.81	\$13.09	\$7.74
ELEMENTS REQUIRING ADJUSTMENT					
FINANCING/ CONDITIONS OF SALE		0%	0%	0%	0%
FINANCE ADJUSTMENTS PSF	N/A	\$0.00	\$0.00	\$0.00	\$0.00
ADJUSTED SALE PRICE PSF	N/A	\$6.14	\$9.81	\$13.09	\$7.74
MARKET CONDITIONS					
NUMBER OF MONTHS		2	16	16	14
DATE OF VALUE		0%	0%	0%	0%
DATE OF VALUE	May-15	\$0.00	\$0.00	\$0.00	\$0.00
ADJUSTED SALE PRICE PSF	N/A	\$6.14	\$9.81	\$13.09	\$7.74
PHYSICAL ELEMENTS OF ADJUSTMENT					
LOCATION	Average	-10%	-20%	-30%	-20%
ACCESS	Fair	-25%	-25%	-25%	-25%
SIZE (SF)	75,400	-10%	0%	10%	10%
SHAPE	Triangle	-15%	-15%	-15%	-15%
TOPOGRAPHY/FLD ZONE	AE/X	-20%	-20%	-20%	-20%
UTILITIES	Available	0%	0%	0%	0%
ZONING	"Retail"	0%	0%	0%	0%
NET ADJUSTMENTS (PSF)	N/A	(\$4.91)	(\$7.85)	(\$10.47)	(\$5.42)
ADJUSTED PRICE PSF	N/A	\$1.23	\$1.96	\$2.62	\$2.32

McCORMICK, BRAUN, & SEAMAN

SALES COMPARISON APPROACH (Continued):

LAND SALES ADJUSTMENT GRID DISCUSSION

The comparables were adjusted to the subject site as necessary to make the comparables similar to the subject site. If the comparable is superior to the subject property, a negative adjustment is made to make the comparable sale similar to the subject. If the comparable sale is inferior, a positive adjustment is made.

The four comparables were compared to the subject and adjusted on the "Land Sales Adjustment Grid" shown on the facing page. Prior to making any adjustments to the comparables, the price per square foot ran from a low of \$6.14 to a high of \$13.09 per Square Foot.

FINANCING AND CONDITION OF SALE: To the best of our knowledge, financing did not affect any of the Sales and they were not adjusted.

Market Conditions: The market for vacant land Sales has been fairly stable during the past 2 to 16 months. As a result, no adjustments were made for market conditions.

PHYSICAL UNIT COMPARISONS

Each of the comparables were then analyzed and adjusted to the subject site based on several elements of physical comparison and these elements have been detailed on the current and following pages:

Location: The subject has an average location. All of the Sales have superior locations and were adjusted downward 10%, 20%, 30% and 20% respectively.

Access: The subject has limited access from 28th Avenue South. All of the Sales have superior access and were adjusted downward 25% each.

Size: The subject contains 75,400 square feet. Sale #1 is smaller than the subject and since smaller sales tend to sell for higher prices per square foot, it was adjusted downward 10%. Sale #2 is close in size and was not adjusted. Sales #3 and #4 are larger than the subject and they were adjusted upward 10% and 10% respectively.

Shape: The subject is triangular in shape. All of the Sales have superior shape in relation to the subject and were adjusted downward 15% each.

Topography/Flood Zone: The subject is basically low level, below and in an "AE & X" flood zone grade. All of the Sales are level, at grade and not in a flood zone. They were adjusted downward 20% each.

McCORMICK, BRAUN, & SEAMAN

LAND SALES ADJUSTMENT GRID (Continued):

Utilities: The subject and all of the Sales have utilities available to them and no adjustments were deemed necessary.

Zoning: The subject is zoned "Retail" Corridor Commercial Suburban. All of the Sales have similar type zoning and were not adjusted.

SUMMARY: After adjusting the comparables to the subject site the indicated values per square foot ran from a low of \$1.23 to a high of \$2.62. Based on the above analysis, we have estimated a per square foot value for the subject site of \$1.50 PSF. We have valued the subject site as follows:

$$75,400 \text{ SF} \times \$1.50 \text{ Per Square Foot} = \quad \$113,100$$

Fee Simple Title "As Is": It is our opinion, considering the various factors contained within this report, that the estimated Market Value of the subject property, subject to the Limiting Conditions as noted on pages 3 - 6 of this report, Unencumbered, "As Is", Assuming the past due taxes have been paid, in Fee Simple Title, as of May 6, 2015 was:

ONE HUNDRED THIRTEEN THOUSAND ONE HUNDRED (\$113,100) DOLLARS

Extraordinary Assumptions: In estimating the "As Is" value of the subject, we have not made any extraordinary assumptions.

Hypothetical Conditions: In estimating the "As Is" value of the subject, we have assumed the hypothetical condition that the subject site is vacant and ready for development. We have assumed demolition cost of the existing building will be recouped in salvage value.

Note: The values stated herein assume that the site is free of environmental contamination.

EXHIBIT "A"

APPRAISER QUALIFICATIONS

APPRAISER QUALIFICATIONS

SCOTT W. SEAMAN

EDUCATION: Bachelor of Science, 1981
Florida State University, Tallahassee, Florida

APPRAISAL COURSES: Florida Law Update for Real Estate Appraisers/2014
National USPAP/2014
Front of House/Back of House/2013
Critical Issues/2012
Commercial Appraisal Productivity Seminar/2012
Loss Prevention/2011
Discounted Cash Flow Model/2011
Business Practices & Ethics/2011
Advanced Internet Search Strategies/2011
Supervisor Trainee Roles & Rules/2010
Property Tax Assessments/2009
Subdivision Valuation/2009
REO Appraisal: Appraisal of Residential Property Foreclosure
Maintaining Control: Dealing w/Client Pressure/2008
Developing & Growing an Appraisal Practice/2008
Developing & Growing an Appraisal Practice/2005
Florida Laws & Regulations/2005
Market Analysis/2005

TYPES OF PROPERTIES APPRAISED: Office, Retail, Industrial, Multi-Family, ALF, Motel/Hotel, Special Purpose & Subdivisions

PROFESSIONAL MEMBERSHIPS: SRA Member Appraisal Institute, West Coast, FL Chapter
Ethics and Counseling Regional Panel Member since 1993
MAI Candidate West Coast, FL Chapter #M932499

Pinellas Realtor Organization

FLORIDA REGISTRATION: State-Certified General Real Estate Appraiser RZ1758
Licensed Real Estate Broker 0366435

EMPLOYMENT: McCormick, Braun & Seaman
January 1996 to Present

Glenn E. McCormick Company, Inc.
Vice President/May 1985 - December 1995
Appraisal and Consulting Firm, St. Petersburg, Florida

City of St. Petersburg
Acquisition Agent/January 1983 - April 1985
Real Estate Department, St. Petersburg, Florida

L.J. Parham, MAI
Staff Appraiser/November 1983 - May 1984
St. Petersburg, Florida

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD



LICENSE NUMBER	
RZ1758	

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2016

SEAMAN, SCOTT WARNER
1262 DR MARTIN LUTHER KING JR ST N
ST. PETERSBURG FL 33705



ISSUED: 11/04/2014

DISPLAY AS REQUIRED BY LAW

SEQ # L1411040002916

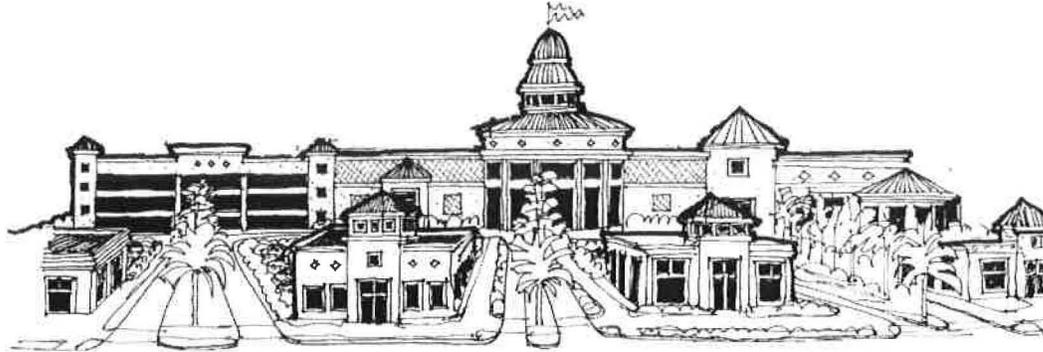
EXHIBIT "B"

ZONING ORDINANCE

PART II - ST. PETERSBURG CITY CODE
Chapter 16 - LAND DEVELOPMENT REGULATIONS

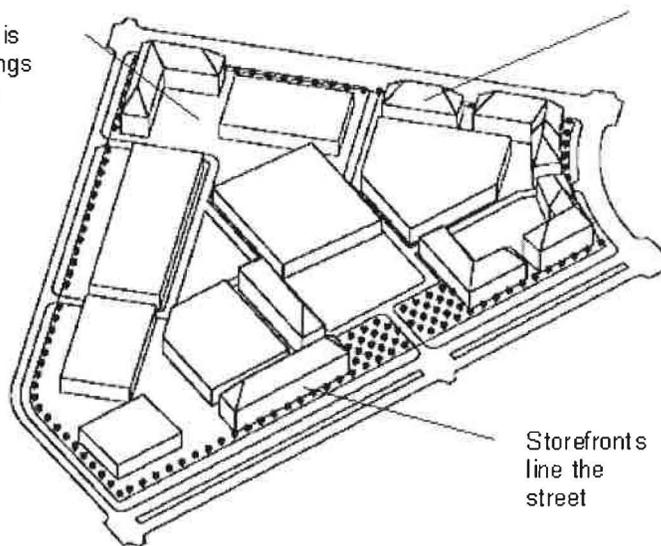
SECTION 16.20.150. RETAIL CENTER DISTRICTS ("RC")

SECTION 16.20.150. RETAIL CENTER DISTRICTS ("RC")



RC General

Surface parking is hidden by buildings and landscaping



Perimeter sidewalk

Storefronts line the street

Site Plan of a Typical Development in RC District

Sections:

16.20.150.1. Composition of retail center.

16.20.150.2. Purpose and intent.

16.20.150.3. Permitted uses.

16.20.150.4. Introduction to RC districts.

16.20.150.5. Development potential.

16.20.150.6. Building envelope: Maximum height and building setbacks.

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SECTION 16.20.150. RETAIL CENTER DISTRICTS ("RC")

16.20.150.7. Building design.

16.20.150.1. Composition of retail center.

The retail center development pattern includes a blending of traditional and contemporary design aesthetics, densities and uses, creating a regional commercial destination that is more compatible with the suburban character of the surrounding neighborhoods.

These mixed-use districts are characterized by a collection of compatible, interrelated uses that include shopping, service, employment and residential opportunities. The symbiotic relationship of these mixed uses creates a more balanced community, reduces traffic, consolidates service delivery, and benefits the surrounding residential areas that are within walking distance.

The buildings in retail centers often exhibit a mixture of traditional and contemporary architecture. Buildings typically face all streets with setbacks that are dependent upon the size of the property. Big box buildings shall be edged with linear buildings containing retail, office or residential uses along streets or have architectural details such as large display windows, use of natural materials and other fenestrations. Primary entries shall face the street and be enhanced with architecturally appropriate features.

Historically, the development of retail centers was most influenced by the automobile. Consequently, the regulations of this district recognize that retail center development is driven by the automobile. Regulations of site design, building design, scale and intensity are provided to balance the impacts of parking lots, drive-throughs, and national chain architecture with pedestrian access and safety.

(Code 1992, § 16.20.150.1)

16.20.150.2. Purpose and intent.

The purpose of the RC district regulations is to protect the suburban character of the surrounding neighborhoods while improving the appearance of retailers, restaurants and other uses, accommodating both vehicles and pedestrians, improving connections between the individual developments, and minimizing automobile dependency. The RC district regulations feature building setbacks, landscaping, internal pedestrian amenities, cross access among developments and other standards to minimize potential visual and traffic impacts.

(Code 1992, § 16.20.150.2)

16.20.150.3. Permitted uses.

Uses in this district shall be allowed as provided in the Matrix: Use Permissions and Parking Requirements.

(Code 1992, § 16.20.150.3)

16.20.150.4. Introduction to RC districts.

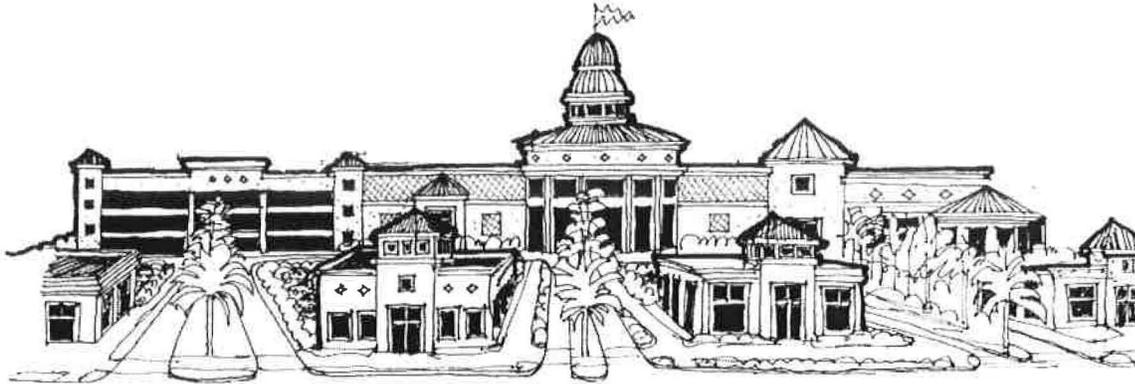
The RC districts are the RC-1 and RC-2 districts.

16.20.150.4.1. Retail Center-1 (RC-1).

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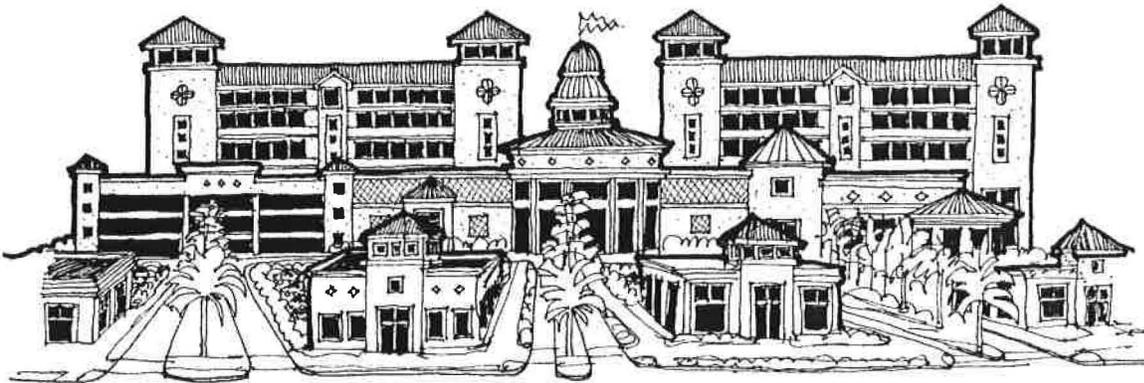
SECTION 16.20.150. RETAIL CENTER DISTRICTS ("RC")

This district allows retail development containing mixed uses with accessory office or multifamily structures. Additional building height and density is allowable within activity centers. Additional density is allowable when workforce housing is provided.



16.20.150.4.2. Retail Center (RC-2).

This district allows retail development or mixed uses with accessory office and multifamily structures. Additional building height and density is allowable within activity centers. Additional density is allowable when workforce housing is provided.



(Code 1992, § 16.20.150.4)

16.20.150.5. Development potential.

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

Minimum Lot Size, Maximum Density and Maximum Intensity

	RC-1	RC-2
Minimum lot area (sq. ft.)	10,000	20,000

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Minimum lot width	Small lot (less than 1.0 acre)	100	100
	Medium lot (between 1.0—2.0 acres)	200	200
	Large lot (greater than 2.0 acres)	300	300
Maximum residential density (units per acre)	Residential density	30	55
	Residential density within activity center	45	82
	Workforce housing density bonus	10	10
	Workforce housing density bonus within activity center	15	15
	Hotel density (rooms per acre)	55	55
Maximum nonresidential intensity (floor area ratio)	Nonresidential intensity	0.75	1.0
	Nonresidential intensity within activity center	1.12	1.5
	Workforce housing intensity bonus	0.25	0.25
	Workforce housing intensity bonus within activity center	0.50	0.50
Maximum impervious surface (site area ratio)		0.75	0.80

Workforce housing density and intensity bonus: All units associated with this bonus shall be utilized in the creation of workforce housing units as prescribed in the City's workforce housing program and shall meet all requirements of the program.

Structured parking, located in the center of the site or concealed from view from the public right-of-way with liner buildings, is exempt from FAR calculations.

Refer to technical standards regarding measurement of lot dimensions, calculation of maximum residential density, nonresidential floor area and impervious surface.

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(Code 1992, § 16.20.150.5; Ord. No. 876-G, § 16, 2-21-2008)

16.20.150.6. Building envelope: Maximum height and building setbacks.

Maximum Building Height

Building height	RC-1 and RC-2		
	Small lot (less than 1.0 acre)	Medium lot (between 1.0 - 2.0 acres)	Large lot (greater than 2.0 acres)
All buildings	48 ft.	48 ft.	48 ft.
Within activity center	72 ft.	72 ft.	72 ft.
Refer to technical standards article regarding measurement of building height.			

Minimum Building Setbacks

Building setbacks		RC-1 and RC-2		
		Small lot (less than 1.0 acre)	Medium lot (between 1.0 - 2.0 acres)	Large lot (greater than 2.0 acres)
Adjacent to street— Minimum setback	Nonresidential use	25 ft.	25 ft.	25 ft.
	Residential use or nonresidential use with residential use liner	20 ft.	20 ft.	20 ft.
Adjacent to street—Maximum setback		30 ft.	100 ft.	N/A
Interior side yard	Nonresidential use abutting a nonresidential use	10 ft.	10 ft.	10 ft.
	Nonresidential use abutting a residential	25 ft.	35 ft.	50 ft.

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	use			
	Residential use or nonresidential use with residential use liner on the side of the building abutting a residential use	10 ft.	15 ft.	20 ft.
Rear yard	Nonresidential use abutting a nonresidential use	20 ft.	2 ft.	20 ft.
	Nonresidential use abutting a residential use	25 ft.	35 ft.	50 ft.
	Residential use or nonresidential use with residential use liner on the side of the building abutting a residential use	10 ft.	15 ft.	20 ft.
Additional criteria may affect setback requirements including design standards and building or fire codes. Refer to technical standards article for yard types.				

(Code 1992, § 16.20.150.6; Ord. No. 893-G, § 19, 9-4-2008)

16.20.150.7. Building design.

The following design criteria allow the property owner and design professional to choose their preferred architectural style, building form, scale and massing, while creating a framework for good urban design practices which create a positive experience for the pedestrian.

Site layout and orientation. The City is committed to creating and preserving a network of linkages for pedestrians. Consequently, pedestrian and vehicle connections between public rights-of-way and private property are subject to a hierarchy of transportation, which begins with the pedestrian.

Building and parking layout and orientation.

1. New multi-building development shall relate to the development of the surrounding properties. This means there shall be no internally-oriented complexes which cause rear yards or rear facades to face towards the perimeter of the development.
2. All service areas and loading docks shall be located behind the front facade line of the principle structure.
3. All principal structures shall be oriented toward the primary street. The first floor of big box buildings shall be edged with a use liner containing any permitted use (e.g., retail, restaurant,

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residential) or the entire wall shall include architectural details such as fenestration, large false (or real) display windows, natural finishes and other architectural features.

4. Buildings shall be located adjacent to streets to improve access and provide walkway connections to bus stops and public sidewalks. (See pedestrian connections.)
5. All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the primary street shall be screened with a material that is compatible with the architecture of the principal structure.
6. Parking areas shall be compartmentalized with islands as required by the general development standards. Not more than 40 parking spaces shall be allowed between islands to reduce the overall scale of the parking area.
7. Parking lot location shall be as follows:
 - a. For small lots, no parking spaces shall be allowed between the principal building and the primary street.
 - b. For medium lots, no more than a double row of parking spaces with a single drive lane shall be allowed between the principal building and the primary street.
 - c. For large lots, parking spaces are allowed anywhere on the property but if placed to the rear of the property, provision shall be made to allow current or future out-parcel development following the small lot/out parcel design guidelines.
8. Parking structures are encouraged to be internal to the site and to include architectural features related to the principal structure. Parking structures shall meet the requirements of the general development standards.

Vehicle connections.

1. Cross easements connecting an internal vehicle system are encouraged between abutting property owners.

Pedestrian connections.

1. Where multiple store fronts or multiple buildings exist within the same development, each shop shall be connected by an internal sidewalk system that is clearly delineated from the vehicular pavement. The internal sidewalk system shall connect to any public sidewalk that abuts the property.
2. Cross easements which connect the internal pedestrian system are encouraged between abutting property owners.
3. Each ground floor multifamily unit or commercial unit that faces a primary street shall contain a primary entry which faces the primary street. The primary entry shall include decorative door surrounds, porches, porticos and/or stoops.
4. Where a single building includes separate commercial and residential entrances, each residential entrance shall be raised at least 16 inches above ground level or recessed within the facade to reinforce a privacy zone and distinguish it from the commercial entrances.

Building and architectural design standards. All buildings should present an inviting, human scale facade to the public roadway, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest.

Building style.

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1. New construction shall utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.
2. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.
3. Shopping centers shall provide a unified architectural theme with standardized building materials, finishes, and color schemes.
4. All accessory structures including, but not limited to, drive-throughs, canopies, storage buildings, and solid waste enclosures shall be compatible with the architectural design of the principal structure. Compatibility shall be determined by reviewing building materials, finishes and other significant features.

Building form.

1. Buildings should create a width to height ratio of no more than 3:1. Buildings that exceed the width to height ratio of 3:1 shall have architectural fenestration creating a bay system that divides the building design into a maximum ratio of 3:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.
2. Residential projects should provide a width to height ratio of no more than 2:1. Buildings that exceed the width to height ratio of 2:1 shall have architectural fenestration creating a bay system that divides the building design into a maximum ratio of 2:1.
3. The first floor of each multi-story building shall not be less than 12 feet in height measured to the bottom of the second floor.

Wall composition. Wall composition standards ensure that ground-level storefronts, and multifamily and single-family residential buildings, offer attractive features to the pedestrian. Wall composition also mitigates blank walls and ensures that all sides of a building have visual interest.

1. Structures which are situated on corner lots or through lots, or which by the nature of the site layout are otherwise clearly visible from rights-of-way, shall be designed with full architectural treatment on all sides that are visible from rights-of-way. Full architectural treatment shall include roof design, wall materials, architectural trim, and doors and windows. While it is recognized that buildings have primary and secondary facades, the construction materials and detailing should be similar throughout.
2. There shall be no blank facades. All facades shall include fenestration or other architectural features. No facade on any floor shall have a blank area wider than 24 feet or higher than the height between two floors.

Transparency. The provision of transparency enhances visual connections between activities inside and outside buildings, thereby improving pedestrian safety.

1. At least 50 percent of street level facades of nonresidential uses shall be transparent. The bottom of windows shall begin no higher than two feet above grade level, and the top of all windows and doors shall be no lower than eight feet above grade level. Taller windows are encouraged.
2. Windows on the street side facades shall be evenly distributed in a consistent pattern.
3. At least 20 percent of street side facades of residential buildings shall be transparent and at least 15 percent shall be transparent on all other facades.

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Roofs. Rooflines add visual interest to the streetscape and establish a sense of continuity between adjacent buildings. When used properly, rooflines can help distinguish between residential and commercial land uses, reduce the mass of large structures, emphasize entrances, and provide shade and shelter for pedestrians.

1. Buildings shall provide a pitched roof or a flat roof with a decorative parapet wall compatible with the architectural style of the building.

Building materials. Building material standards protect neighboring properties by holding the building's value longer thereby creating a greater resale value and stabilizing the value of neighboring properties.

1. Building materials shall be appropriate to the selected architectural style and shall be consistent throughout the project.

(Code 1992, § 16.20.150.7; Ord. No. 1029-G, § 28, 9-8-2011)

EXHIBIT "C"

CLIENT FURNISHED DATA

APPRAISAL AGREEMENT

THIS APPRAISAL AGREEMENT, ("Agreement"), made and entered into by and between the CITY OF ST. PETERSBURG, a municipal corporation of the State of Florida, ("City") and MCCORMICK, BRAUN & SEAMAN ("Appraiser"), (collectively, "Parties"):

W I T N E S S E T H

WHEREAS, the City desires to obtain an appraisal substantially in compliance with the appraisal instructions set forth in **Exhibit "A"**, attached hereto, for the real property described in **Exhibit "B"** ("**Property**"), attached hereto and made a part hereof; and

WHEREAS, the Appraiser represents that the Appraiser is authorized and qualified to make such appraisal in accordance with recognized appraisal practices and standards and is a currently certified by the State of Florida as a Certified Appraiser.

NOW THEREFORE, in consideration of the promises and covenants contained herein the Parties hereto agree as follows:

1. **RECITALS.** The above recitals are true and accurate and are incorporated herein.
2. **EFFECTIVE DATE; FACSIMILE.** The effective date of this Agreement shall be the latest of the dates that the Appraiser and the appropriate City signatories have approved and signed this Agreement ("**Effective Date**"). A facsimile copy of this Agreement and any signatures thereon shall be considered for all purposes as originals.
3. **APPRAISAL COMPLETION DATE; DELIVERY.**
 - A. Completion Date. The Appraiser, in conformance with recognized appraisal practices, shall perform the appraisal of the Property and prepare three (3) copies, one unbound and two bound, of the appraisal report ("**Appraisal Report**") on or before May 12, 2015 ("**Completion Date**"). Unless otherwise specified herein, the Appraisal Report shall include the market value of any and all interests and rights held by anyone, including but not limited, to leasehold interests and any market rent.
 - B. Delivery. Appraiser shall not deliver the Appraisal Report to the City until notifying City of its completion.
4. **INSPECTION BY SUPERVISING APPRAISER.** The undersigned appraiser, as supervising appraiser or as any status requiring the co-signing of the appraisal report, does hereby affirm the undersigned appraiser has physically and personally inspected the subject property and the individual properties used as comparable sales.
5. **LATE COMPLETION.** The Appraiser agrees that, in the event the Appraiser fails to complete said Appraisal Report by the Completion Date, the City may assess liquidated damages in the amount of one quarter of one percent (0.25%) of the Appraisal Fee, as set forth below, up to a maximum liquidated damages of \$300.00 per day, for each day or part of a day beyond which said reports remain uncompleted. Said assessment shall be deducted from the amount to be paid to the Appraiser by the City. The Completion Date may be extended without assessment of liquidated damages only with the written approval of the City.

6. **APPRAISAL FEE.** In consideration for the performance of said appraisal services and furnishing of said Appraisal Report, the City shall pay the Appraiser the sum of Fifteen hundred dollars (\$1,500.00) within thirty (30) days following the receipt by the City of an invoice for the amount. The Appraiser agrees to update the Appraisal Report at no cost within one (1) year.

7. **APPRAISER'S TESTIMONY.** In the event the testimony of the Appraiser is required in any legal proceeding in connection with the City's use of the Appraisal Report, the Appraiser agrees to appear as a witness on behalf of the City and to accept as compensation from the City the sum of Three hundred, fifty dollars (\$350.00) for each half day or less required attendance in court and for preparation in connection with such appearance.

8. **TERMINATION.** If through any cause, the Appraiser shall fail to fulfill in a timely and proper manner the Appraiser's obligation under this Agreement, the City shall have the right to terminate this Agreement upon the giving of five (5) working days written notice to the Appraiser of said termination and the City shall be relieved of all other obligations hereunder.

9. **ENTIRE AGREEMENT.** The drafting, execution and delivery of this Agreement by the Parties have not been induced by representations, statements, warranties or agreements other than those expressed herein. This Agreement embodies the entire understanding of the Parties, and there are no further or other agreements or understandings, written or oral, in effect between the Parties relating to the subject matter hereof, unless expressly referred to herein.

10. **NO MODIFICATIONS.** This Agreement may not be modified unless such modification is in writing and signed by both Parties hereto.

11. **NO DISCRIMINATION.** The Appraiser shall not discriminate against anyone in the performance of duties under this Agreement because of race, color, religion, gender, national origin, marital status, age, disability, sexual orientation, genetic information or other protected category.

12. **INDEMNIFICATION.** The Appraiser agrees to pay, indemnify, save and hold the City harmless from any and all claims, demands, damages, loss or liability, actions and suits occurring by reason of any act, error or omission in professional services rendered or that should have been rendered by the Appraiser, its officers, agents, consultants, employees or subcontractors or by any other person or whose acts, errors or omissions the Appraiser is responsible and arising out of the Appraiser's conduct as a real estate appraiser or occurring by reason of any injury to any person or property occasioned by an act or omission, neglect or wrong doing of the Appraiser or any of Appraiser's agents, consultants, employees or subcontractors or by any other person for whom the Appraiser is responsible and the Appraiser shall, at Appraiser's own cost and expense, defend and protect the City against any and all such claims or demands which may be claimed to have arisen as a result of or in connection with the services rendered by the Appraiser.

13. **DEFAULT.** If any claim, demand, liability, damage, loss, action or suit of any nature whatsoever arises due to the breach of, out of, or because of this agreement by the Appraiser, its agents, consultants, employees or subcontractors or due to any action or occurrence of omission or commission of the Appraiser, its agents, consultants, employees or subcontractors the City may, in its discretion, immediately and permanently suspend the Appraiser from its appraiser rotation list without penalty to the City.

14. **APPLICABLE LAWS.** This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida.

IN WITNESS WHEREOF, the Parties hereto have caused this document to be signed on the date(s) as expressed hereinafter.

WITNESSESAS:

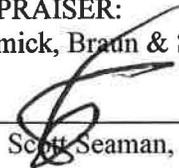
Sign: _____

Print: _____

Sign: _____

Print: _____

TO APPRAISER:
McCormick, Braun & Seaman.

By:  _____
Scott Seaman, SRA

Date 4/28/15

AS TO CITY:

ATTEST:

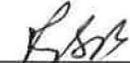
Chan Srinivasa, City Clerk

CITY OF ST. PETERSBURG

By: _____
Bruce Grimes, Director
Real Estate and Property Management
as Mayor's Designee

Date

APPROVED AS TO CONTENT:



City Attorney (Designee)
By: **RICHARD B. BADGLEY**
Assistant City Attorney

APPROVED AS TO FORM:

City Attorney (Designee)
By: _____
Assistant City Attorney

EXHIBIT "A"

APPRAISAL INSTRUCTIONS

Appraise the market value of the unimproved subject parcel subject to an easement for the bill board structure currently on the site (approximate dimensions of easement area 20' x 60'). Additionally there will be a Visibility Easement and Utility and Access Easement as noted on the attached map.

EXHIBIT "B"

Location: Southwest corner of 26th Avenue South and I-275, St. Petersburg

Parcel ID No: 35/31/16/27443/001/0010

Legal Description: Lot 1, Block 1, FAITH COMMUNITY FELLOWSHIP

EXHIBIT "C"



A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PURCHASE ONE (1) UNIMPROVED PARCEL, SUBJECT TO EASEMENTS ALLOWING FOR THE CONTINUED MAINTENANCE AND OPERATION OF A BILLBOARD, FOR USE AS A COMPRESSED NATURAL GAS STATION GENERALLY LOCATED AT THE SOUTHWEST CORNER OF I-275 AND 26TH AVENUE SOUTH, ST. PETERSBURG, FROM CLEAR CHANNEL OUTDOOR INCORPORATED FOR THE SUM OF \$102,500; TO PAY CLOSING RELATED COSTS IN AN AMOUNT NOT TO EXCEED \$1,000; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND APPROVING A SUPPLEMENTAL APPROPRIATION OF \$22,150 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) TO THE WRF SW CNG FUELING STATION FY15 PROJECT (14936); APPROVING A SUPPLEMENTAL APPROPRIATION OF \$10,350 FROM THE UNAPPROPRIATED BALANCE OF THE SANITATION EQUIPMENT REPLACEMENT FUND (4027) TO THE WRF SW CNG FUELING STATION FY15 PROJECT (14936); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management ("REPM") received a request from Public Works Administration ("Public Works") to investigate the availability of properties that would accommodate a compressed natural gas station ("CNG") to fuel City-owned vehicles using gas byproduct from the Southwest Water Reclamation Facility ("SWWRF"); and

WHEREAS, the directed area of focus for the initial investigation of properties that could accommodate the proposed use was the 34th Street Corridor from 20th Avenue South to 46th Avenue South; and

WHEREAS, after review of the initially investigated properties available for sale in the targeted area and the economic development potential of such sites, Administration requested a broader investigation of alternative sites that were feasible but not necessarily being openly marketed for sale; and

WHEREAS, an alternative site was subsequently identified within the required distance of the SWWRF for potential acquisition and REPM contacted the owner to determine if it would consider selling its property; and

WHEREAS, the identified site is a triangularly shaped parcel generally bordered by I-275 to the east, 33rd Street to the west, from 26th Avenue South to 28th Avenue South ("Property"); and

WHEREAS, the City's current design for the Bio-Solids to Energy Project consists of a tube trailer filling concept that includes a CNG fueling facility at the SWWRF and a slow fill station at the Sanitation Complex located at 2601 - 20th Avenue North; and

WHEREAS, the acquisition of the Property will alternatively enable the City to construct and operate a fast-fill CNG fueling station ("CNG Station"), which will eliminate the entire tube trailer filling concept ; and

WHEREAS, the CNG dispensed fuel will be a blend of TECO utility natural gas and renewable natural gas ("RNG") which is biogas from the City's SWWRF Bio-Solids to Energy Project that has been cleaned and upgraded to a utility gas quality; and

WHEREAS, the RNG will be conveyed from the SWWRF approximately two (2) miles to the new CNG Station via a City-owned gas utility pipeline that will be constructed along the public right-of-way; and

WHEREAS, the primary function of the CNG Station will be to provide a fast-fill fueling facility for the City's new CNG powered Sanitation fleet which will allow the City to expand its fleet of CNG powered vehicles to other City departments as well as providing access to the public and commercial operations with positive business and environmental aspects; and

WHEREAS, the construction of the proposed CNG Station will provide numerous advantages to the City and the surrounding residents namely:

- The elimination of over one hundred (100) monthly tube trailer filling operations and truck rotations at the SWWRF and the adjacent Pinellas Bayway. This will significantly reduce traffic noise and congestion near Eckerd College and the surrounding residential neighborhoods.
- The elimination of the tube trailer filling concept will reduce the overall project budget by nearly one million dollars (\$1,000,000).
- The elimination of the tube trailer filling concept will address Eckerd College's concerns regarding the potential of tube trailer trucks queuing up on the Pinellas Bayway waiting to enter and exit the SWWRF.
- The elimination of the tube trailer filling concept will eliminate the potential for accidents while filling and transporting the tube trailers to the Sanitation complex.

- The construction of the fast fill station would enable the City to dispense nearly six times more fuel than would be possible by having the same equipment solely dedicated to the Sanitation department operations at their 20th Avenue North location, while significantly reducing capital costs.
- The site is relatively obscure from most views as it abuts I-275 and is located behind and immediately east of commercial properties along 34th Street South. The site's close proximity to the I-275 entrance and exit ramps promotes efficient interstate truck access to the station while minimizing the same on 34th Street South; and

WHEREAS, the identified Property is owned by Clear Channel Outdoor, Incorporated ("Clear Channel"), who currently maintains a billboard on the Property which is legally described as follows:

Lot 1, Block 1, FAITH COMMUNITY FELLOWSHIP, according to the plat thereof as recorded in Plat Book 102, Pages 26 and 27, Public Records of Pinellas County, Florida; Pinellas County I.D. No.: 35/31/16/27443/001/0010; and

WHEREAS, although Clear Channel indicated that it would consider selling the Property, it would only do so if it could continue to operate and maintain a billboard on the Property; and

WHEREAS, as negotiations evolved, Clear Channel agreed to sell the Property if it would be granted easements at the time of conveyance that would allow it to retain the billboard on the Property and provide for its uninterrupted operation and maintenance of the billboard; and

WHEREAS, the easements, which are an integral part of the purchase agreement, provide an area for the sign location (approximately 20 ft. x 60 ft.), an access and utility area, in addition to a visibility maintenance area that restricts the installation of any obstructions that would impair the view of the sign from I-275; and

WHEREAS, after review with Public Works, it was determined that the billboard and the easement areas would not significantly impact the City's planned use of the Property; and

WHEREAS, REPM negotiated an Agreement for Sale and Purchase ("Agreement") at a price of \$102,500 for the Property, subject to Clear Channel receiving the previously described easements; and

WHEREAS, the Agreement, subject to City Council approval, provides for Clear Channel to pay for a title commitment and survey of the Property; provides for a sixty (60) day due diligence period for the City to perform its inspections and environmental investigations of the Property; and provides for the closing to occur within ninety (90) days; and

WHEREAS, as a result of the City granting the easements, Clear Channel will be responsible for the payment of all taxes separately assessed against the easement areas and any improvements thereon including, but not limited to, the billboard structure(s); and

WHEREAS, the Property was appraised by McCormick, Braun, & Seaman, Scott W. Seaman SRA, Certified General Appraiser, on May 6, 2015, who stated that in his opinion the estimated market value of the encumbered fee simple interest being sold to the City is \$113,100; and

WHEREAS, closing costs in the approximate amount of \$1,000 will be paid by the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his Designee, is authorized to purchase one (1) unimproved parcel, subject to easements allowing for the continued maintenance and operation of a billboard, for use as a compressed natural gas station generally located at the southwest corner of I-275 and 26th Avenue South, St. Petersburg, as legally described above, from Clear Channel Outdoor, Incorporated for the sum of \$102,500; to pay closing related costs in an amount not to exceed \$1,000; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Water Resources Capital Projects Fund (4003) the following supplemental appropriation for Fiscal Year 2015:

Water Resources Capital Projects Fund (4003)

WRF SW CNG Fueling Station FY15 Project (14936) \$22,150

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the Sanitation Equipment Replacement Fund (4027) the following supplemental appropriation for Fiscal Year 2015:

Sanitation Equipment Replacement Fund (4027)

WRF SW CNG Fueling Station FY15 Project (14936) \$10,350

This Resolution shall become effective immediately upon its adoption.

LEGAL:

/s/ RBB

City Attorney (Designee)

Legal: 00234491.doc V. 5

APPROVED BY:

Michael J. Connors
Michael J. Connors, P.E.

Public Works Administration

BUDGET:

Tom Greene
Tom Greene, Director

Budget & Management

APPROVED BY:

Bruce E. Grimes
Bruce E. Grimes, Director

Real Estate & Property Management

**COUNCIL AGENDA
REPORT ITEM**

TO: Members of City Council

DATE: June 5, 2015

COUNCIL DATE: June 11, 2015

RE: *Universal Curbside Recycling Report*

ACTION DESIRED:

Respectfully requesting a report to City Council pertaining to the Universal Curbside Recycling program.

Darden Rice, Council Member
District 4

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **June 3, 2015**

COUNCIL DATE: **June 11, 2015**

RE: ***Clarifying the Rules for Council Districts***

ACTION DESIRED:

Respectfully request City Council add a Charter Amendment to be placed on the November general election ballot.

RATIONALE:

The City Charter states in Section 5.06 Council districts; adjustments of districts.

(c) District standards:

- (1) *“Each district shall be formed of compact, contiguous territory, and its boundary lines shall follow the centerlines of streets, railroad lines or other natural boundaries where possible. The boundaries shall also follow precinct lines whenever possible.”*

The last redistricting commission was told by staff that the requirement of following precinct lines was the highest priority. The result was to draw lines that violated the "*compact, contiguous territory....*" requirement. The result is that we allowed the tail to wag the dog.

I request City Council offer the following amendment to the last sentence of section 5.06(c) to read: *“The boundaries shall follow precinct lines to the extent that it is practical without compromising the requirements in the previous sentence.”*

Karl Nurse
Council Member

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: June 6, 2015

COUNCIL DATE: June 11, 2015

RE: *Resolution in Support of Clean Power Plan Letter to Governor Scott*

ACTION DESIRED:

Respectfully request City Council to pass a resolution in support of the Clean Power Plan letter to Governor Scott (attached.)

Attachment

Steve Kornell, Council Member
District 5

672

May 9th, 2015

Governor Rick Scott
Executive Office of Governor Rick Scott
400 S. Monroe Street
Tallahassee, Florida 32399

Dear Governor Scott,

If we act decisively, Florida has the opportunity to create its own path forward towards a clean energy future. As elected officials and leaders in our community, we urge you to implement a strong, comprehensive clean power plan that will unleash our solar power industry, create thousands of jobs in the energy efficiency field and put thousands of Floridians to work while reducing dangerous carbon pollution. From Miami to the Everglades to the Panhandle, our cities and our coasts will be protected and our communities will be healthier with a strong, effective, Florida made clean power plan.

The Environmental Protection Agency has proposed the Clean Power Plan, yet it will be Floridians who make it happen and ensure it works for every resident of the state. If done right, we can tap into vast renewable energy resources, put thousands to work in their own communities, and lower electric bills by investing in energy efficiency. In fact, Florida's sunny days put it among the country's top three states for solar energy potential. Growing this market will help reduce our state's carbon emissions and ensure that the Clean Power Plan works for us.

Florida has the opportunity to become a leader in clean energy and in cutting dangerous carbon pollution. Doing so will grow our economy while reducing dangerous levels of pollution that threaten our coast lines and our health. We urge you to set up a comprehensive public engagement process and develop a state plan that reduces our carbon emissions by 38%, maximizes energy efficiency and solar power, and most of all, works for Florida.

Thank you for your attention to this matter.

Sincerely,

Mike Suarez, Tampa City Council

Linda Norris, Oldsmar City Council

Rev. Russell Meyer, Florida Council of Churches

cc: Secretary Jonathan P. Steverson, FL Department of Environmental Protection

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

Committee Report for May 28, 2015

**Meeting of May 28, 2015
8:00 a.m. - City Hall Room 100**

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: Meghan Wimberly, Administrative Assistant, Billing & Collections
Robert Coats, Risk Management Analyst, Human Resources

- A. Call to Order
- B. Approval of Agenda- Approved unanimously
- C. Approval of Minutes- None
- D. New/Deferred Business
- E. May 28, 2015
 - a. **Offering Illness Leave Benefits to Part-Time Employees (Guella/Cornwell)**

Chris Guella, Human Resources Director, and Gary Cornwell, City Administrator, provided the Committee with illness leave information for Part-Time Regular Employees. Mr. Guella reported that the City currently employs a total of 510 Part-Time employees, with 256 considered Part-time Regular employees. Mr. Guella highlighted the departments that employ the majority of the Part-Time Regular employees. Mr. Guella clarified that the 256 Part-time Regular employees are year around employees that typically work an average of 20 hours or more per week. Dr. Cornwell added that the City typically employs an additional 100 or more part-time seasonal employees throughout the summer.

Based upon the average salaries, hours worked, and illness leave accrual projections, Mr. Guella reported that the total annual cost to provide sick leave to a Part-Time Regular employees could be as much as \$46,603 annually. However, he added that the cost would likely double to \$93,206 because when a Part-Time Regular employee takes illness leave, a replacement employee would have to fill that position. As a result, the City will essentially pay twice for one position; illness leave for the regular part-time employee and wages for the replacement employee. **Please note that Mr. Guella's figures above were incorrect. Upon further analysis, the annual cost to the City is approximately \$187,000 for the leave. As above, the City will also incur double that figure when including replacement wages. Thus, the actual total expense for the City is approximately \$374,000.**

Chair Kennedy inquired regarding council's authority to implement costs for sick leave to part-time employees. Councilmember Gerdes stated he would rather use the funds to increase employees wage up to \$15.00 per hour. Councilmember Newton asked Mr. Guella to provide a report of the annual benefits savings the City realizes by using part-time employees versus full-time employees.

- b. **Community Development Block Grant, Home Investment Partnership Program and Emergency Solutions Grant (CDBG) – (Johnson)**

Joshua Johnson, Housing and Community Development Director, provided the Committee with a resolution authorizing the Mayor or his designee to advertise the draft FY 2015/16 Annual Action Plan and to execute all other documents necessary to effectuate this resolution; and providing an effective date. Mr. Johnson mentioned that each year the City receives Federal grant funds from the U.S. Department of Housing and Urban Development (HUD) and State revenue from the property tax (State Housing Initiatives Partnership) for the purpose of assisting with housing and community development activities which primarily benefit low- and moderate- income persons.

Mr. Johnson noted that the Consolidated Plan is prepared once every five-years and FY 2015/16 will be the fifth and final year of the implementation of the City's five-year Consolidated Plan. Mr. Johnson stated that the draft Annual Plan is required to be published thirty days for public comment, after which the full City Council will hold a public hearing on July 23, 2015. Mr. Johnson requested that the Committee forward the resolution to City Council with a recommendation that City Council adopt the resolution.

Councilmember Gerdes made a motion to bring the Resolution to City Council for approval. The motion was approved unanimously.

E. Continued Business

F. Upcoming Meetings Agenda Tentative Issues

1. June 11, 2015

- a. **Purchase Adjacent Lands for Addition to Boyd Hill Nature Preserve: Legal & Real Estate to research (Zeoli)**
- b. **Purchase Kuttler Estate adjacent to Abercrombie Park on Boca Ciega Bay (Grimes/Jefferis)**
- c. **Public Art Ordinance that requires developers of private construction projects to include a public art component equal to 2% of total project (Goodwin/Atherholt)**
- d. **Remove Off-road bicycle trail in North St. Pete from Weeki Wachee Project List**

2. July 30, 2015

- a. **Third Quarter Financial Report – (Fritz/Greene)**

G. New Business Item Referrals

H. Adjournment- The meeting adjourned at approximately 8:57 a.m.



TO: The Honorable Jim Kennedy, Chair and Members of the Budget, Finance and Taxation Committee

FROM: Joshua Johnson, Director
Housing and Community Development Department

DATE: Meeting of May 28, 2015

SUBJECT: A resolution authorizing the Mayor or his designee to advertise the draft FY 2015/16 Annual Action Plan and to execute all other documents necessary to effectuate this resolution; and providing an effective date.

EXPLANATION:

Each year the City receives Federal grant funds (Community Development Block Grant, Home Investment Partnership Program and Emergency Solutions Grant from the U.S. Department of Housing and Urban Development (HUD) and State revenue from a property tax (State Housing Initiatives Partnership) for the purpose of assisting with housing and community development activities which primarily benefit low- and moderate-income persons. In addition, the City may receive special grants from the Federal Government in the form of Neighborhood Stabilization Program, Community Development Block Grant Recovery, and Homelessness Prevention and Rapid Re-Housing grants. Together with the City's Housing Capital Fund, and the Local Housing Trust Funds (LHTF), they comprise what is known as the Consolidated Plan. The Consolidated Plan is prepared once every five-years and provides a blueprint for how the City will address housing and community development needs over a five-year period. The City then prepares an Annual Action Plan and budget each year, which details how the annual allocations will be used to implement the five-year plan.

Fiscal Year 2015-2016 will be the fifth and final year of the implementation of the City's five-year Consolidated Plan. The FY 2015/2016 Annual Action Plan ends September 30, 2016 and the Consolidated Plan will end September 30, 2016. The Priority Needs proposed for the five-year period are:

1. Provide and sustain affordable housing opportunities for persons and households at or below 120% of area median income.

- Renovate existing homes occupied by extremely low- to moderate-income owners, including code compliance and general interior/exterior property improvements to sustain home ownership.
 - Assist rental households to become homeowners, including those who are occupants of public housing or manufactured housing.
 - Provide affordable rental housing (both renovation and new construction), concentrating on households at 0-60% of median family income (MFI).
2. Provide and enhance community and economic development opportunities.
 - Expand business development and employment opportunities for low- and moderate-income residents of the Midtown/NRSA area.
 - Improve infrastructure and public facilities in or serving Midtown/NRSA residents.
 3. Provide Assistance with permanent supportive housing and services for homeless and special needs populations.
 - Facilitate the rehabilitation and continued operation of existing housing facilities for the homeless and special needs populations.
 - Endorse initiatives that assist homeless individuals in becoming economically self-sufficient.
 - Support applications for Continuum of Care services.
 - Participate in development of Pinellas County's ten-year plan to address homelessness.
 - Assist in the development of additional permanent supportive housing units.
 - Provide Tenant-Based Rental Assistance for homeless and special needs populations.

In formulating the FY 2015/2016 Annual Action Plan, application workshops were held for community agencies. Applications submitted by nonprofits were evaluated and ranked by the Consolidated Plan Application Review Committee. Recommended projects and City initiated projects comprise the draft plan attached.

The draft Annual Plan must be published for thirty days for public comment, after which the full City Council will hold a public hearing on July 23, 2015.

The Administration recommends that this Committee forward the attached resolution authorizing the Mayor or his designee to advertise the draft FY 2015/16 Annual Action Plan, and to execute all other documents necessary to effectuate this resolution; and providing an effective date, to City Council with a recommendation that City Council adopt the resolution.

Attachments: FY 2015/2016 Annual Action Plan

Legal: 000125007.doe-v.2

Resolution No. 2015- _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ADVERTISE THE CITY'S DRAFT FY 2015/16 ANNUAL ACTION PLAN AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, applications submitted by non-profits for funding under the FY 2015/16 Annual Action Plan ("Action Plan") were evaluated by the City's Consolidated Plan Ad Hoc Application Review Committee ("Committee") on May 15, 2015; and

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

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

WHEREAS, the draft Action Plan must be advertised for thirty days for public comment, after which the full City Council will hold a public hearing on July 23, 2015.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor or his designee is authorized to advertise the City's draft FY 2015/16 Action Plan, and to execute all other documents necessary to effectuate this resolution.

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: _____ Administration: _____

City of St. Petersburg
Public Services & Infrastructure Committee
Meeting of May 28, 2015 - 9:15 a.m.
City Hall, Room 100

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

Others present: Council Members Wingay Newton, Karl Nurse, Charlie Gerdes; Support Staff: Blaise Mazzola, Claims Supervisor and primary support staff; Mike Vineyard Manager Park Operations, and backup support staff; John Wolfe, City Attorney; Heather Judd, Assistant City Attorney; Michael Dema, Assistant City Attorney; Dave Goodwin, Planning and Economic Development Director; Elizabeth Abernethy, Zoning Official;

- 1) Call to Order 9:18 A.M.
- 2) City Code 16.60.030.2 Non Conforming Lots and Grandfathered Situations (Dave Goodwin, Elizabeth Abernethy, and Michael Dema)

CM Kornell provided a brief background of the referral item. Elizabeth Abernethy provided a Power Point presentation. Michael Dema provided a draft ordinance change. CM Kennedy questioned the City's exposure of a potential legal action by a property owner affected by the proposed changes. Mr. Dema stated that from a legal position he is comfortable with the changes. Ms. Abernethy stated that from a development standpoint this adds an additional step, but does not adversely affect them. CM Nurse suggested a policy change to allow the City to give the land to the adjacent property owner so that the City does not have to maintain and the land goes back on the tax rolls. Ms. Abernethy believes that the definition of buildable lot will be helpful in assisting with future issues.

CM Kennedy made a motion for staff to draft a letter to the Pinellas County Property Appraiser to request that they do not split lots that do not conform to City Zoning Standards, and present the draft letter to full Council for discussion. Motion passed 4-0.

CM Kennedy made a motion for the Community Development Agency (CDA) to incorporate language to address how substandard lots can be placed with the property owners of adjoining lots and to send this to full Council for discussion. Motion Passed 4-0

CM Kennedy made a motion to recommend that a policy be created that will allow Non-CDA Lots that are substandard to be placed with the owners of adjoining lots and to send to full Council for discussion. Motion Passed 4-0

CM Kornell made a motion to approve the draft ordinance and send to the Development Review Commission for their approval. Motion Passed 4-0

Action Item: Staff to present motions accordingly.

3) Door-to Door Solicitation Ordinance (Heather Judd)

CM Kornell opened the discussion by providing some background on this referral. Heather Judd provided a draft ordinance with potential changes to the current ordinance. She stated that the goal is to have objective criteria and have balance between deterring aggressive solicitation and the First Amendment. CM Kornell questioned if a process that allowed a citizen to fill out an affidavit is possible. John Wolfe stated that we must be cautious of the First Amendment. CM Rice believes that much of the ordinance changes are reasonable and that she supports of the background check section of the draft. CM Rice stated she is wrestling with the topic of what is aggressive. CM Kennedy discussed 17.160 Paragraph 3 and whether or not signage indicating no solicitation must be on the individual home or the neighborhood sign to be enforceable. CM Kennedy made a motion for staff to include the Ordinance with the Committee Report to be heard at the next Council meeting (June 4) for First Reading and setting a public hearing date.

Action Item: Staff to include the Ordinance with the Committee Report to be heard at the next Council meeting (June 4) for First Reading and setting the public hearing date.

4) Upcoming Meetings

June 11, 2015

Pedal Pub / Horse Drawn Carriages (Evan Mory)

5) Adjournment 10:31 A.M.

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE, CHAPTER 17, ARTICLE V; CLARYFYING LANGUAGE; UPDATING SUBSECTION TITLES; CREATING A SUBSECTION FOR PROHIBITED ACTS; CLARIFYING PERMIT APPLICATION PROCEDURES AND CRITERIA FOR GRANTING OR DENYING A PERMIT; CREATING A SUBSECTION FOR PERMIT RENEWAL, AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section 1. The St. Petersburg City Code Chapter 17, Division V, is hereby amended to read as follows:

DIVISION 1. - GENERALLY

Sec. 17-158. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Canvasser or solicitor means any person, whether a resident of the City or not, traveling either by foot, ~~wagon~~, automobile, ~~motor~~ truck or any other type of conveyance from house to house or from street to street, taking or attempting to take orders for the sale of goods, wares or merchandise, subscriptions, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future whether or not such individual has, carries or exposes for sale, a sample of the merchandise or whether collecting advance payments on such sales or not. The term "canvasser" or "solicitor" includes any person who hires, leases, uses or occupies any building or structure, ~~lodginghouse, apartment, shop~~ or any other place within the City for the sole purpose of exhibiting samples and taking orders for future delivery.

Peddler means any person, whether a resident of the City or not, traveling by foot, ~~wagon, automotive vehicle, motor~~ automobile, truck or any other type of conveyance from house to house or from street to street, carrying, conveying or transporting goods, wares and merchandise, offering and exposing them for sale, or making sales or delivering articles to purchasers or who, by traveling from house to house, or street to street, shall sell or offer the same for sale from an automobile, ~~wagon, automotive vehicle, motor~~ truck, ~~railroad ear~~ or any other vehiele type of or conveyance; one who solicits orders and, as a separate transaction makes deliveries to purchasers as a part of the scheme or design to evade the provisions of this article, shall be deemed a peddler, subject to the provisions of this article. The term "peddler" includes the terms "hawker" and "huckster."

Sec. 17-159. - Exceptions.

For the purposes of this ~~chapter article~~, the terms "peddler," "solicitor" or "canvasser" shall not be construed to apply to the following persons:

- (1) Farmers or truck gardeners selling, offering for sale or soliciting orders for any products grown, raised or produced by them.
- (2) Vendors of milk, bakery products, groceries or other food products of any kind, duly licensed in the City to sell the products from a truck or wagon.
- (3) Persons peddling, soliciting or canvassing where the proceeds derived from the peddling, soliciting or canvassing are to be used for charitable or religious purposes, or on behalf of a qualified and filed candidate or candidates for public office or on behalf of a political party.
- (4) Salesmen or agents for wholesale houses or firms who solicit orders from, or sell to retail dealers in the City for resale or other commercial purposes, or to manufacturers for manufacturing or other commercial purposes.
- (5) Children of or under the age of 16 years, except when they are acting as agents of adults subject to this ~~chapter~~ article.
- (6) Route salesmen and supervisors for laundry, dry cleaning, rug cleaning, garment storage, linen supply, towel supply and diaper services, operated from clearly identifiable vehicles, and newspaper deliverymen on a regular route, including their supervisors.
- (7) Trades or professions regulated by general State laws.

Sec. 17-160. – Prohibited Acts

It shall be unlawful for any solicitor, canvasser or peddler to engage in any of the following prohibited acts:

- (1) Fail to display, upon proper demand of any law enforcement officer or code enforcement inspector, the permits required under this section.
- (2) Fail to pay or renew a business tax certificate.
- (3) Ring the bell, knock on the door, or otherwise attempt to gain admittance of a business or residence for the purpose of peddling or soliciting at any residence, dwelling or apartment at which a sign bearing the words “no Peddler or Solicitors,” or words of similar import indicating that such persons are not wanted on said premises, is painted, affixed or otherwise exposed to public view.
- (4) Fail to disclose to the prospective buyer, upon request, the name of the company, product or organization that he or she represents.
- (5) Fail to leave the premises immediately if requested to do so.

DIVISION 2. - REGISTRATION CERTIFICATE PERMITS

Sec. 17-187. – Permits Required.

It shall be unlawful for any solicitor, canvasser or peddler to engage in such business or act within the City without first obtaining and possessing a valid City permit ~~therefor~~ in compliance with the provisions of this division.

Sec. 17-188. - Application and procedures.

(a) ~~Permit application procedure. A permit to engage in any occupation for which a permit is required by section 17-187 shall be subject to the following procedures:~~

(1) Each applicant for a permit required by this section shall make application to the POD on forms to be supplied by the POD, which application shall contain the information required by the POD. The applicant shall furnish all the information required by the form, as well as a nonrefundable processing fee for the permit and any renewal thereof. The following shall information shall be provided:

a. Copies of drivers licenses. A copy of a valid State driver's license, and a list of every state where the applicant held a driver's license during the preceding three years and including, if available, the driver's license number;

b. Addresses of residence. The addresses of each and every place of residence or domicile of the applicant during the preceding three years, including the current residence address;

c. Traffic record for three years previous to the application. The requirement applies if the planned solicitation, canvassing, or peddling requires the use of a motor vehicle. Only pleas of nolo contendere, convictions and forfeitures of collateral need be reported. Parking citations need not be reported;

d. Criminal record. Only pleas of nolo contendere, convictions, or forfeitures of collateral need be reported.

(2) The police department shall take the fingerprints of each applicant and shall retain them along with the application.

(b) *Permit fee.* Each applicant shall submit the permit fee as set forth in Chapter 12 along with the application.

~~(b)~~(c) Upon the filing of the initial application or an application for renewal, the police department shall cause the applicant to be investigated. The applicant shall complete a release and consent form in which the applicant designates and allows the Chief of Police or his designee to contact and obtain from the FBI, FDLE and/or department of motor vehicles, for every state in which the applicant has lived for the past three years, all records regarding the applicant. The police department shall apply the criteria for public vehicle driver's permits (currently section 28-28) and shall deny the application if any of the criteria are met, except the criteria related to violations of motor vehicle laws shall not apply if the applicant is not peddling or soliciting directly from a vehicle. Upon the issuance of a City permit, the police department shall also issue the applicant a photo identification card.

~~(d)~~(c) Permits shall be valid and may be renewed in the manner provided for public vehicle driver's permits (currently section 28-28). If the applicant is required under Florida Statute 501.22, as amended, to hold a State home solicitation permit, such State permit must be current and active at the time of application. Proof of a current, valid State permit shall entitle the applicant to forgo the background check and fingerprinting portion only of the permit application required by this section.

(e) If the Police Department finds that the applicant meets the requirements of this chapter, it shall issue a permit to the applicant. The Police Department shall refuse to issue a permit to an applicant for any of the following reasons:

(1) The applicant has been convicted of any offense involving commission of a felony within the past five years or a misdemeanor within the last three years.

(2) The applicant's is on parole or probation for a felony or misdemeanor

(3) The applicant has been designated as a sexual predator.

(4) The applicant has submitted false or materially misleading statements in the application.

(5) If an applicant has been arrested prior to or subsequent to the submission of his initial application or application for renewal, said application shall be held in abeyance until a prosecutorial decision or a judicial determination has been rendered.

(f)(d) City pPermits may be revoked if the permit holder is found to have violated any part of this section of the criteria after the issuance of the permit, or if the permit holder's required State permit has been suspended, revoked or has expired.

(g)(e) Appeal of a decision to deny or revoke a permit shall follow the procedure for the appeal of public vehicle driver's permits (currently section 28-28). The applicant or the permittee shall have a right to appeal a decision to deny or revoke a permit. The appeal shall be on a form provided by the City Clerk and must be filed with the City Clerk within ten days of the decision. The appeal shall be heard by the City Administrator or by a Department Director or other Senior Management Official who has been designated by the City Administrator for the purpose of conducting the hearing. The hearing shall be conducted at a reasonable time and place, following notice of the hearing to the appellant. The hearing shall be informal and the strict rules of evidence shall not be applicable, but the minimal requirements of due process shall be observed. The objective of the hearing shall be to determine whether the denial or revocation complies with the requirements of the Code. At the hearing, the POD and the applicant may introduce such evidence as is deemed necessary. The decision of the City Administrator or the City Administrator's designee shall be final and the applicant shall be deemed to have exhausted all administrative remedies.

Sec. 17-189. Permit Renewal.

(a) The permit shall be valid until the end of the fiscal year of the City and shall expire on September 30 following the issuance; however, permits issued or renewed during the months of August and September shall expire on the last day of September of the year next following their issuance or renewal. The permit must be renewed each year.

(b) Permits may be renewed for a one-year period, provided that the Police Department's authorized investigation of the criminal record reveals no criminal violations during the period of his expiring permit. If the investigation reveals such violations, the permit shall not be valid.

(c) The permit is the property of the City and is not transferable to any other person other than the named permit holder.

- (d) A permit holder shall make application for a renewal of the permit at least 30 days but not more than 60 days prior to the expiration of the permit.

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 the 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 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 or Designee

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE, CHAPTER 17, ARTICLE V; CLARYFYING LANGUAGE; UPDATING SUBSECTION TITLES; CREATING A SUBSECTION FOR PROHIBITED ACTS; CLARIFYING PERMIT APPLICATION PROCEDURES AND CRITERIA FOR GRANTING OR DENYING A PERMIT; CREATING A SUBSECTION FOR PERMIT RENEWAL, AND PROVIDING AN EFFECTIVE DATE.

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Peddler means any person, whether a resident of the City or not, traveling by foot, ~~wagon, automotive vehicle, motor~~ automobile, truck or any other type of conveyance from house to house or from street to street, carrying, conveying or transporting goods, wares and merchandise, offering and exposing them for sale, or making sales or delivering articles to purchasers or who, by traveling from house to house, or street to street, shall sell or offer the same for sale from an automobile, wagon, automotive vehicle, motor truck, ~~railroad car~~ or any other vehicle type of or conveyance; one who solicits orders and, as a separate transaction makes deliveries to purchasers as a part of the scheme or design to evade the provisions of this article, shall be deemed a peddler, subject to the provisions of this article. The term "peddler" includes the terms "hawker" and "huckster."

Sec. 17-159. - Exceptions.

For the purposes of this ~~chapter article~~, the terms "peddler," "solicitor" or "canvasser" shall not be construed to apply to the following persons:

H-2(a)

- (1) Farmers or truck gardeners selling, offering for sale or soliciting orders for any products grown, raised or produced by them.
- (2) Vendors of milk, bakery products, groceries or other food products of any kind, duly licensed in the City to sell the products from a truck or wagon.
- (3) Persons peddling, soliciting or canvassing where the proceeds derived from the peddling, soliciting or canvassing are to be used for charitable or religious purposes, or on behalf of a qualified and filed candidate or candidates for public office or on behalf of a political party.
- (4) Salesmen or agents for wholesale houses or firms who solicit orders from, or sell to retail dealers in the City for resale or other commercial purposes, or to manufacturers for manufacturing or other commercial purposes.
- (5) Children of or under the age of 16 years, except when they are acting as agents of adults subject to this ~~chapter~~ article.
- (6) Route salesmen and supervisors for laundry, dry cleaning, rug cleaning, garment storage, linen supply, towel supply and diaper services, operated from clearly identifiable vehicles, and newspaper deliverymen on a regular route, including their supervisors.
- (7) Trades or professions regulated by general State laws.

Sec. 17-160. – Prohibited Acts

It shall be unlawful for any solicitor, canvasser or peddler to engage in any of the following prohibited acts:

- (1) Fail to display, upon proper demand of the prospective buyer, any law enforcement officer, or code enforcement inspector, the permits required under this section.
- (2) Fail to pay or renew a business tax certificate.
- (3) Ring the bell, knock on the door, or otherwise attempt to gain admittance of a business or residence for the purpose of peddling or soliciting at any residence, dwelling or apartment at which a sign bearing the words “no Peddler or Solicitors,” or words of similar import indicating that such persons are not wanted on said premises, is painted, affixed or otherwise exposed to public view.
- (4) Fail to disclose to the prospective buyer, upon request, the name of the company, product or organization that he or she represents.
- (5) Fail to leave the premises immediately if requested to do so.

DIVISION 2. - REGISTRATION CERTIFICATE PERMITS

Sec. 17-187. – Permits Required.

It shall be unlawful for any solicitor, canvasser or peddler to engage in such business or act within the City without first obtaining and possessing a valid City permit ~~therefor~~ in compliance with the provisions of this division.

Sec. 17-188. - Application and procedures.

(a) ~~Permit application procedure. A permit to engage in any occupation for which a permit is required by section 17-187 shall be subject to the following procedures:~~

(1) Each applicant for a permit required by this section shall make application to the POD on forms to be supplied by the POD, which application shall contain the information required by the POD. The applicant shall furnish all the information required by the form, as well as a nonrefundable processing fee for the permit and any renewal thereof. The following shall information shall be provided:

a. Copies of drivers licenses. A copy of a valid State driver's license, and a list of every state where the applicant held a driver's license during the preceding three years and including, if available, the driver's license number;

b. Addresses of residence. The addresses of each and every place of residence or domicile of the applicant during the preceding three years, including the current residence address;

c. Traffic record for three years previous to the application. The requirement applies if the planned solicitation, canvassing, or peddling requires the use of a motor vehicle. Only pleas of nolo contendere, convictions and forfeitures of collateral need be reported. Parking citations need not be reported;

d. Criminal record. Only pleas of nolo contendere, convictions, or forfeitures of collateral need be reported.

(2) The police department shall take the fingerprints of each applicant and shall retain them along with the application.

(b) *Permit fee.* Each applicant shall submit the permit fee as set forth in Chapter 12 along with the application.

~~(b)~~(c) Upon the filing of the initial application or an application for renewal, the police department shall cause the applicant to be investigated. The applicant shall complete a release and consent form in which the applicant designates and allows the Chief of Police or his designee to contact and obtain from the FBI, FDLE and/or department of motor vehicles, for every state in which the applicant has lived for the past three years, all records regarding the applicant. The police department shall apply the criteria for public vehicle driver's permits (currently section 28-28) and shall deny the application if any of the criteria are met, except the criteria related to violations of motor vehicle laws shall not apply if the applicant is not peddling or soliciting directly from a vehicle. Upon the issuance of a City permit, the police department shall also issue the applicant a photo identification card.

~~(d)~~(e) Permits shall be valid and may be renewed in the manner provided for public vehicle driver's permits (currently section 28-28). If the applicant is required under Florida Statute 501.22, as amended, to hold a State home solicitation permit, such State permit must be current and active at the time of application. Proof of a current, valid State permit shall entitle the applicant to forgo the background check and fingerprinting portion only of the permit application required by this section.

(e) If the Police Department finds that the applicant meets the requirements of this chapter, it shall issue a permit to the applicant. The Police Department shall refuse to issue a permit to an applicant for any of the following reasons:

(1) The applicant has been convicted of any offense involving commission of a felony within the past five years or a misdemeanor within the last three years.

(2) The applicant's is on parole or probation for a felony or misdemeanor

(3) The applicant has been designated as a sexual predator.

(4) The applicant has submitted false or materially misleading statements in the application.

(5) If an applicant has been arrested prior to or subsequent to the submission of his initial application or application for renewal, said application shall be held in abeyance until a prosecutorial decision or a judicial determination has been rendered.

(f)(d) City pPermits may be revoked if the permit holder is found to have violated any part of this section of the criteria after the issuance of the permit, or if the permit holder's required State permit has been suspended, revoked or has expired.

(g)(e) Appeal of a decision to deny or revoke a permit shall follow the procedure for the appeal of public vehicle driver's permits (currently section 28-28). The applicant or the permittee shall have a right to appeal a decision to deny or revoke a permit. The appeal shall be on a form provided by the City Clerk and must be filed with the City Clerk within ten days of the decision. The appeal shall be heard by the City Administrator or by a Department Director or other Senior Management Official who has been designated by the City Administrator for the purpose of conducting the hearing. The hearing shall be conducted at a reasonable time and place, following notice of the hearing to the appellant. The hearing shall be informal and the strict rules of evidence shall not be applicable, but the minimal requirements of due process shall be observed. The objective of the hearing shall be to determine whether the denial or revocation complies with the requirements of the Code. At the hearing, the POD and the applicant may introduce such evidence as is deemed necessary. The decision of the City Administrator or the City Administrator's designee shall be final and the applicant shall be deemed to have exhausted all administrative remedies.

Sec. 17-189. Permit Renewal.

(a) The permit shall be valid until the end of the fiscal year of the City and shall expire on September 30 following the issuance; however, permits issued or renewed during the months of August and September shall expire on the last day of September of the year next following their issuance or renewal. The permit must be renewed each year.

(b) Permits may be renewed for a one-year period, provided that the Police Department's authorized investigation of the criminal record reveals no criminal violations during the period of his expiring permit. If the investigation reveals such violations, the permit shall not be valid.

(c) The permit is the property of the City and is not transferable to any other person other than the named permit holder.

- (d) A permit holder shall make application for a renewal of the permit at least 30 days but not more than 60 days prior to the expiration of the permit.

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 the 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 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 or Designee

ST. PETERSBURG CITY COUNCIL
Housing Services Committee Report
Council Meeting of June 4, 2015

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

FROM: Housing Services Committee: Karl Nurse, Committee Chair, Darden Rice, Committee Vice-Chair, Charlie Gerdes, Council Chair, Amy Foster, Councilmember, and James Kennedy Councilmember

RE: Housing Services Committee Meeting of May 28, 2015

New Business:

Update in reference to the Jamestown Apartments/Townhomes rehabilitation, Raul Quintana, City Architect

Mr. Raul Quintana began his update of the Jamestown Apartments/Townhomes by discussing that there are currently 39 units in Phase 3 that he is focused on. Eight were renovated in 2014 but were not comprehensively rehabilitated. He has been working with three contractors, Avatar, New Vista, and Certus Builder's Inc. An RFQ was issued on May 1, 2015 for the construction of the units that will be funded with \$800,000 in HOME funds and with an additional \$47,000 of Jamestown Operating funds. Mr. Quintana discussed that he brought the information to the Committee to advise the Committee prior to the item coming to Full Council in July.

One unit (1184) which is a 4-bedroom unit was completed in February 2015. The unit is currently occupied. There was discussion on options (3 C and 3 B) available to the City to procure contractors for the continued development of the 39 units.

Councilmember Kennedy asked when will Jamestown be completed. Mr. Quintana responded that it should take all of 2016 depending on the availability of units. Donald Crawford, Jamestown Manager disclosed that he has clauses in the lease of the properties to relocate over the next several months, however, to date, is has not been necessary to relocate any tenant.

Chair Nurse wanted to know could the rehabilitation to the units be done without the bonding costs. Mr. Quintana responded that if it were one (1) unit that may be possible, however, with multiple units he did not think it would be possible. Mr. Louis Moore, Director of Purchasing, responded that the bonding requirement is established at \$200,000 by the state and that the City requires its bonding requirements below that figure.

Further discussions resulted in response from the Committee that 3 B should be implemented first, after which the \$2 million in Penny money should be used to continue the rehabilitations, with other funding available for the remainder.

Action: A Motion was made to recommend the approval of Option 1 to Full Council for approval.

Update on proposed multi-family developments approved by the Florida Housing Finance Corporation, Stephanie Lampe, Sr. Housing Development Coordinator

Ms. Lampe discussed that in January of this year, City Council approved funding for any of seven developments that were presented to Administration by various developers for funding assistance. Administration has been informed that Burlington Place, a 53 unit tax credit development of which the City has committed \$90,000 to leverage more than \$12 million in new construction has been approved for funding by the State of Florida. Ms. Lampe also discussed that a 65 unit multi-family development for the homeless has been approved by the State for Boley and its partner from Miami to construct. She repeated that the units will not be transitional housing.

There were discussions among committee members in reference to the Burlington Place development, its proximity to an establishment in the City, and whether it will consist of elderly or family tenants. There were further discussions on neighborhood meetings that were held in which the developer attended and was asked about the tenants it intended to have rent its apartments. Concerned members of the Committee wanted it to be understood that they were interested in the developer and the existing establishment not getting into conflicts. It was mentioned by Councilmember Foster that the status of the approval is in an appeal process and we will have to wait for the outcome.

Ms. Lampe provided that the proposed Burlington Place Apartments will be located at 744 Delmar Terrace.

Action: No action taken.

Update of the NSP-1 and NSP-3 Programs, Stephanie Lampe, Sr. Housing Development Coordinator

Ms. Lampe discussed that there were still six (6) homes available for sale, with three (3) units under contract. Five (5) addresses have been selected to start the new construction of additional NSP units. Ms. Lampe discussed that the bond waiver will be on the agenda of the June 11 City Council meeting.

A comment was made by Chair Nurse that one of the effects of new city houses is that there is a ripple effect that happens with the rehabilitation of homes in the neighborhood.

Action: A motion was made to take the present the item to Full Council for first reading in May 2015.

Update on marketing efforts in the proposed CRA District to homeowners whose homes are located in areas in which the City is implementing improvements, Linda Byars, Housing Finance Coordinator

Ms. Byars discussed the marketing that is underway to attract tenants and homeowners in designated areas on a map that are targeted for improvement. She is working with the Police Department, Codes Compliance Assistance, and Neighborhood Associations to hang door hangers to provide information to residents that the City is available to assist them with the rehabilitation of their homes, or if they are renting, to assist them to become homeowners.

Mike Dove, Neighborhood Affairs Administrator discussed that the Codes, Housing, and Community Services Departments are working together collaboratively to implement change in the neighborhoods. Mr. Dove discussed that over the next several months the areas will be saturated with information which we believe will result in persons agreeing to participate in the various programs, resulting in positive change in the neighborhoods.

There was a discussion on the need to track measures of accomplishments to ensure that what is intended is being accomplished.

Councilmember Rice discussed that she would like to bring a new business item to the Committee (“Housing First”). Councilmember Foster responded that she may be able to have someone from the Homeless Leadership Board to attend. It was discussed that if it is workable, maybe this is something that could be scheduled for the July meeting.

Joshua Johnson, Housing and Community Development Director briefly discussed that at City Council’s meeting on May 7, 2015, staff was asked to provide a document which reflects the Budget to Actual of expenditures for all programs implemented by the Housing and Community Development Department. A copy of the Budget to Actual was included as part of the Agenda Packet which reflect what was requested by City Council. He also provided a spreadsheet which reflected housing, public services, and capital projects accomplishments that were in process of implementation by the Housing and Community Development Department.

Action: No action taken.

Next meeting: Tentatively scheduled for July 23, 2015

Topics:

Topics to be decided at a later date

Update of the NSP-1 and NSP-3 Programs, Stephanie Lampe, Sr. Housing Development Coordinator

Committee Members

Karl Nurse, Chair

Darden Rice, Vice-Chair

Amy Foster, Councilmember

Charlie Gerdes, Council Chair

James Kennedy, Councilmember



City of St. Petersburg
City Council
Co-Sponsorship Committee
Tuesday, June 9, 2015, 2:00 PM
City Hall Room 100

Subcommittee Members
Charlie Gerdes
Jim Kennedy
Steve Kornell
Bill Dudley, Alternate

The Co-Sponsorship Committee met on Tuesday, June 9, 2015, with all members present.

The Committee considered the following action items on the agenda:

- I. Approval of two (2) FY 15 Group C events; waiving the non-profit requirement of one (1) event-**all events approved**
- II. Approval of twenty-six (26) FY16 Group A and Group B events; waiving the non-profit requirement of six (6) FY 16 Group A and Group B events-**all events approved**
- III. Approval of one (1) FY 15 Group C event for exemption from the beer and wine only restriction; approval of seven (7) FY 16 Group A and Group B events; approval of one (1) FY 16 Group A event for the sale and consumption of beer, wine, and alcoholic beverages (**ordinance with first and second reading required**)-**all requests approved**
- IV. Public comment-Chris Lauber, a potential race organizer, spoke to the committee regarding the City's interest in staging a half marathon. Joe

Zeoli of City Development Administration explained to the committee that the City is exploring an RFP process for a race organizer to assist the City in staging its own running event that will become a signature event for the City. Joe Zeoli will update the committee on the process at an upcoming meeting.

Submitted by Lynn Gordon, Parks & Recreation Manager & Co-Sponsorship Committee Liaison

Ordinance No. _____

AN ORDINANCE PROVIDING FOR THE SALE
AND CONSUMPTION OF ALCOHOLIC
BEVERAGES IN ELVA ROUSE PARK ON
MARCH 7, 2016 AND PROVIDING AN
EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Notwithstanding any other Ordinance of the City of St. Petersburg, the sale and consumption of alcoholic beverages shall be permissible on March 7, 2016 in Elva Rouse Park.

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

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

SECTION 4. Section 21-31(e)(11) of the St. Petersburg City Code shall not apply to permits issued pursuant to Section 21-31 of the St. Petersburg City Code for the event entitled 2nd Annual Bocce Tournament to be held on March 7, 2016 in Elva Rouse Park.

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

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

Approved as to form and content:



City Attorney (designee)

Resolution No. 2015-_____

A RESOLUTION APPROVING EVENTS FOR CO-SPONSORSHIP IN NAME ONLY BY THE CITY FOR FISCAL YEAR 2015; WAIVING THE NON-PROFIT REQUIREMENT OF RESOLUTION NO. 2000-562(a)8 FOR THE CO-SPONSORED EVENT TO BE PRESENTED BY BEACH DRIVE EVENTS, LLC; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, various entities have requested that the City co-sponsor their public events in name only for Fiscal Year 2015; and

WHEREAS, the City Council Co-Sponsored Events Committee has reviewed these requests in accordance with City Council Resolution No. 2000-562, as amended, and has made recommendations to City Council as to which requests to approve in name only; and

WHEREAS, City Council has reviewed the recommendations and has determined which of these requests to approve in name only; and

WHEREAS, City Council Resolution No. 2000-562(a) 8. requires:

The applicant agency [requesting co-sponsorship] must have been a non-profit or not for profit corporation, exempt from federal income tax (26 U.S.C. Sec. 501(c)(3) or similar federal tax provision) for a period of 1 year prior to the date of application and must provide a letter of endorsement for the event from the corporation's board of directors. Proof of corporate existence and tax status are required at the time of making application.

;and

WHEREAS, City Council Resolution No. 2006-119 exempts governmental entities from the non-profit requirements of Resolution No. 2000-562(a) 8; and

WHEREAS, Beach Drive Events, LLC. (collectively, "For Profit Entity"), does not meet the non-profit requirement of Resolution No. 2000-562(a) 8; and

WHEREAS, in order for the City to enter into a co-sponsorship agreement with the For Profit Entity, the non-profit requirements of Resolution No. 2000-562 (a) 8. must be waived by City Council; and

WHEREAS, the Administration and the City Council Co-sponsored Events Committee have reviewed the events set forth below that have been proposed by the various entities and recognize them as events that will benefit the community and recommend approval of the events for co-sponsorship and that a waiver be granted to the For Profit Entity.

Resolution No. 2015-_____

A RESOLUTION APPROVING EVENTS FOR CO-SPONSORSHIP IN NAME ONLY BY THE CITY FOR FISCAL YEAR 2016; WAIVING THE NON-PROFIT REQUIREMENT OF RESOLUTION NO. 2000-562(a)8 FOR THE CO-SPONSORED EVENTS TO BE PRESENTED BY GENERATION FOOD TRUCK, INC., COX MEDIA, LLC., FESTIVALS OF SPEED, LLC, TIMES PUBLISHING COMPANY, PARAGON FINE ARTS FESTIVALS, INC., IHEART MEDIA + ENTERTAINMENT, INC.; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, various entities have requested that the City co-sponsor their public events in name only for Fiscal Year 2016; and

WHEREAS, the City Council Co-Sponsored Events Committee has reviewed these requests in accordance with City Council Resolution No. 2000-562, as amended, and has made recommendations to City Council as to which requests to approve in name only; and

WHEREAS, City Council has reviewed the recommendations and has determined which of these requests to approve in name only; and

WHEREAS, City Council Resolution No. 2000-562(a) 8. requires:

The applicant agency [requesting co-sponsorship] must have been a non-profit or not for profit corporation, exempt from federal income tax (26 U.S.C. Sec. 501(c)(3) or similar federal tax provision) for a period of 1 year prior to the date of application and must provide a letter of endorsement for the event from the corporation's board of directors. Proof of corporate existence and tax status are required at the time of making application.

;and

WHEREAS, City Council Resolution No. 2006-119 exempts governmental entities from the non-profit requirements of Resolution No. 2000-562(a) 8; and

WHEREAS, Generation Food Truck, Inc., Cox Media, LLC., Festivals of Speed, LLC, Times Publishing Company, Paragon Fine Arts Festivals, Inc., IHeart Media + Entertainment, Inc. (collectively, "For Profit Entities"), do not meet the non-profit requirement of Resolution No. 2000-562(a) 8; and

WHEREAS, in order for the City to enter into co-sponsorship agreements with the For Profit Entities, the non-profit requirements of Resolution No. 2000-562 (a) 8. must be waived by City Council; and

WHEREAS, the Administration and the City Council Co-sponsored Events Committee have

reviewed the events set forth below that have been proposed by the various entities and recognize them as events that will benefit the community and recommend approval of the events for co-sponsorship and that a waiver be granted to the For Profit Entities.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the following events for co-sponsorship by the City in name only are approved for Fiscal Year 2016, provided that the For Profit Entities shall provide evidence to the City of partnering with a non-profit organization 45 days prior to the first day of the event:

Group A & B Events

Event Name	1st Year	Non Profit	Profit Organization	Event Dates	Times	Event Location
Second Time Arounders	NO	SECOND TIME AROUNDERS MARCHING BAND, INC.		Variable dates Jan 2016 through June 2016	6pm-10pm	Coliseum
World's Largest Food Truck Rally	YES	COMMUNITY ACTION STOPS ABUSE, INC.	GENERATION FOOD TRUCK INC.	10/31/15	11am – 6pm	Albert Whitted Park/ Bayshore Dr.
Race for a Safe Place	YES	COMMUNITY ACTION STOPS ABUSE, INC.		10/10/2015	7am-9:30am	Sundial
Running For All Children	YES	BCH MECHANICAL FOUNDATION, INC.		5/7/2016	7am-10am	501 6th Ave S
Lao New Year Festival	NO	LAO ARTS AND CULTURAL FOUNDATION, INC.		4/9/2016	9am- 6pm	Spa Beach Park
Walk for Life 2016	NO	NEW LIFE SOLUTIONS, INC.		5/7/2016	7am-12pm	Vinoy Park
97X BBQ	NO	PARC, INC.	COX MEDIA, LLC.	5/28/2016	10am-10pm	Vinoy Park
Doggone Fun Run/Walk	YES	FRANKIE'S FRIENDS, INC,		12/12/2015	7am-1pm	Walter Fuller Park
Festivals of Speed	NO	PEDIATRIC CANCER FOUNDATION, INC.	FESTIVALS OF SPEED, L.L.C.	TBD	10am-4pm	Vinoy Park
Firestone Grand Prix 5K	NO	ST. ANTHONY'S HEALTH CARE FOUNDATION, INC.		March 2016 Exact date TBD	5pm-9pm	Vinoy Mole
Meek & Mighty Triathlon	NO	ST. ANTHONY'S HEALTH CARE FOUNDATION, INC.		4/23/2016	7am-1pm	North Shore Area
St. Anthony's Triathlon	NO	ST. ANTHONY'S HEALTH CARE FOUNDATION, INC.		4/24/2016	7am-2pm	Vinoy/Waterfront
Tampa Bay Bluesfest	NO	TAMPA BAY BLUES FOUNDATION, INC.		04/8/2016 - 04/10/2016	11:30am-10pm 11:30am-10pm 12:00pm-10pm	Vinoy Park
Florida Orchestra the Park	NO	THE FLORIDA ORCHESTRA, INC.		10/17/2015	6pm-10pm	Vinoy Park
Rotary Club Lighted Boat Parade	NO	ROTARY CLUB OF ST. PETERSBURG, INC.		12/13/2015	4pm-8pm	Waterfront - Bayshore Dr
MLK Breakfast	NO	NATIONAL COUNCIL OF NEGRO WOMEN, ST. PETERSBURG METROPOLITAN SECTION, INC.		1/18/2016	7am-9:30am	Coliseum
Southeast Guide Dogs Walk	NO	SOUTHEASTERN GUIDE DOGS, INC.		2/27/2016	8am-3pm	Vinoy Park
Special Olympics Area Games	NO	SPECIAL OLYMPICS FLORIDA, INC.		3/12/2016	6am-5pm	Lakewood High

A RESOLUTION IN ACCORDANCE WITH CITY CODE SECTION 21-38(d) EXEMPTING 97X NEXT BIG THING (VINOY PARK), RIBFEST (VINOY PARK), CHILLOUNGE NIGHT (NORTH STRAUB PARK), ST PETE POWER AND SAILBOAT SHOW (ALBERT WHITTED PARK), 97X BBQ (VINOY PARK), FESTIVALS OF SPEED (VINOY PARK), TAMPA BAY BLUESFEST (VINOY PARK), , AND FIVB ST. PETE GRAND SLAM (SPA BEACH PARK) FROM THE BEER AND WINE ONLY RESTRICTIONS IN CITY CODE SECTION 21-38 (d) UPON THE ISSUANCE OF A PERMIT FOR ALCOHOLIC BEVERAGES (FOR ON PREMISES CONSUMPTION ONLY) TO BE SOLD, SERVED, DISPENSED, POSSESSED, USED AND/OR CONSUMED AT THEIR RESPECTIVE VENUES, DURING THEIR EVENTS AS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, 97X Next Big Thing, Ribfest, Chillounge Night, St. Pete Power and Sailboat Show, 97X BBQ, Festivals of Speed, Tampa Bay Bluesfest, and St. Pete Open have previously been approved as Co-sponsored Events; and

WHEREAS, the promoters of these events have requested, in accordance with Section 21-38 (d) of the City Code, that they be exempt from the beer and wine only restrictions on the serving of alcoholic beverages set forth in City Code Section 21-38 (d) on the issuance of a permit for alcoholic beverages (for on premises consumption only) to be sold, served, dispensed, possessed, used and/ or consumed at their respective venues, during their events; and

WHEREAS, 97X Next Big Thing will take place December 5, 2015 between the hours of 12:00 p.m. and 10:00 p.m. in Vinoy Park; and

WHEREAS, Ribfest will take place November 13-15, 2015 between the hours of 11:00 a.m. and 10:00 p.m. in Vinoy Park; and

WHEREAS, Chillounge Night will take place November 21, 2015 between the hours of 6:00 p.m. and 11:00 p.m. in North Straub Park; and

WHEREAS, St. Pete Power and Sailboat Show will take place December 3-6, 2015 between the hours of 10:00 a.m. and 7:00 p.m. in Vinoy Park; and

WHEREAS, 97X BBQ will take place May 28, 2016 between the hours of 12:00 p.m. and 10:00 p.m. in Vinoy Park; and

WHEREAS, Festivals of Speed will take place April 3, 2016 between the hours of 9:00 a.m and 5:00 p.m. in Vinoy Park; and

WHEREAS, Tampa Bay Bluesfest will take April 8-10, 2016 between the hours of 12:00 p.m. and 10:00 p.m. in Vinoy Park; and

WHEREAS, FIVB St Pete Grand Slam will take place June 15 – 21, 2015 between the hours of 9:00a.m. and 8:00 p.m. in Spa Beach Park; and

WHEREAS, the Co-Sponsored Events Committee has recommended approval of the requests of the promoters.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that 97X Next Big Thing (Vinoy Park), Ribfest (Vinoy Park), Chillounge Night (North Straub Park), St. Pete Power and Sailboat Show (Albert Whitted Park), 97X BBQ (Vinoy Park), Festivals of Speed (Vinoy Park), Tampa Bay Bluesfest (Vinoy Park), and FIVB St. Pete Grand Slam (Spa Beach Park) are exempt from the beer and wine only restrictions on the serving of alcoholic beverages in City Code Section 21-38 (d) on the issuance of a permit for alcoholic beverages (for on premises consumption only) to be sold, served, dispensed, possessed, used and/ or consumed at their respective venues, during the times and on the dates of their events as set forth herein.

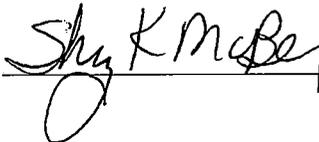
This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal:



Administration:



Legal: 00235537.doc v. 2

ST. PETERSBURG CITY COUNCIL

MEETING OF: June 11, 2015

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for
Lot Clearing Number(s) LCA 1551

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.

LCA:	<u>1551</u>
NUMBER OF STRUCTURES:	<u>106</u>
ASSESSABLE AMOUNT:	<u>\$20,792.47</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 \$20,792.47 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
 6-11-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1551 69151	WALKER, DIANE L EST 3637 4TH ST N STE 412 SAINT PETERSBURG FL 337041337	06 32 17 00000 340 0400 N 90FT OF S 120FT OF W 190 FT OF E 220FT OF SE 1/4 OF SW 1/4 LESS RD R/W	5345 4TH ST S	184.38
LCA 1551 69152	HOUSEMART HOLDINGS LLC 10006 WILLIAMS RD THONOTOSASSA FL 335923527	26 31 16 00432 003 0150 ALLEN-GAY SUB BLK C, LOT 15	3077 21ST AVE S	224.47
LCA 1551 69153	SCOTT, LEROY E 430 W 32ND ST RIVIERA BEACH FL 334043722	36 31 16 01152 000 0130 ANNHURST LOT 13	2703 18TH ST S	184.38
LCA 1551 69154	OLSEN, ANDREW EST 812 ATWOOD AVE N SAINT PETERSBURG FL 337026614	19 30 17 03348 001 0200 BAYBRIDGE HEIGHTS BLK 1, LOT 20	451 93RD AVE N	214.45
LCA 1551 69155	DANA, RUDOLPH 8513 PARROTS LANDING DR TAMPA FL 336473413	06 32 17 03798 016 0171 BAYOU BONITA PARK BLK 16, W 1/2 OF LOT 17 & W 1/2 OF LOT 18	356 46TH AVE S	184.38
LCA 1551 69156	CHRISWELL, MARGARET 11120 7TH ST E ST PETE BEACH FL 337063026	27 31 16 09576 002 0210 BOCA CEIGA HEIGHTS BLK B, LOT 21	1919 42ND ST S	184.38
LCA 1551 69157	LOREVIL LAND TRUST AGM NO 14 2062 15TH AVE S SAINT PETERSBURG FL 33712	25 31 16 11502 000 0010 BRIGHTWOOD LOT 1	2062 15TH AVE S	184.38

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LCA 1551 69158	TARPON IV LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	30 31 17 12708 000 0400 BUENA VISTA S 1/2 OF LOT 40	1413 7TH ST S	184.38
LCA 1551 69159	KNOWLES, WILLIAM A 4638 2ND AVE N SAINT PETERSBURG FL 337138112	21 31 16 14562 006 0060 CENTRAL PARK REV BLK 6, LOT 6	4646 2ND AVE N	184.38
LCA 1551 69160	COHEN, VANESSA 631 FLAMINGO AVE DAYTONA BEACH FL 321173329	25 31 16 15012 000 0340 CHEROKEE SUB N 59FT OF LOT 34	1034 12TH AVE S	184.38
LCA 1551 69161	MERCURY 1 LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	25 31 16 15012 000 0440 CHEROKEE SUB N 1/2 OF LOT 44	954 12TH AVE S	184.38
LCA 1551 69162	HUYNH, TOMMY 476-B 54TH ST STE 16 BROOKLYN NY 112203105	27 31 16 15408 001 0171 CHILDS PARK BLK 1, N 62FT OF LOTS 17 & 18	1832 35TH ST S	184.38
LCA 1551 69163	TRAVERTINE GROUP IMPORTS INC 5113 W KNOX ST TAMPA FL 336348029	27 31 16 15408 002 0010 CHILDS PARK BLK 2, N 141.8FT OF LOT 1 LESS E 25FT THEREOF FOR RD R/W	1905 34TH ST S	184.38
LCA 1551 69164	TRAVERTINE GROUP IMPORTS INC 5113 W KNOX ST TAMPA FL 336348029	27 31 16 15408 002 0011 CHILDS PARK BLK 2, LOT 2 LESS W 35FT THEREOF TOGETHER WITH S 45 FT OF LOT 1 LESS E 25FT	1925 34TH ST S	184.38

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LCA 1551 69165	TAX CERTIFICATE REDEMPTIONS IN 925 ARTHUR GODFREY RD STE 102 MIAMI BCH FL 331403337	23 31 16 17442 011 0070 COLONIAL PLACE REV BLK 11, LOT 7	2650 4TH AVE S	184.38
LCA 1551 69166	PALLOTTA, TY ANDREW 777 E BAY AVE INVALID ZIP CODE	25 31 16 17658 001 0020 COLUMBIA HEIGHTS BLK 1, LOT 2	1209 10TH AVE S	184.38
LCA 1551 69167	DERRIG, CHRISTOPHER P 3377 COQUINA KEY DR SE SAINT PETERSBURG FL 337054111	32 31 17 18054 044 0190 COQUINA KEY SEC 1 ADD BLK 44, LOT 19	3377 COQUINA KEY DR SE	184.38
LCA 1551 69168	MOWERY, DOREEN 1310 21ST AVE S APT 102 WISC RAPIDS WI 544955696	16 31 16 18990 003 0150 CRESTMONT BLK 3, LOT 15	5426 6TH AVE N	184.38
LCA 1551 69169	VALDES, KATHERINE 2144 2ND AVE N SAINT PETERSBURG FL 337138808	25 31 16 19350 002 0151 CROMWELL HEIGHTS BLK B, S 67FT OF LOTS 15 AND 16	1831 10TH ST S	184.38
LCA 1551 69170	7TH CAVALRY CORP 2701 S BAYSHORE DR COCONUT GROVE FL 331335309	25 31 16 19350 003 0010 CROMWELL HEIGHTS BLK C, S 1/2 OF LOTS 1 AND 2	1915 10TH ST S	184.38
LCA 1551 69171	VERONA V LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	25 31 16 22320 000 0400 DOUGLAS PARK LOT 40	1200 UPTON CT S	184.38

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LCA 1551 69172	AZIZE, GEORGE 4604 MAGNOLIA PRESERVE LOOP WINTER HAVEN FL 338804994	23 31 16 24138 001 0090 EAST ROSELAWN BLK 1, LOT 9	530 29TH ST S	184.38
LCA 1551 69173	WILSON, ERMA 4436 EMERSON AVE S SAINT PETERSBURG FL 337111547	23 31 16 24138 012 0140 EAST ROSELAWN BLK 12, LOT 14	2835 FAIRFIELD AVE S	184.38
LCA 1551 69174	CRAIN, DAVID 5700 BAY ST NE SAINT PETERSBURG FL 337032434	31 30 17 24876 004 0040 EDGEMOOR ESTATES REPLAT BLK 4, LOT 4	5700 BAY ST NE	184.38
LCA 1551 69175	TRUST NO 256133712 PO BOX 531 ONECO FL 342640531	26 31 16 25452 000 0160 ELDER SUB LOT 16 LESS ST	2561 18TH AVE S	224.47
LCA 1551 69176	HARRICHARIN, RAVINDRA S 1625 MASSACHUSETTS AVE NE SAINT PETERSBURG FL 337034213	25 31 16 26028 000 0021 ERWIN'S SUB E 76FT OF N 100FT OF E 131 FT OF LOT 2 LESS ST	1101 12TH ST S	184.38
LCA 1551 69177	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 1551 69178	LTD FAMILY TRUST LLC 3812 N TAMPA ST TAMPA FL 33603	14 31 16 27954 001 0170 FLAG SUB BLK 1, LOT 17	2319 15TH AVE N	184.38

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LCA 1551 69179	CASTANEIRA, ALFONSO 207 N BAY HILLS BLVD SAFETY HARBOR FL 346954904	25 31 16 28908 000 0011 FOREST HILL S 1/2 OF LOT 1	1102 21ST ST S	184.38
LCA 1551 69180	SEGARS, RONALD 5000 EMERSON AVE S SAINT PETERSBURG FL 337072649	21 31 16 28926 005 0010 FOREST HILLS SUB BLK 5, LOTS 1 AND 2	5000 EMERSON AVE S	184.38
LCA 1551 69181	BRYANT, LORRAIN 2035 16TH ST S SAINT PETERSBURG FL 337052620	25 31 16 29664 007 0050 FRUITLAND HEIGHTS BLK G, LOT 5	2035 16TH ST S	344.74
LCA 1551 69182	DANLEY, LEVOTA F 543 PLEASANT ST SE GRAND RAPIDS MI 495035440	25 31 16 29682 010 0190 FRUITLAND HEIGHTS PLAT B BLK J, LOT 19	1810 19TH AVE S	194.40
LCA 1551 69183	LIND, JOSE 4104 W CREST AVE TAMPA FL 336146542	27 31 16 29754 001 0153 FULLER'S GARDEN HOMES BLK A, E 50FT OF W 170FT OF LOT 15 LESS ST	3941 8TH AVE S	184.38
LCA 1551 69184	BLUE MARLIN ADVENTURES LLC 2963 GULF TO BAY BLVD STE 300 CLEARWATER FL 337594255	30 31 17 30078 000 0180 GARDEN CITY SUB LOT 18	634 NEWTON AVE S	184.38
LCA 1551 69185	DI GIOVANNI, LAURENCE P 8765 BARDMOOR BLVD APT 307 SEMINOLE FL 337772235	17 31 16 30258 002 0160 GARDEN MANOR SEC 3 BLK 2, LOT 16	6070 18TH AVE N	184.38

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LCA 1551 69186	BARKSDALE, TONI C 3529 CONNELLY LN E RIDGE TN 374121607	16 31 16 31212 005 0060 GLENWOOD BLK 5, LOT 6	5310 22ND AVE N	214.45
LCA 1551 69187	LU, LONG QIN 5742 21ST AVE N SAINT PETERSBURG FL 337105038	16 31 16 31212 012 0030 GLENWOOD BLK 12, LOT 3	5742 21ST AVE N	204.43
LCA 1551 69188	BOROUGHES, MARJORIE R 5327 18TH AVE N SAINT PETERSBURG FL 337105107	16 31 16 31212 020 0110 GLENWOOD BLK 20, LOT 11	5327 18TH AVE N	184.38
LCA 1551 69189	CASTANEIRA, ALFONSO 207 N BAY HILLS BLVD SAFETY HARBOR FL 346954904	25 31 16 31248 000 0310 GLENWOOD HEIGHTS S 63FT OF LOTS 30 & 31	1034 10TH ST S	184.38
LCA 1551 69190	HONESTRUSTILY LLC 945 17TH ST S SAINT PETERSBURG FL 337122415	31 31 17 36684 000 1510 HARBORDALE SUB N 60FT OF LOTS 151 AND 152	2220 7TH ST S	184.38
LCA 1551 69191	MELLOUKI, ABDELGHANI PO BOX 21174 SAINT PETERSBURG FL 337421174	25 31 16 37152 000 0110 HARRIS', T.C. & A.H. SUB LOT 11	1436 PRESTON ST S	184.38
LCA 1551 69192	FAJARDO, JESSICA M 6630 31ST LN N INVALID ZIP CODE	25 31 16 37170 000 0040 HARRIS', W.D. SUB REV LOT 4	727 19TH ST S	184.38

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LCA 1551 69193	BRIDGO INVEST CORP 1201 N ORANGE ST STE 7190 WILMINGTON DE 198011155	24 31 16 37530 007 0080 HARVEY'S ADD BLK G, LOT 8 AND S 20FT OF LOT 9	349 14TH ST N	184.38
LCA 1551 69194	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	304.65
LCA 1551 69195	850 17TH AVENUE S TRUST 292 TERRACE RD TARPON SPRINGS FL 346891906	30 31 17 43038 000 0270 INGRAM PLACE LOT 27	850 17TH AVE S	184.38
LCA 1551 69196	CEASE, LINDA L PO BOX 7093 SEMINOLE FL 337757093	18 31 16 44586 004 0060 JUNGLE COUNTRY CLUB 2ND ADD BLK 4, LOT 6	7300 LYNNWOOD AVE N	184.38
LCA 1551 69197	LUKE, JAMES M 21 ANNAS HOPE CHRISTIANSTED VI 00821	36 31 16 48618 000 0190 LAKESIDE SUB LOT 19	1509 28TH AVE S	184.38
LCA 1551 69198	RANNEY, MARIE S EST 501 79TH ST S SAINT PETERSBURG FL 337071041	25 31 16 48960 000 0480 LAKEVIEW HEIGHTS LOT 48	1819 11TH ST S	184.38
LCA 1551 69199	CURRY, ABRAHAM SR PO BOX 15124 SAINT PETERSBURG FL 337335124	02 32 16 49482 102 0140 LAKEWOOD ESTATES SEC D BLK 102, LOT 14	2426 MADRID WAY S	204.43

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LCA 1551 69200	WALKER, MARJORIE EST 2442 MADRID WAY S SAINT PETERSBURG FL 337123932	02 32 16 49482 102 0160 LAKEWOOD ESTATES SEC D BLK 102, LOT 16	2442 MADRID WAY S	184.38
LCA 1551 69201	PEOPLES, MILDRED F EST 2921 46TH AVE S SAINT PETERSBURG FL 337124010	02 32 16 49608 000 0080 LAKEWOOD ESTATES SEC F PARTIAL REPLAT LOT 8	2921 46TH AVE S	184.38
LCA 1551 69202	CRESCENZO LAND HOLDINGS INC 3101 N NEBRASKA AVE TAMPA FL 336036029	25 31 16 50022 000 0070 LA PLAZA LOT 7	1750 19TH ST S	184.38
LCA 1551 69203	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 1551 69204	BANK OF AMERICA N A 225 E ROBINSON ST STE 660 ORLANDO FL 32801	06 32 17 51444 002 0180 LEWIS ISLAND SEC 1 BLK 2, LOT 18	4400 POMPANO DR SE	184.38
LCA 1551 69205	LOVETT, JOSEPH 1740 15TH AVE S SAINT PETERSBURG FL 337122434	25 31 16 52002 001 0010 LINDENWOOD REPLAT BLK A, LOT 1	1740 15TH AVE S	184.38
LCA 1551 69206	WALKER, ROSE M 1325 PRESTON ST S SAINT PETERSBURG FL 337122444	25 31 16 54954 004 0040 MANSFIELD HEIGHTS BLK 4, LOT 4	1325 PRESTON ST S	184.38

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LCA 1551 69207	PERLMAN, ARTHUR 6171 BATHURST ST 1007	02 31 16 55404 001 0130 MAR-MIC SUB BLK 1, LOT 13	2340 43RD AVE N	184.38
LCA 1551 69208	LANNUTTI, MAURICE PO BOX 1310 CRYSTAL BEACH FL 346811310	03 32 16 56160 002 0060 MAXIMO MOORINGS UNIT 1 BLK 2, LOT 6	5101 37TH WAY S	184.38
LCA 1551 69209	GOPFERT, ROSE G 7235 14TH ST N SAINT PETERSBURG FL 337025735	25 30 16 56628 014 0170 MEADOW LAWN 1ST ADD BLK 14, LOT 17	7235 14TH ST N	184.38
LCA 1551 69210	NATIONSTAR MORTGAGE LLC 350 HIGHLAND DR LEWISVILLE TX 750674177	25 30 16 56772 047 0010 MEADOW LAWN 9TH ADD BLK 47, LOT 1	1695 74TH AVE N	184.38
LCA 1551 69211	STAUBES, K 10200 GANDY BLVD # 731 SAINT PETERSBURG FL 337022398	26 31 16 58140 000 0090 MINNESOTA COURT REV LOT 9	1919 24TH ST S	184.38
LCA 1551 69212	VERA, FERNANDO J 8207 SPLIT RAIL LN INVALID ZIP CODE	24 31 16 59454 001 0180 MURPHY'S, H.A. BLK A, S 1/2 OF LOT 18 LESS PT FOR I-275	1921 FAIRFIELD AVE S	184.38
LCA 1551 69213	TITAN DEVELOPMENT GROUP LLC 4118 CAUSEWAY VISTA DR TAMPA FL 336155416	25 31 16 59670 001 0010 NEBRASKA PLACE SUB BLK A, LOT 1	1200 12TH AVE S	184.38

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LCA 1551 69214	CURRY, ABRAHAM PO BOX 15124 SAINT PETERSBURG FL 337335124	25 31 16 59670 001 0050 NEBRASKA PLACE SUB BLK A, N 1/2 OF LOT 5	1228 12TH AVE S	184.38
LCA 1551 69215	MOSLEY, JERRELL K 2021 4TH ST NE WASHINGTON DC 200021213	25 31 16 59688 000 0250 NEBRASKA TERRACE LOT 25	919 17TH ST S	184.38
LCA 1551 69216	ARCERI, ANTONINO PO BOX 354 BAY PINES FL 337440354	01 31 16 59868 000 0670 NEW HOME REPLAT LOT 67	4350 IRIS ST N	184.38
LCA 1551 69217	MATTHEWS, ROBERT F 800 5TH ST N SAINT PETERSBURG FL 337012326	36 31 16 63792 003 0070 OHIO PARK BLK 3, LOT 7	2515 20TH ST S	184.38
LCA 1551 69218	BUILDERS OF HOPE INC 310 N HARRINGTON ST RALEIGH NC 276031322	23 31 16 65862 005 0090 PALMETTO PARK BLK 5, N 50FT OF LOT 9 & N 50FT OF W 35FT OF LOT 10	316 29TH ST S	184.38
LCA 1551 69219	BANK OF AMERICA 2001 BISHOPS GATE BLVD MOUNT LAUREL NJ 080544604	19 31 16 67500 094 0140 PASADENA ON THE GULF SEC B BLK 94, NW 1/2 OF LOTS 14 AND 15 (SEE S 20 MAP)	6580 POINSETTIA AVE S	184.38
LCA 1551 69220	MUSTO, CHRISTOPHER 1275 66TH ST N # 8191 ST PETERSBURG FL 337439676	14 31 16 68184 004 0050 PELHAM MANOR NO. 1 BLK 4, LOT 5	1600 28TH ST N	194.40

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LCA 1551 69221	KALEEL, WILLIAM C SR 3819 CENTRAL AVE SAINT PETERSBURG FL 337138339	25 31 16 68760 000 0270 PHOENIX PARK LOT 27	1757 18TH ST S	184.38
LCA 1551 69222	MAIN, DAVID G 407 W LEE ST ENTERPRISE AL 363302428	12 31 16 69102 014 0050 PINE CITY SUB REPLAT BLK 14, LOT 5	2034 28TH AVE N	184.38
LCA 1551 69223	JONES, KATHLEEN ANN 10033 N DALE MABRY HWY STE B TAMPA FL 336184412	25 31 16 69264 000 0210 PINE GROVE SUB LOT 21	2129 15TH AVE S	184.38
LCA 1551 69224	BROWN, JUNE 3560 38TH AVE S APT 90 SAINT PETERSBURG FL 337114390	27 31 16 69552 000 0270 PINE LAWN LOT 27	3735 QUEENSBORO AVE S	184.38
LCA 1551 69225	MC KINNEY, ISAAC III 145 22ND AVE SE SAINT PETERSBURG FL 337053207	25 31 16 71766 000 0210 PINEVILLE SUB LOT 21	1760 PRESTON ST S	184.38
LCA 1551 69226	MC KINNEY, ISAAC III 145 22ND AVE SE SAINT PETERSBURG FL 337053207	25 31 16 71766 000 0220 PINEVILLE SUB LOT 22	1768 PRESTON ST S	184.38
LCA 1551 69227	MASSIMINI, MICHAEL P 5608 N SEMINOLE AVE TAMPA FL 336047052	11 31 16 72558 002 0240 PONCE DE LEON PARK BLK 2, LOT 24 & W 5FT OF LOT 23	2855 37TH AVE N	184.38

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LCA 1551 69228	WILLIAMS, GERALDINE EST 3475 QUEENSBORO AVE S SAINT PETERSBURG FL 337112848	27 31 16 75402 000 0600 RIDGEWOOD TERRACE LOT 60	3475 QUEENSBORO AVE S	204.43
LCA 1551 69229	COSTON, ALBERTA 2422 25TH AVE S SAINT PETERSBURG FL 337123530	27 31 16 75402 000 0630 RIDGEWOOD TERRACE LOT 63	3451 QUEENSBORO AVE S	184.38
LCA 1551 69230	FORD, LAURITA J 4102 13TH AVE S SAINT PETERSBURG FL 337112447	27 31 16 75402 000 0780 RIDGEWOOD TERRACE LOT 78	3468 17TH AVE S	184.38
LCA 1551 69231	VERONA V LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	27 31 16 75402 000 0790 RIDGEWOOD TERRACE LOT 79	3474 17TH AVE S	184.38
LCA 1551 69232	JARVIS, RITA N 6715 TRIXIE DR SEFFNER FL 335842543	27 31 16 75402 000 1070 RIDGEWOOD TERRACE LOTS 107 & 108	3459 17TH AVE S	184.38
LCA 1551 69233	ST PETERSBURG PROPERTIES INC 300 31ST ST N STE 101 SAINT PETERSBURG FL 337137650	23 31 16 78390 033 0070 ST PETERSBURG INVESTMENT CO SUB BLK 33, LOT 7	2448 3RD AVE S	184.38
LCA 1551 69234	MODERN HOME BUILDERS INC PO BOX 12436 SAINT PETERSBURG FL 337332436	25 31 16 79290 000 0050 SCOTT PARK LOT 5	1811 16TH AVE S	184.38

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LCA 1551 69235	PARTNERS IN CHARITY INC 86 N WILLIAMS ST CRYSTAL LAKE IL 600144444	25 31 16 79290 000 0070 SCOTT PARK LOT 7	1755 16TH AVE S	184.38
LCA 1551 69236	PRESLEY, EARL L JR 3759 29TH AVE S SAINT PETERSBURG FL 337113803	25 31 16 79290 000 0090 SCOTT PARK LOT 9	1802 16TH AVE S	184.38
LCA 1551 69237	STEPHAN, ROGER 12003 EVANSHIRE CT TAMPA FL 336261308	04 31 17 81540 044 0020 SHORE ACRES OVERLOOK SEC BLK 44, LOT 2	4661 CHANCELLOR CIR NE	184.38
LCA 1551 69238	KITCHENER, CHARLES E EST 5164 VENETIAN BLVD NE SAINT PETERSBURG FL 337034132	04 31 17 81702 008 0040 SHORE ACRES VENICE SEC 2ND REPLAT BLK 8, SE 21.50FT MOL OF LOT 3 & NW 59.41FT MOL OF	5164 VENETIAN BLVD NE	184.38
LCA 1551 69239	PATTERSON, BOBBY J 2066 7TH AVE S SAINT PETERSBURG FL 337122202	25 31 16 83142 000 0010 SMITH'S, S.V. REVISED W 39FT OF LOTS 1 AND 2	2066 7TH AVE S	300.00
LCA 1551 69240	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	404.88
LCA 1551 69241	LAYTON, JAMES K 819 25TH AVE N SAINT PETERSBURG FL 337042709	07 31 17 84888 000 0330 SPRING HILL REVISED LOT 33	819 25TH AVE N	184.38

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LCA 1551 69242	BAYSIDE CAPITAL INVESTMENT GRO 2 SNOWMOUND CT ROCKVILLE MD 208502850	25 31 16 85140 000 0400 STANLEY HEIGHTS LOT 40	1125 MELROSE AVE S	184.38
LCA 1551 69243	MILLS, CAROL A EST 3960 58TH WAY N SAINT PETERSBURG FL 337095234	05 31 16 86490 006 0020 SUN HAVEN HOMES BLK 6, LOT 2	3960 58TH WAY N	184.38
LCA 1551 69244	NOORANI, AKBAR 160 STATON CIR OLDSMAR FL 34677	25 31 16 89604 000 0090 TANGERINE CENTRAL LOT 9	2155 17TH AVE S	264.56
LCA 1551 69245	RUSS, MAGGIE C EST 4226 13TH AVE S SAINT PETERSBURG FL 337112404	27 31 16 91062 003 0070 TIOGA SUB BLK C, LOT 7	4226 13TH AVE S	184.38
LCA 1551 69246	SHAW, ELIZA Y REVC LIVING TRUS PO BOX 212161 CHULA VISTA CA 919212161	36 31 16 91989 000 0070 TRELAIN ADD LOT 7 & N 1/2 OF LOT 8	2238 TRELAIN DR S	424.92
LCA 1551 69247	WOODS, JACQUELINE D 6000 TOPKE PL NE APT 104 ALBUQUERQUE NM 871092675	25 31 16 92682 000 0040 TUSCAWILLA HEIGHTS LOT 4	2024 21ST ST S	184.38
LCA 1551 69248	PERRAULT, LEO J 190 SE 510 ST OLD TOWN FL 326804725	11 31 16 93924 003 0150 VERONA SUB BLK C, LOTS 15 AND 16	2438 28TH ST N	184.38

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LCA 1551 69249	4521 9TH AVE S TRUST PO BOX 15722 CLEARWATER FL 33766	27 31 16 94266 000 0230 VINSETTA PARK ANNEX LOT 23	4521 9TH AVE S	214.45
LCA 1551 69250	TARPON IV LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	22 31 16 96174 007 0130 WEST CENTRAL AVENUE BLK 7, LOT 13	3427 4TH AVE S	204.43
LCA 1551 69251	3516 3RD AVE S TRUST 3460 COUNTRYSIDE BLVD APT 24 CLEARWATER FL 337611338	22 31 16 96174 008 0030 WEST CENTRAL AVENUE BLK 8, LOT 3 & E 1/2 OF LOT 4	3516 3RD AVE S	184.38
LCA 1551 69252	MILEY, PRIME JR ESTATE 3642 EMERSON AVE S SAINT PETERSBURG FL 33711	22 31 16 96174 016 0070 WEST CENTRAL AVENUE BLK 16, E 32FT OF LOT 7 & W 28FT OF LOT 6	3642 EMERSON AVE S	184.38
LCA 1551 69253	HRISTOPOULOS, ANDREAS 48 W PARK ST TARPON SPRINGS FL 346893232	22 31 16 96228 001 0070 WEST CENTRAL AVE RESUB BLK 1, LOTS 7, 8 AND W 14 FT OF LOT 6	3450 1ST AVE S	224.47
LCA 1551 69254	ATSI, LUCA ANGELUCCI 5073 CENTRAL AVE UNIT 907 BONITA CA 919083036	22 31 16 96228 004 0010 WEST CENTRAL AVE RESUB BLK 4, LOT 1	3600 2ND AVE S	184.38
LCA 1551 69255	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

5/26/15 12:07:19:

**** City of St. Petersburg ****
Special Assessments Division
FINAL ASSESSMENT ROLL
6-11-2015

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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1551 69256	LE PRETRE, JEAN-CLAUDE R 4366 RIDGEMOOR DR PALM HARBOR FL 346851165	27 31 16 96966 000 0090 WEYLMAN SUB F.W. LOT 9	3717 11TH AVE S	184.38

TOTAL NUMBER OF ASSESSMENTS: 106

TOTAL ASSESSMENT AMOUNT: 20,792.47

SAS805R

LOT CLEARING NUMBER 1551
COST / FUNDING / ASSESSMENT INFORMATION

CATEGORY ASSESSED

AMOUNT TO BE ASSESSED

LOT CLEARING COST

\$ 13,967.47

ADMINISTRATIVE FEE

\$ 6,825.00

TOTAL:

\$ 20,792.47

A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1551; PROVIDING FOR AN INTEREST RATE ON UNPAID ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, preliminary assessment rolls for Lot Clearing No. 1551 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. 1551 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:



City Attorney (Designee)

ST. PETERSBURG CITY COUNCIL

MEETING OF: June 11, 2015

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for Building Securing Number **SEC 1200**

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.

SEC:	<u>1200</u>
NUMBER OF STRUCTURES	<u>12</u>
ASSESSABLE AMOUNT:	<u>\$2,220.35</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 **\$2,220.35** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

FOLLOW-UP: _____

AGENDA NO. _____

5/26/15 12:20:44:

**** City of St. Petersburg ****
Special Assessments Division
FINAL ASSESSMENT ROLL
6-11-2015

Page 1

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1200 07351	965-1027 CENTRAL AVE HOLDING L 225 WEST 34TH ST STE 1513 NEW YORK NY 10122	24 31 16 14544 000 0950 CENTRAL LAND & TITLE CO'S REPLAT LOT 95 & W 25FT OF LOT 94	965 CENTRAL AVE	93.86
SEC 1200 07352	CITIMORTGAGE INC 1000 TECHNOLOGY DR O FALLON MO 633682239	18 31 16 23652 005 0060 EAGLE MANOR BLK 5, LOT 6	6950 13TH AVE N	303.36
SEC 1200 07353	TRUST ID 25 31 16 29664 005 02 PO BOX 580 ENNIS MT 597290580	25 31 16 29664 005 0220 FRUITLAND HEIGHTS BLK E, LOT 22	1621 19TH AVE S	73.05
SEC 1200 07354	BLUE MARLIN ADVENTURES LLC 2963 GULF TO BAY BLVD STE 300 CLEARWATER FL 337594255	30 31 17 30078 000 0180 GARDEN CITY SUB LOT 18	634 NEWTON AVE S	139.84
SEC 1200 07355	TEEMER, JANICE PO BOX 249 PUTNEY GA 317820249	25 31 16 33804 000 0200 GROVE HEIGHTS REV LOT 20	1107 9TH AVE S	217.86
SEC 1200 07356	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	123.99
SEC 1200 07357	CROXTON, BENJAMIN C 920 16TH AVE N SAINT PETERSBURG FL 337044216	13 31 16 39672 000 0190 HILCREST LOT 19	920 16TH AVE N	83.34

SAS805R

**** City of St. Petersburg ****
 Special Assessments Division
 FINAL ASSESSMENT ROLL
 6-11-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1200 07358	DREWS, LAURENCE A 3600 17TH AVE N SAINT PETERSBURG FL 337134804	30 31 17 50400 009 0170 LAUGHNER'S EXTENSION OF KERR ADD BLK 9, LOT 17	1747 6TH ST S	393.05
SEC 1200 07359	MORGAN, CHERYL 19 SAUPE DR ENGLISHTOWN NJ 077261853	27 31 16 56970 000 0090 MEAN'S SUB LOT 9 LESS ST	4033 15TH AVE S	68.34
SEC 1200 07360	MULVANEY, JOHN M PO BOX 4504 ARCATA CA 955184504	06 31 16 70092 000 0010 PINELLAS FARMS PLEMMONS REPLAT LOT 1	6777 38TH AVE N	105.86
SEC 1200 07361	DALLAND PROPERTIES LP 2300 E LAS OLAS BLVD STE 2NW FORT LAUDERDALE FL 333011598	28 31 16 75006 000 0350 RIDGEWAY LOT 35	4680 14TH AVE S	280.65
SEC 1200 07362	JOHNSON, LESTER J 323 BLACKSMITH ARCH YORKTOWN VA 236934511	25 31 16 80208 000 0010 SERVISS SUB LOT A	1101 10TH AVE S	337.15

TOTAL NUMBER OF ASSESSMENTS: 12

TOTAL ASSESSMENT AMOUNT: 2,220.35

BUILDING SECURING NUMBER SEC 1200

COST/FUNDING/ASSESSMENT INFORMATION

<u>CATEGORY</u>	<u>AMOUNT TO BE ASSESSED</u>
SECURING COST	\$ 810.00
MATERIAL COST	\$ 567.00
LEGAL AD	\$ 303.35
ADMIN. FEE	<u>\$ 540.00</u>
TOTAL:	\$ 2,220.35

A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1200 ("SEC 1200") 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. 1200 ("SEC 1200"); and

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

WHEREAS, the City Council has held a public hearing on June 11, 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. 1200 ("SEC 1200") 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: June 11, 2015

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for
Building Demolition Number **DMO 427**

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.

DMO:	<u>427</u>
NUMBER OF STRUCTURES:	<u>5</u>
ASSESSABLE AMOUNT:	<u>\$49,721.96</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 **\$49,721.96** will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

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

5/26/15 12:31:55:

**** City of St. Petersburg ****
Special Assessments Division
FINAL ASSESSMENT ROLL
6-11-2015

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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
DMD 0427 03115	DURBAN, APRIL ROSE 1263 56TH AVE N SAINT PETERSBURG FL 337032026	13 31 15 31788 003 0140 GOLF COURSE & JUNGLE SUB BLK C, LOT 14 & W 50FT OF LOT 15	8127 STIMIE AVE N	21,095.23
DMD 0427 03116	HAMIL, CHARLES 2927 24TH AVE N SAINT PETERSBURG FL 337134218	11 31 16 37746 002 0210 HAVANA PARK BLK 2, LOTS 21 & 22 & E 7 FT OF LOT 23	2927 24TH AVE N.	3,624.23
DMD 0427 03117	HOUSHOLDER, SEAN 1091 17TH AVE N SAINT PETERSBURG FL 337044129	13 31 16 39672 000 0870 HILCREST LOT 87	1091 17TH AVE N	705.48
DMD 0427 03118	MEREDITH, BRUCE R EST 8074 23RD AVE N SAINT PETERSBURG FL 337103616	12 31 15 44892 004 0100 JUNGLE TERRACE SEC A BLK 4, LOT 10	8074 23RD AVE N	23,434.04
DMD 0427 03119	SCHNAKE, GEOFFREY B 5127 5TH AVE S SAINT PETERSBURG FL 337072605	27 31 16 49878 006 0080 LANE'S, PAT RESUB BLK 6, LOT 8	3805 14TH AVE S	862.98

TOTAL NUMBER OF ASSESSMENTS: 5

TOTAL ASSESSMENT AMOUNT: 49,721.96

SAS805R

BUILDING DEMOLITION NUMBER DMO 427
COST/FUNDING/ASSESSMENT INFORMATION

<u>CATEGORY</u>	<u>AMOUNT TO BE ASSESSED</u>
Demolition Cost	\$ 25,520.00
Asbestos Cost	\$ 20,838.56
Legal Ad	\$ 1,158.60
Engineer's Chg	\$ 350.00
Administrative Fee	\$ <u>1,854.80</u>
TOTAL:	\$ 49,721.96

A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 427 ("DMO NO. 427") 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. 427 ("DMO No. 427 "); and

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

WHEREAS, the City Council has held a public hearing on June 11, 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. 427 ("DMO No. 427") 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)



SAINT PETERSBURG CITY COUNCIL

Meeting of June 11, 2015

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

SUBJECT: Ordinance approving a vacation of portions of a north south alley north of 11th Avenue South between Union Street South and 22nd Street South. (City File No.: 15-33000007)

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

RECOMMENDED CITY COUNCIL ACTION:

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

Background: The request is to vacate two portions of a north-south alley located north of 11th Avenue South between Union Street South and 22nd Street South.

The area of the right-of-way proposed for vacation is depicted on the attached sketches and legal descriptions (Attachments "C" and "D"). The applicant's goal is to vacate the remaining parts of the alley, so that the property may be sold by the City. This supports a Special Exception and related Site Plan previously approved by the City in 2002 which resulted in the construction of a 10,000 square foot M.O.L. building on the subject property. The vacation process for portions of this alley was initiated at the time of the Special Exception hearing in 2002, however there are no records showing that a vacation ordinance was adopted by City Council.

This application was initiated by the City's Real Estate Division in order to clear an outstanding title issue. St. Pete College is acquiring 1048 22nd Street South from the St. Petersburg Housing Authority and the portions of the alley that are the subject of this vacation is an outstanding title issue. The City owns the alley in fee simple and would be able to sell the property after the vacation.

Discussion: As set forth in the attached report provided to the Development Review Commission (DRC), Staff finds that vacating the subject right-of-ways would be consistent with the criteria in the City Code and the Comprehensive Plan.

Agency Review: Comments by several City Departments and outside utility agencies requested that the southern area be protected by a public utility easement. An associated condition has been suggested at the end of this report.

DRC Action/Public Comments: On May 7, 2015, the Development Review Commission (DRC) held a public hearing on the subject application. No person spoke in opposition to the request. After the public hearing, the DRC voted 7-0 to recommend approval of the proposed vacation. In advance of this report, no additional comments or concerns were expressed to the author.

RECOMMENDATION:

The Administration recommends **APPROVAL** of the ally vacation, subject to the following conditions:

1. A fully executed public utility easement for the southern 200 feet of the alley to be vacated and the vacation ordinance shall be recorded by the city.

Attachments: A – Parcel Map, B – Aerial Map, C – Sketch and Legal of Northern Portion, D – Sketch and Legal of Southern Portion of the Alley

ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION OF PORTIONS OF A NORTH-SOUTH ALLEY LOCATED NORTH OF 11TH AVENUE SOUTH BETWEEN UNION STREET SOUTH AND 22ND STREET SOUTH; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

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

THAT PORTION OF LOT 9, SURVEYED BY T.D. PENNINGTON, ACCORDING TO THE MAP OR PLAT THEROF AS RECORDED IN PLAT BOOK 2, PAGE 36, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCE AT THE SOUTHWEST CORNER OF LOT 9; THENCE ALONG SAID LINE S89°52'15"E, 161.62 FEET; THENCE LEAVING SAID LINE NORTH, 320.00 FEET FOR THE POINT OF BEGINNING; THENCE N89°52'15"W, 7.62 FEET; THENCE NORTH, 1.00 FEET; THENCE S89°52'15"E, 7.62 FEET; THENCE SOUTH, 1.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.6 SQUARE FEET, MORE OR LESS.

AND

THAT PORTION OF LOT 9, SURVEYED BY T.D. PENNINGTON, ACCORDING TO THE MAP OR PLAT THEROF AS RECORDED IN PLAT BOOK 2, PAGE 36, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCE AT THE SOUTHWEST CORNER OF LOT 9; THENCE ALONG SAID LINE S89°52'15"E, 154.00 FEET; THENCE LEAVING SAID LINE NORTH, 20.00 FEET FOR THE POINT OF BEGINNING AND THE NORTH RIGHT-OF-WAY LINE OF 11th AVENUE SOUTH; THENCE LEAVING SAID LINE NORTH, 200.00 FEET; THENCE S89°52'15"E, 7.62 FEET; THENCE SOUTH, 100.00 FEET; THENCE S89°52'15"E, 8.38 FEET; THENCE SOUTH, 100.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 11th AVENUE SOUTH; THENCE ALONG SAID LINE, N89°52'15"W, 16.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2361 SQUARE FEET, 0.054 ACRES, MORE OR LESS.

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

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

1. A fully executed public utility easement and the vacation ordinance shall be recorded by the City.

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

APPROVED AS TO FORM AND SUBSTANCE:

 _____	5-12-15
Planning & Economic Development Dept.	Date
 _____	5/18/15
City Attorney (Designee)	Date



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

st.petersburg
www.stpete.org

**DEVELOPMENT REVIEW COMMISSION
 STAFF REPORT**

REVISED REPORT

**VACATION OF RIGHT-OF-WAY
 PUBLIC HEARING**

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

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **May 6, 2015, at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 15-33000007 PLAT SHEET: H-5

REQUEST Approval of vacation of portions of a north-south dead-end alley north of 11th Avenue South between Union Street South and 22nd Street South.

OWNER: Real Estate & Property Management
 City of St. Petersburg
 1 4th Street North
 St. Petersburg, FL 33701

LEGAL DESCRIPTION: See Attachment C and D

ZONING Corridor Commercial Traditional (CCT-1)

DISCUSSION AND RECOMMENDATION:

Request

The request is to vacate two portions of a north-south alley located north of 11th Avenue South between Union Street South and 22nd Street South.

The area of the right-of-way proposed for vacation is depicted on the attached sketches and legal descriptions (Attachments "C" and "D"). The applicant's goal is to vacate the remaining parts of the alley, so that the property may be sold by the City. This supports a Special Exception and related Site Plan previously approved by the City in 2002 which resulted in the construction of a 10,000 square foot M.O.L. building on the subject property. The vacation process for portions of this alley was initiated at the time of the Special Exception hearing in

2002, however there are no records showing that a vacation ordinance was adopted by City Council.

Analysis

Staff's review of a vacation application is guided by:

- A. The City's Land Development Regulations (LDR's);
- B. The City's Comprehensive Plan; and
- C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant **does** provide background or analysis supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

A. Land Development Regulations

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

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

Several public and private utilities exist within the area proposed for vacation. Utilities that provide service to addresses 1001, 1019 and 1029 Union Street South through this alley will be protected by a public utility easement required by the City as a condition of the vacation.

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

All of the abutting properties, as well as all of the lots within the interior of the block, are served by paved public streets. The alley proposed for vacation is not currently used as an alley and does not provide sole access to any of the abutting properties. Other portions of the alley have been previously vacated. The lots facing on 22nd Street South and Union Street South both have access from the abutting streets and/or from 11th Avenue South.

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

These vacations will not affect the existing roadway network as this is already a dead end alley and is not presently used for access purposes.

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

The City has determined that there is no need for these segments of an alley for right-of-way and the need for a utility corridor will be protected by the suggested easement.

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

No other factors have been raised for consideration.

A. Comprehensive Plan

There are no policies in the City's Comprehensive Plan which apply to this request.

B. Adopted Neighborhood or Special Area Plans

The subject right-of-way is within the boundaries of the Melrose Mercy / Pine Acres Neighborhood Association. There are no neighborhood or special area plans which affect vacation of right-of-way in this area of the City.

Comments from Agencies and the Public

Comments by several City Departments and outside utility agencies requested that the area be protected by a public utility easement. An associated condition has been suggested at the end of this report.

Summary

This application was initialed by the City's Real Estate Division in order to clear an outstanding title issue. St. Pete College is acquiring 1048 22nd Street South from the St. Petersburg Housing Authority and the alley that is the subject of this vacation is an outstanding title issue. The City owns the alley in fee simple and would be able to sell the property after the vacation.

RECOMMENDATION:

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

1. A fully executed public utility easement and the vacation ordinance shall be recorded by the City.

REPORT PREPARED BY:

 5-5-15

 KATHRYN A. YOUNKIN, AICP, LEED AP BD+C, Deputy Zoning Official DATE
 Development Review Services Division
 Planning & Economic Development Department

REPORT APPROVED BY:

 5-5-15

 ELIZABETH ABERNETHY, AICP, Zoning Official (POD) DATE
 Development Review Services Division
 Planning and Economic Development Department

Attachments: A – Parcel Map, B – Aerial Map, C – Sketch and Legal of Northern Portion, D – Sketch and Legal of Southern Portion of the Alley



City of St. Petersburg, Florida
 Planning and Economic Development Department
 Case No.: 15-3300007 Attachment B
 Address: North-south alley between
 Union Street South and 22nd Street South
 north of 11th Avenue South



SURVEYED BY T.D. PENNINGTON
 PLAT BOOK 2, PAGE 36 LOT 9

SECTION 25, TOWNSHIP 31S, RANGE 16E
 PINELLAS COUNTY, FLORIDA
 PROJECT NUMBER 4448-01



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°52'15"W	7.62
L2	NORTH	1.00
L3	S89°52'15"E	7.62
L4	SOUTH	1.00

LEGEND

- BNDY = BOUNDARY
- COR = CORNER
- OR = OFFICIAL RECORDS BOOK
- PB = PLAT BOOK
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY
- SR = STATE ROAD
- US = UNITED STATES

22ND STREET SOUTH

WEST LINE OF LOT 9

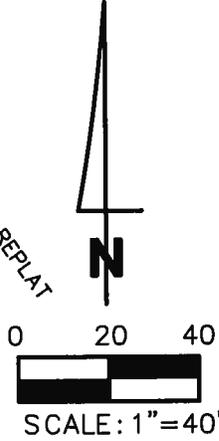
PENNINGTON LOT 9 PARTIAL REPLAT
 PLAT BOOK 99, PAGE 62

PENNINGTON LOT 9 PARTIAL REPLAT
 PLAT BOOK 99, PAGE 62

SURVEYED BY T.D. PENNINGTON
 PLAT BOOK 2, PAGE 36

SURVEYED BY T.D. PENNINGTON
 PLAT BOOK 2, PAGE 36

LINE TABLE		
LINE	BEARING	DISTANCE
L1	NORTH	20.00
L2	S89°52'15"E	7.62
L3	S89°52'15"E	8.38
L4	N89°52'15"W	16.00



NORTH 320.00'

LOT 1 BLOCK 1

**Attachment C
 Sketch and Legal**

NORTH RIGHT OF WAY LINE

S 89°52'15" E 161.62'

SOUTH LINE OF LOT 9

11TH AVENUE SOUTH

POC
 SOUTHWEST
 CORNER LOT 9

NOT A SURVEY

SHEET 1 OF 2

ITEM	DATE	BY	QC
SKETCH & DESCRIPTION	5-5-15	JDF	DHR
H:\JN\4448\DWG\4448 NORTH VACATION.DWG			

**PENNINGTON SUBDIVISION
 NORTH ALLEY VACATION**



POLARIS ASSOCIATES INC.
 PROFESSIONAL SURVEYING LB 6113
 2165 SUNNYDALE BOULEVARD, SUITE D
 CLEARWATER, FLORIDA 33765
 (727) 461-6113

DESCRIPTION

THAT PORTION OF LOT 9, SURVEYED BY T.D. PENNINGTON, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 36, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCE AT THE SOUTHWEST CORNER OF LOT 9; THENCE ALONG SAID LINE S89°52'15"E, 161.62 FEET; THENCE LEAVING SAID LINE NORTH, 320.00 FEET FOR THE POINT OF BEGINNING; THENCE N89°52'15"W, 7.62 FEET; THENCE NORTH, 1.00 FEET; THENCE S89°52'15"E, 7.62 FEET; THENCE SOUTH, 1.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.6 SQUARE FEET, MORE OR LESS

Attachment C Sketch and Legal

NOTES

1. BEARINGS ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF 22ND STREET SOUTH, BEING ASSUMED AS NORTH.
2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.
3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.
5. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD.

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DAN H. RIZZUTO
 PROFESSIONAL LAND SURVEYOR
 LS 5227, STATE OF FLORIDA

SHEET 2 OF 2

NOT A SURVEY

ITEM	DATE	BY	QC
SKETCH & DESCRIPTION	5-5-15	JDF	DHR
H:\JN\4448\DWG\4448 NORTH VACATION.DWG			

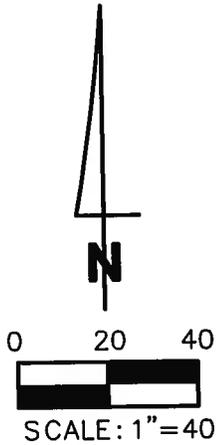
**PENNINGTON SUBDIVISION
 NORTH ALLEY VACATION**



POLARIS ASSOCIATES INC.

PROFESSIONAL SURVEYING LB 6113
 2165 SUNNYDALE BOULEVARD, SUITE D
 CLEARWATER, FLORIDA 33765
 (727) 461-6113

**Attachment D
 Sketch and Legal**



LEGEND

- BNDY = BOUNDARY
- COR = CORNER
- OR = OFFICIAL RECORDS BOOK
- PB = PLAT BOOK
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY
- SR = STATE ROAD
- US = UNITED STATES

22ND STREET SOUTH

WEST LINE OF LOT 9

SURVEYED BY T.D. PENNINGTON
 PLAT BOOK 2, PAGE 36

NORTH 200.00'

SOUTH 100.00'

SOUTH 100.00'

LOT 2 BLOCK 1

LOT 1 BLOCK 1

PENNINGTON LOT 9 PARTIAL REPLAT
 PLAT BOOK 99, PAGE 62

SURVEYED BY T.D. PENNINGTON
 PLAT BOOK 2, PAGE 36

LINE TABLE		
LINE	BEARING	DISTANCE
L1	NORTH	20.00
L2	S89°52'15"E	7.62
L3	S89°52'15"E	8.38
L4	N89°52'15"W	16.00

POB

NORTH RIGHT OF WAY LINE

S 89°52'15" E 154.00'

SOUTH LINE OF LOT 9

11TH AVENUE SOUTH

POC
 SOUTHWEST
 CORNER LOT 9

NOT A SURVEY

ITEM	DATE	BY	QC
SKETCH & DESCRIPTION	5-5-15	JDF	DHR
H:\JN\4448\DWG\4448 S.DWG			

**PENNINGTON SUBDIVISION
 SOUTH ALLEY VACATION**



POLARIS ASSOCIATES INC.

PROFESSIONAL SURVEYING LB 6113
 2165 SUNNYDALE BOULEVARD, SUITE D
 CLEARWATER, FLORIDA 33765
 (727) 461-6113

DESCRIPTION

THAT PORTION OF LOT 9, SURVEYED BY T.D. PENNINGTON, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 36, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCE AT THE SOUTHWEST CORNER OF LOT 9; THENCE ALONG SAID LINE S89°52'15"E, 154.00 FEET; THENCE LEAVING SAID LINE NORTH, 20.00 FEET FOR THE POINT OF BEGINNING AND THE NORTH RIGHT-OF-WAY LINE OF 11TH AVENUE SOUTH; THENCE LEAVING SAID LINE NORTH, 200.00 FEET; THENCE S89°52'15"E, 7.62 FEET; THENCE SOUTH, 100.00 FEET; THENCE S89°52'15"E, 8.38 FEET; THENCE SOUTH, 100.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 11TH AVENUE SOUTH; THENCE ALONG SAID LINE, N89°52'15"W, 16.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2361 SQUARE FEET, 0.054 ACRES, MORE OR LESS

Attachment D Sketch and Legal

NOTES

1. BEARINGS ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF 22ND STREET SOUTH, BEING ASSUMED AS NORTH.
2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.
3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.
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CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DAN H. RIZZUTO
 PROFESSIONAL LAND SURVEYOR
 LS 5227, STATE OF FLORIDA

SHEET 2 OF 2

NOT A SURVEY

ITEM	DATE	BY	QC	PENNINGTON SUBDIVISION SOUTH ALLEY VACATION	 POLARIS ASSOCIATES INC. PROFESSIONAL SURVEYING LB 6113 2165 SUNNYDALE BOULEVARD, SUITE D CLEARWATER, FLORIDA 33765 (727) 461-6113
SKETCH & DESCRIPTION	5-5-15	JDF	DHR		
H:\JN\4448\DWG\4448 SOUTH VACATION.DWG					

ST. PETERSBURG CITY COUNCIL

Meeting of June 11, 2015

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

SUBJECT Second Reading and Public Hearing of Ordinance to Establish a Redevelopment Trust Fund for the South St. Petersburg Community Redevelopment Area.

RECOMMENDATION Administration recommends City Council Approve the attached Ordinance.

OVERVIEW

On May 21, 2015, City Council approved the South St. Petersburg Redevelopment Plan, a major component of which is the establishment of a tax increment financing (TIF) district and redevelopment trust fund for the entire 7.4 mi.² redevelopment area (see Ord. #169-H). Florida law authorizes the use of tax increment financing districts and redevelopment trust funds through the Community Redevelopment Act of 1969 (see Sec. 163.387). After the establishment of a “base year”, tax increment financing directs a percentage of future increases in St. Petersburg and Pinellas County property tax revenues generated within a TIF district into a special redevelopment trust fund. This increased revenue, known as the “increment”, is then used to fund eligible redevelopment projects within the boundaries of the TIF district that can be funded on a “pay-as-you-go-basis” or with bond financing.

In order for the City to establish the redevelopment trust fund, the Pinellas County Board of County Commissioners (BCC) must approve the South St. Petersburg Redevelopment Plan (Plan) and delegate to City Council the authority to establish the trust fund. On June 2, 2015, the BCC approved the Plan, delegated trust fund authority as well as approved several amendments to the June 3, 2014, “South St. Petersburg CRA Interlocal Agreement”. The BCC is expected to approve an ordinance on June 23, 2015, committing 85 percent of Pinellas County’s tax increment in the South St. Petersburg CRA to the redevelopment trust fund through May 21, 2045.

RECOMMENDATION

Administration recommends City Council approve the attached Ordinance establishing the Redevelopment Trust Fund for the South St. Petersburg Community Redevelopment Area.

Attachments: Ordinance

ORDINANCE NO. ____

AN ORDINANCE PROVIDING FOR AND ESTABLISHING A REDEVELOPMENT TRUST FUND FOR THE SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA, PURSUANT TO THE PROVISIONS OF SECTION 163.387, FLORIDA STATUTES; PROVIDING FOR CERTAIN CITY TAX FUNDS TO BE APPROPRIATED INTO SAID TRUST FUND; PROVIDING FOR THE REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THE PROVISIONS HEREOF; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. FINDINGS.

1. The City of St. Petersburg City Council approved Resolution No. 2013-247, on June 20, 2013, which made a finding of necessity identifying the South St. Petersburg Community Redevelopment Area (CRA) as blighted, pursuant to Florida's Community Redevelopment Act of 1969 (Chapter 163, Part III).
2. Pursuant to Resolution No. 2013-247, the City of St. Petersburg City Council also requested authority from the Pinellas County Board of County Commission to establish two tax increment financing districts to fund redevelopment projects in the CRA.
3. On October 3, 2013, the Pinellas County Board of County Commissioners (BCC) accepted the City's findings of necessity pursuant to Resolution No. 13-186, and directed its staff to collaborate with City staff to develop an Interlocal Agreement to define the framework for a community redevelopment agency.
4. City Council and the BCC approved the Interlocal Agreement on June 3, 2014, which recognized the City's request to establish two tax increment financing districts, and also outlined the duties and responsibilities to which each were bound regarding the governance of the South St. Petersburg CRA.
5. On June 9, 2014, the Pinellas County BCC approved Resolution 14-43, which delegated certain powers to the City Council of the City of St. Petersburg in order to carry out certain redevelopment functions within the South St. Petersburg Community Redevelopment Area, as defined therein (CRA).
6. Pursuant to City of St. Petersburg Resolution No. 2014-296, the City Council accepted such redevelopment powers on July 10, 2014.

7. The City of St. Petersburg submitted the proposed "South St. Petersburg Community Redevelopment Plan" on February 20, 2015, which included a request to now establish a single tax increment financing district encompassing the entire community redevelopment area instead of the two smaller TIF districts originally requested in Resolution 2013-247 and identified in the June 3, 2014, Interlocal Agreement.
8. The City of St. Petersburg City Council approved a Community Redevelopment Plan (Plan) for the South St. Petersburg Community Redevelopment Area on May 21, 2015 (Ord. #169-H) and by Res. #_____approved amendments to the Interlocal Agreement recognizing the establishment of said tax increment financing district (see Exhibits 1 and 2).
9. The Pinellas County Board of County Commissioners approved the Redevelopment Plan on June 2, 2015 (Res. #_____), delegated authority to the City of St. Petersburg to establish a redevelopment trust fund for the entire South St. Petersburg Community Redevelopment Area, pursuant to Sec.163.387 of Florida Statutes (Res. #___), and approved amendments to the Interlocal Agreement that recognize the establishment of a single tax increment financing district (Res. #_____).
10. On June 11, 2015, the City of St. Petersburg City Council accepted the Pinellas County Board of County Commissioner's delegation of authority to establish a redevelopment trust fund for the entire South St. Petersburg CRA (see Res. #____).
11. The appropriate taxing authorities that levy taxes in the South St. Petersburg Community Redevelopment Area, as defined herein, have been notified of this proposed ordinance as required under Florida Statute Section 163.346.
12. Appropriate notice has been given by publication in accordance with Florida Statute Section 166.041 (3)(a) and a public hearing has been held on the day noticed by said publication.

SECTION 2. AGENCY. The redevelopment agency created pursuant to City Council Res. No. 2013-247, which designated Council as a redevelopment agency, and BCC Res. 14-43, which delegated certain redevelopment authority to City Council, shall hereinafter be the "South St. Petersburg Community Redevelopment Agency" (Agency).

SECTION 3. TRUST FUND. There is hereby established and created in accordance with the provisions of Section 163.387, Florida Statutes, a redevelopment trust fund hereafter referred to as the "South St. Petersburg Redevelopment Trust Fund" (Fund), which will expire on May 21, 2045. Funds remaining in the South St. Petersburg CRA Trust Fund in the year of expiration must be expended by September 30, 2048.

The funds allocated to, and deposited into the Fund are hereby appropriated to the Agency to finance the community redevelopment projects within the South St. Petersburg CRA, which was created by Res. No. 2013-247 of the City of St. Petersburg. The Agency shall utilize the funds and revenues paid into and earned by the Fund for all and every community redevelopment purpose delegated to it by Pinellas County, as contained in the Plan for redevelopment and as provided by law.

There shall be paid into the fund, and the City hereby appropriates, commits and sets over for payment into the Fund, a sum equal to that increment from the income, proceeds, revenues and funds of the City derived from, or held in connection with the South St. Petersburg CRA, and the Agency's undertaking and carrying out of the community redevelopment projects therein. The annual funding of the redevelopment trust fund shall be in an amount not less than that increment in the income, proceeds, revenues, and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of community redevelopment under this part. Such increment shall be determined annually and shall be that amount equal to no less than 85 percent of the difference between:

- a. The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of a community redevelopment area; and
- b. The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the community redevelopment area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of the ordinance providing for the funding of the trust fund.

In calculating the increment, the amount of the ad valorem taxes levied based on the City-wide debt service on City bonds shall be totally excluded from the calculation. All increment in this amount shall continue to be used for its vote approved purpose and shall not be appropriated in any part to the Fund. Any adjustments made in the appropriation will be based upon the final extended tax roll.

The City will annually pay to the Fund the tax increment due the fund on April 15th of each taxable year. The City's obligation to annually appropriate to the Fund on or before October 1 of each year shall commence immediately upon the effective date of this Ordinance and continue until all loans, advances and indebtedness, if any, and interest thereon incurred by the Agency as a result of the projects have been paid (not to exceed 30 years after the approval of the Redevelopment Plan).

The Agency is directed to establish and set up the fund and to develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered,

including the establishment and the maintenance of books and records and adoption of procedures whereby the Agency may, expeditiously and without undue delay, utilize said funds for their allocated statutory purpose.

The Agency is vested with full responsibility for the receipt, custody, disbursement, accountability, management and proper application of all moneys paid into the Fund.

SECTION 4. Copies of reports of audits required by Section 163.387 (8), Florida Statutes, shall be provided to the City Council each fiscal year.

SECTION 5. All ordinances and resolutions or parts of same in conflict herewith are hereby repealed.

SECTION 6. This Ordinance being for a public purpose and for the welfare of the citizens of the City of St. Petersburg, Florida shall be liberally construed to effectuate the purpose thereof.

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

SECTION 8. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of St. Petersburg.

First reading conducted on the 4th day of June, 2015.

Passed by St. Petersburg City Council on second and final reading held on the 11th day of June, 2015.

APPROVED AS TO FORM AND CONTENT:

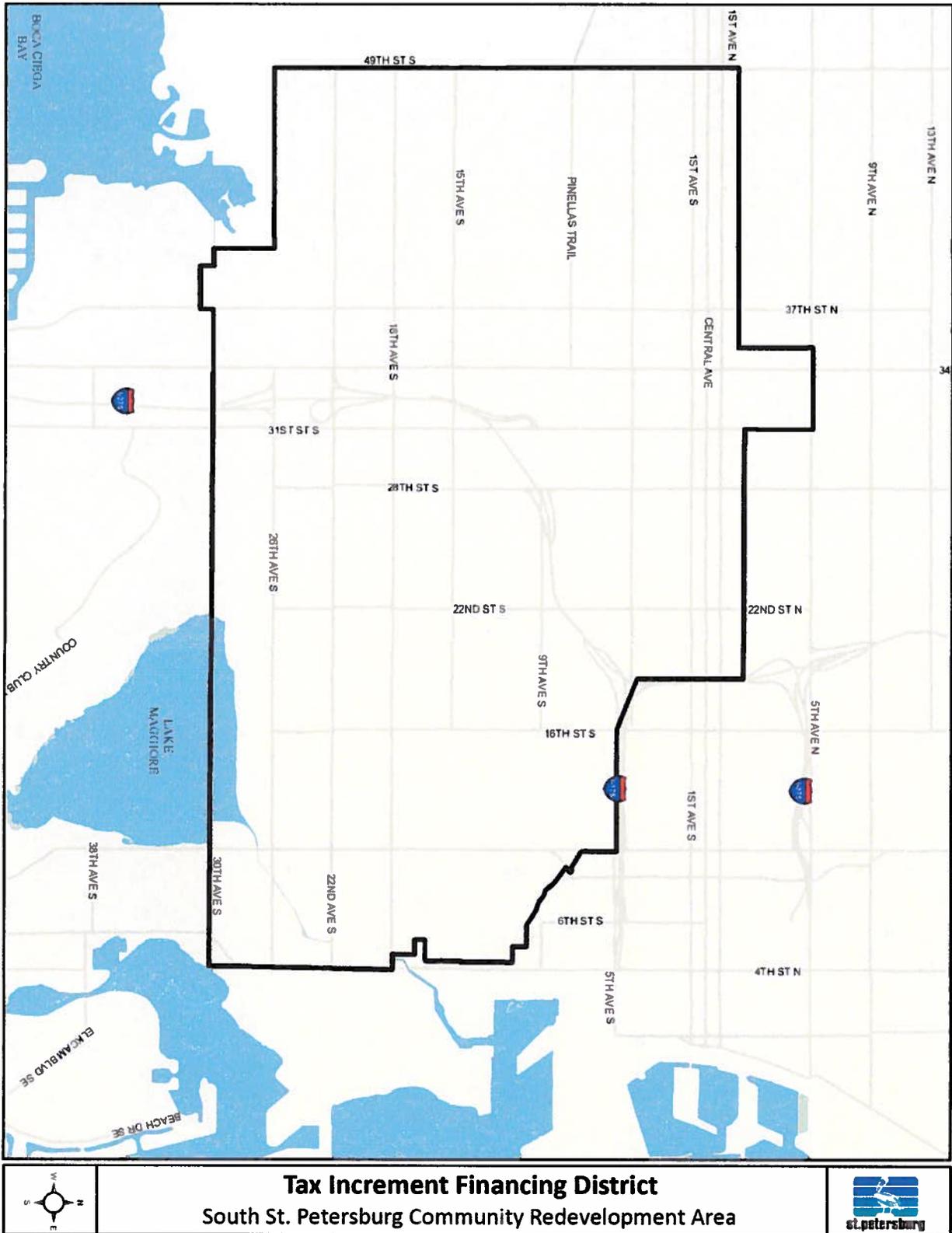


City Attorney (Designee)

APPROVED BY:



Dave Goodwin, Director
Planning and Economic Development



Legal Description of South St. Petersburg Community Redevelopment Area

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

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

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

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

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

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

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

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

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

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

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

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

Legal Description of South St. Petersburg Community Redevelopment Area

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

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

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

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

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

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

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

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

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

REVISED
JUN 08 2015

ST. PETERSBURG CITY COUNCIL
Meeting of June 11, 2015

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

FROM: Rick D. Smith, CRA Coordinator

DATE: June 9, 2015

SUBJECT **Agenda Item J-5.** Minor modification to Proposed Ord. #175-H (Establishing a Redevelopment Trust Fund for the South St. Petersburg Community Area) to Remove Reference to a Pinellas County Board of County Commission (BCC) Resolution.

In the above ordinance, Finding #9 on page 2 makes reference to a Pinellas County BCC resolution approving amendments to the Interlocal Agreement for the South St. Petersburg Community Redevelopment Area. These amendments were necessary to ratify the deal enabling the establishment of a redevelopment trust fund for the entire South St. Petersburg Community Redevelopment Area. The BCC did approve the amendments on June 2, 2015, but by a voice vote on the action without a resolution, and this amendment will simply remove reference to the resolution.

Attachment Proposed City Ordinance 175-H - Establishing a Redevelopment Trust Fund for the South St. Petersburg Community Redevelopment Area.

cc: Mayor Rick Kriseman
Gary Cornwell, City Administrator
Alan DeLisle, City Development Administrator
Dave Goodwin, Director, Planning and Economic Development
Chandrasasa Srinivasa, City Clerk

J-5

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR AND ESTABLISHING A REDEVELOPMENT TRUST FUND FOR THE SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA, PURSUANT TO THE PROVISIONS OF SECTION 163.387, FLORIDA STATUTES; PROVIDING FOR CERTAIN CITY TAX FUNDS TO BE APPROPRIATED INTO SAID TRUST FUND; PROVIDING FOR THE REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THE PROVISIONS HEREOF; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. FINDINGS.

1. The City of St. Petersburg City Council approved Resolution No. 2013-247, on June 20, 2013, which made a finding of necessity identifying the South St. Petersburg Community Redevelopment Area (CRA) as blighted, pursuant to Florida's Community Redevelopment Act of 1969 (Chapter 163, Part III).
2. Pursuant to Resolution No. 2013-247, the City of St. Petersburg City Council also requested authority from the Pinellas County Board of County Commission to establish two tax increment financing districts to fund redevelopment projects in the CRA.
3. On October 3, 2013, the Pinellas County Board of County Commissioners (BCC) accepted the City's findings of necessity pursuant to Resolution No. 13-186, and directed its staff to collaborate with City staff to develop an Interlocal Agreement to define the framework for a community redevelopment agency.
4. City Council and the BCC approved the Interlocal Agreement on June 3, 2014, which recognized the City's request to establish two tax increment financing districts, and also outlined the duties and responsibilities to which each were bound regarding the governance of the South St. Petersburg CRA.
5. On June 9, 2014, the Pinellas County BCC approved Resolution 14-43, which delegated certain powers to the City Council of the City of St. Petersburg in order to carry out certain redevelopment functions within the South St. Petersburg Community Redevelopment Area, as defined therein (CRA).
6. Pursuant to City of St. Petersburg Resolution No. 2014-296, the City Council accepted such redevelopment powers on July 10, 2014.

7. The City of St. Petersburg submitted the proposed "South St. Petersburg Community Redevelopment Plan" on February 20, 2015, which included a request to now establish a single tax increment financing district encompassing the entire community redevelopment area instead of the two smaller TIF districts originally requested in Resolution 2013-247 and identified in the June 3, 2014, Interlocal Agreement.
8. The City of St. Petersburg City Council approved a Community Redevelopment Plan (Plan) for the South St. Petersburg Community Redevelopment Area on May 21, 2015 (Ord. #169-H) and by Res. #2015-230 approved amendments to the Interlocal Agreement recognizing the establishment of said tax increment financing district (see Exhibits 1 and 2).
9. The Pinellas County Board of County Commissioners approved the Redevelopment Plan on June 2, 2015 (Res. #15-48), delegated authority to the City of St. Petersburg to establish a redevelopment trust fund for the entire South St. Petersburg Community Redevelopment Area, pursuant to Sec.163.387 of Florida Statutes (Res. #15-48), and approved amendments to the Interlocal Agreement that recognize the establishment of a single tax increment financing district (~~Res. # _____~~).
10. On June 11, 2015, the City of St. Petersburg City Council accepted the Pinellas County Board of County Commissioner's delegation of authority to establish a redevelopment trust fund for the entire South St. Petersburg CRA (see Res. # _____).
11. The appropriate taxing authorities that levy taxes in the South St. Petersburg Community Redevelopment Area, as defined herein, have been notified of this proposed ordinance as required under Florida Statute Section 163.346.
12. Appropriate notice has been given by publication in accordance with Florida Statute Section 166.041 (3)(a) and a public hearing has been held on the day noticed by said publication.

SECTION 2. AGENCY. The redevelopment agency created pursuant to City Council Res. No. 2013-247, which designated Council as a redevelopment agency, and BCC Res. 14-43, which delegated certain redevelopment authority to City Council, shall hereinafter be the "South St. Petersburg Community Redevelopment Agency" (Agency).

SECTION 3. TRUST FUND. There is hereby established and created in accordance with the provisions of Section 163.387, Florida Statutes, a redevelopment trust fund hereafter referred to as the "South St. Petersburg Redevelopment Trust Fund" (Fund), which will expire on May 21, 2045. Funds remaining in the South St. Petersburg CRA Trust Fund in the year of expiration must be expended by September 30, 2048.

The funds allocated to, and deposited into the Fund are hereby appropriated to the Agency to finance the community redevelopment projects within the South St. Petersburg CRA, which was created by Res. No. 2013-247 of the City of St. Petersburg. The Agency shall utilize the funds and revenues paid into and earned by the Fund for all and every community redevelopment purpose delegated to it by Pinellas County, as contained in the Plan for redevelopment and as provided by law.

There shall be paid into the fund, and the City hereby appropriates, commits and sets over for payment into the Fund, a sum equal to that increment from the income, proceeds, revenues and funds of the City derived from, or held in connection with the South St. Petersburg CRA, and the Agency's undertaking and carrying out of the community redevelopment projects therein. The annual funding of the redevelopment trust fund shall be in an amount not less than that increment in the income, proceeds, revenues, and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of community redevelopment under this part. Such increment shall be determined annually and shall be that amount equal to no less than 85 percent of the difference between:

- a. The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of a community redevelopment area; and
- b. The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the community redevelopment area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of the ordinance providing for the funding of the trust fund.

In calculating the increment, the amount of the ad valorem taxes levied based on the City-wide debt service on City bonds shall be totally excluded from the calculation. All increment in this amount shall continue to be used for its vote approved purpose and shall not be appropriated in any part to the Fund. Any adjustments made in the appropriation will be based upon the final extended tax roll.

The City will annually pay to the Fund the tax increment due the fund on April 15th of each taxable year. The City's obligation to annually appropriate to the Fund on or before October 1 of each year shall commence immediately upon the effective date of this Ordinance and continue until all loans, advances and indebtedness, if any, and interest thereon incurred by the Agency as a result of the projects have been paid (not to exceed 30 years after the approval of the Redevelopment Plan).

The Agency is directed to establish and set up the fund and to develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered,

including the establishment and the maintenance of books and records and adoption of procedures whereby the Agency may, expeditiously and without undue delay, utilize said funds for their allocated statutory purpose.

The Agency is vested with full responsibility for the receipt, custody, disbursement, accountability, management and proper application of all moneys paid into the Fund.

SECTION 4. Copies of reports of audits required by Section 163.387 (8), Florida Statutes, shall be provided to the City Council each fiscal year.

SECTION 5. All ordinances and resolutions or parts of same in conflict herewith are hereby repealed.

SECTION 6. This Ordinance being for a public purpose and for the welfare of the citizens of the City of St. Petersburg, Florida shall be liberally construed to effectuate the purpose thereof.

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

SECTION 8. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of St. Petersburg.

First reading conducted on the 4th day of June, 2015.

Passed by St. Petersburg City Council on second and final reading held on the 11th day of June, 2015.

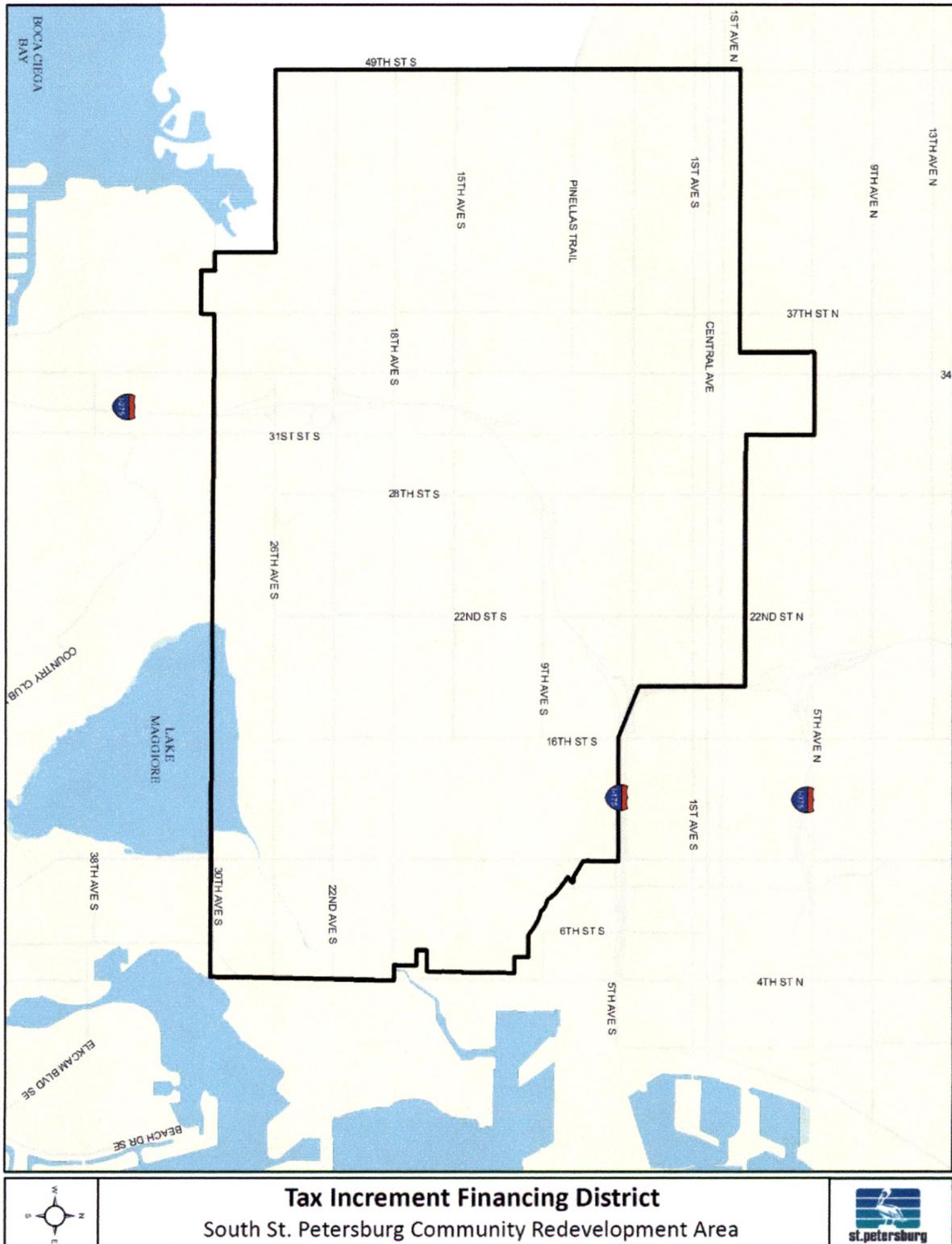
APPROVED AS TO FORM AND CONTENT:

APPROVED BY:

City Attorney (Designee)

Dave Goodwin, Director
Planning and Economic Development

Map of South St. Petersburg Tax Increment Financing District



Legal Description of South St. Petersburg Community Redevelopment Area

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

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

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

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

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

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

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

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

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

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

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

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

Legal Description of South St. Petersburg Community Redevelopment Area

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

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

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

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

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

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

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

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

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



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

FROM: Rob Gerdes, Manager, Codes Compliance Assistance

THRU: Todd Yost, Director, Codes Compliance Assistance

DATE: May 27, 2015

SUBJECT: Civil Citation Ordinance

Please find attached an Ordinance establishing a civil citation program to be implemented by the Codes Compliance Assistance Department. This proposed program and the Ordinance were discussed at the Housing Services Committee meetings of February 19 and March 26. The attached Ordinance accomplishes the following:

- Authorizes code enforcement inspectors to issue civil citations;
- Establishes the enforcement procedure for issuing civil citations;
- Establishes a Special Magistrate to hear appeals of civil citations;
- Provides procedures for appeal hearings;
- Provides authority to collect unpaid fines;
- Establishes notice requirements for issuing civil citations; and
- Provides the schedule of violations and the fine amounts.

Staff will be prepared to make a full report on the civil citation program at the City Council meeting.

AN ORDINANCE OF THE CITY OF ST. PETERSBURG CREATING A NEW ARTICLE III OF CHAPTER 9, CIVIL CITATIONS; PROVIDING AUTHORITY; AUTHORIZING THE ISSUANCE OF CIVIL CITATIONS; ADDING DEFINITIONS; PROVIDING FOR ONE OR MORE SPECIAL MAGISTRATES TO EXERCISE THE POWERS AS PROVIDED IN THIS ARTICLE AND STATE LAW RELATED TO CODE ENFORCEMENT; PROVIDING FOR AN APPEALS PROCESS TO CONTEST A CITATION, WHICH INCLUDES THE ASSESSMENT OF ADMINISTRATIVE CHARGES; PROVIDING A SCHEDULE OF VIOLATIONS AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, effective code enforcement is essential to the health, safety and welfare of the City of St. Petersburg; and,

WHEREAS, Florida Statutes, Chapter 162 provides the City with the powers to create multiple Code Enforcement Boards or Special Magistrates with the powers to enforce the City Code; and,

WHEREAS, Florida Statutes, Chapter 162 provides that the City may regulate and create any supplemental methods in which to enforce its municipal regulations, ordinances and codes; and,

WHEREAS, the City has a compelling interest in expediting code compliance; and,

WHEREAS, the purpose of a civil citation enforcement program is to effectively and expeditiously enforce the City Code;

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section One. Chapter 9 of the St. Petersburg City Code is hereby amended by adding a new Article III Sections 9-41 through 9-51 to read as follows:

ARTICLE III – CIVIL CITATIONS

Section 9-41 – Authority

(a) This Article has been enacted pursuant to the Home Rule powers of the City and authority of F.S. Ch. 162, as a supplemental method of enforcing certain sections of the codes and ordinances of the City and is enacted to protect the public health, safety, and welfare.

(b) Nothing in this article shall be construed to prohibit the City from enforcing its codes and ordinances by any other means including, but not limited to: a summons; a notice to appear in the county or circuit court; an arrest; an action before the code enforcement board; a civil action for injunctive relief; a stop work order, a demolition order, or any other method of enforcement.

Section 9-42. Applicability.

(a) The provisions of this Article shall apply to all violations of city codes and ordinances.

(b) For any violation of city codes or ordinances not specifically listed herein, the fine amount shall be \$100.

Section 9-43. Definitions; words defined.

For the purpose of this Article only, the following words shall have the following meanings:

Citation means the written charging document issued by a code enforcement inspector in a form prescribed by the POD which shall contain:

- (1) The date and time of issuance.
- (2) The name and address of the person to whom the citation is issued.
- (3) The date and time the civil infraction was committed, or observed to exist, or identified by the POD.
- (4) The facts constituting reasonable cause.
- (5) The number or section of the code or ordinance violated.
- (6) The name and title of the code enforcement inspector.
- (7) The procedure for the person to follow in order to pay the civil penalty or to contest the citation.
- (8) The applicable civil penalty if the person elects not to contest the citation.
- (9) The applicable civil penalty if the person elects to contest the citation.

(10) The time period in which an appeal must be requested and the location where such request may be made.

(11) A conspicuous statement that if the person fails to pay the civil penalty within the time allowed, or fails to request a Special Magistrate appeal hearing to contest the citation, that person shall be deemed to have waived their right to contest the citation and that, in such case, an order of the Special Magistrate may be entered against that person for the amount of the civil citation.

City Code means the St. Petersburg City Code, which is the City's Code of Ordinances and includes any ordinance of the City which is not specifically set forth therein.

Code enforcement inspector, or inspector means any POD or agent of the City whose duty it is to enforce any codes and ordinances enacted by the City and may include, but may not be limited to, code inspectors, law enforcement officers, or fire safety inspectors. Such PODs or agents shall be trained and qualified to issue citations.

Irreparable or irreversible violation means a violation that causes harm, damage, injury or change that is incapable of correction, repair or return to an original condition.

Person is defined in Chapter 1 of the City Code.

POD is defined in Chapter 1 of the City Code.

Repeat violation means a violation of a provision of the City Code by a person who has received a citation and: (1) paid the fine for; (2) contested the citation and found guilty of; or (3) been found guilty by reason of default for violating the same provision of the City Code within five (5) years prior to the violation, notwithstanding that the violations occurred at different locations.

Section 9-44. Enforcement procedures.

(a) A code enforcement inspector is authorized to issue a citation to a person when, based upon personal investigation, the inspector has reasonable cause to believe that the person is in violation of the City Code.

(b) Prior to issuing a citation, a code enforcement inspector shall provide written notice to the person that the person has committed a violation of the City Code and shall establish a reasonable time period within which the person must correct the violation. Such time period shall be no more than thirty (30) days. If, upon personal investigation, a code enforcement inspector finds that the person has not corrected the violation within

the given time period, a code enforcement inspector may issue a citation to the person who has committed the violation.

(c) A code enforcement inspector does not have to provide the person with a reasonable time period to correct the violation prior to issuing a citation and may immediately issue that citation if a code enforcement inspector has reason to believe that the violation:

- (1) Is a repeat violation;
- (2) Presents a serious threat to the public health, safety, or welfare; or
- (3) Is irreparable or irreversible;

(d) Each violation of the City Code shall be a separate civil infraction. Each day such violation shall continue shall be deemed to constitute a separate civil infraction.

(e) After issuing a citation to an alleged violator, a code enforcement inspector shall keep on file the citation for a period of eight weeks or at least 30 days after all appeal times have expired, whichever is later.

(f) A violation of a the City Code enforced by the provisions of this Article is a civil infraction punishable by a maximum civil penalty not to exceed five hundred dollars (\$500.00) or such amount as may hereafter be prescribed by law. The fines to be assessed by code enforcement inspectors shall be established by this Article.

(g) Subject to the procedures below, the alleged violator has the option of paying the penalty to the City or requesting an appeal hearing to be heard by the Special Magistrate authorized to hear civil citation hearings. Payment of said penalty to the City shall be made either in person or by mail, postmarked on or before, fifteen (15) days after receipt of the citation. If the alleged violator elects to pay the applicable penalty set forth on the citation, that person shall be deemed to have admitted the infraction and waived the right to a hearing.

(h) If a person fails to pay the penalty within the specified period or fails to timely request a hearing, that person shall be deemed to have waived the right to contest the citation. An order of the Special Magistrate may be entered against that person for the amount of the civil citation.

Sec. 9-45. Special Magistrate; appointment, powers.

(a) The City Council may appoint one or more Special Magistrates who shall have the authority to hold civil citation appeal hearings, assess fines against violators of the City Code

and otherwise exercise the powers of a municipal Code Enforcement Board as provided in F.S. ch. 162, pt. I, as and to the extent provided in this article.

(b) Special Magistrates shall consist of the following:

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

(2) To the extent permitted by applicable laws, the City may enter into a contract approved by City Council for use of a Special Magistrate.

(c) Minutes and records of hearings before a Special Magistrate shall be kept and maintained by the City in the manner and to the extent required by law. The City shall provide necessary and reasonable clerical and administrative support to enable a Special Magistrate to perform his or her duties. A Special Magistrate shall not be authorized to hire or use the services of any person except those provided by the City to assist him in the performance of his duties.

Sec. 9-46. Appeal of Civil Citation to Special Magistrate.

Any petitioner who wants to appeal the violation charged by a civil citation shall file with the City Clerk's Office a request for hearing on the form required by the POD by 5:00 PM on the tenth (10th) day following the date of the service of the civil citation. Such requests may be mailed by the violator if such request is sent certified mail and post-marked before midnight on the tenth (10th) day following the date of the service of the civil citation.

Sec. 9-47. Hearing procedures.

- (a) Hearings may be held at any time after giving the notice required by this Article. All hearings shall be open to the public.
- (b) The code enforcement inspector shall provide the Special Magistrate with a copy of the civil citation, the notice provided prior to issuance of the civil citation (if applicable), any recorded images related to the citation, and any other case history data prior to a hearing pursuant to this Article.
- (c) Notice of hearing shall be provided by first class mail, to the address provided by the violator in the request for hearing, at least twenty days before the hearing.
- (d) Cases on the agenda for a particular day shall be heard. All testimony shall be under oath and shall be recorded. The Special Magistrate shall take testimony from the code enforcement inspector, the petitioner and any other person with relevant information to the civil citation. The Special Magistrate shall review the

case history and any recorded images. The Special Magistrate shall not be bound by the formal rules of evidence; however, he or she shall act to ensure fundamental due process in each case.

- (e) The hearing may be continued once, prior to the hearing, at the discretion of the City, if the violator provides the City with written notice of the request to continue seven (7) days before the scheduled date of the hearing. Any violator may cancel his or her hearing by paying the penalty stated on the civil citation plus administrative costs established by this section before the start of the hearing. This information including where to make payment and the accepted forms of payment shall be set forth in the notice of hearing.
- (f) At the conclusion of each hearing, the Special Magistrate shall determine whether a violation of the City Code has occurred, in which case the Special Magistrate shall uphold or dismiss the citation, and issue a final order. If the citation is upheld, the final order shall order the violator to pay the penalty stated on the citation and shall order the violator to pay the administrative charges established by the POD.
- (g) If the violator fails to appear at the hearing, the violator shall be deemed to have waived the right to contest the citation, and the Special Magistrate will enter an order upholding the citation and ordering the violator to pay the penalty stated on the citation plus the administrative charges.

Sec. 9-48. Administrative charges.

In addition to the penalty stated on the citation, administrative charges shall be assessed against the violator. The POD shall establish the administrative charges, which charges shall at least cover all the costs to administer the appeal hearing. The cost associated with providing City staff for the hearing shall be considered part of the administrative charges. The POD shall review the administrative charges every six months and adjust, if necessary, to assure coverage of all the costs incurred in providing the hearings.

Sec. 9-49. Appeal.

Any aggrieved party including the City may appeal a final order of the Special Magistrate to the circuit court, if allowed by filing for a petition for writ of certiorari in the manner provided by law. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the Special Magistrate.

Sec. 9-50. Collection of unpaid penalty.

The POD may establish procedures for the collection of any unpaid civil penalty and administrative costs. At the discretion of the POD, the final order of the Special Magistrate for any unpaid fines or fines plus administrative costs, if applicable, may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and

upon any other real or personal property owned by the violator. Such liens may be foreclosed upon by the City subject to the state laws governing such code enforcement liens.

Sec. 9-51. Notices.

All notices required by this part must be provided to the violator by:

- (a) Certified mail to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database, except the City may provide notice of a Special Magistrate hearing to any other address provided to the City by the alleged violator on the appeal hearing request form by first class mail.
- (b) Hand delivery
- (c) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such persons of the contents of the notice; or
- (d) In the case of a violation at a property commercial premises leaving the notice with the manager or other person in charge. Each employee of the business shall be deemed to be an agent of the business for service of warning notices and citations during regular business hours.
- (e) Additional notice may be completed by posting a copy of the notice or citation in a conspicuous place upon the property which is the subject of the violation. Such posting, together with proof of mailing in subsection (a) shall be sufficient to show that the notice requirements were met without regard to whether or not the alleged violator actually received such notice.

Sec. 9-52. Schedule of violations and penalties.

(a)

Violations of the following sections of the St. Petersburg City Code are considered Class I violations and the fine is:			
For a first offense.....\$40.00			
For a second offense.....\$80.00			
For a third offense.....\$160.00			
For a fourth or subsequent offence.....\$320.00			
8-2 Mailbox Required	16.40.100.5 Domestic Equipment	16.50.410 Temporary Uses	
8-3 Address Numbers	16.40.100.6 Commercial	16.50.440 Food Trucks	

	Equipment		
8-99 LPA	16.50.085 Community Gardens	16.50.450 Pushcart Vendor	
8-146 Foreclosure Registry	16.50.140 Dog Dining	25-1 Mailbox in Right of Way	
16.40.040 Fence, Wall & Hedges	16.50.370.4 Sidewalk Café	25-5 Permit Required to Change Right of Way Surface	
16.40.100.4 Yard Parking	16.50.380 Sidewalk Display		

(b)

<p>Violations of the following sections of the St. Petersburg City Code are considered Class II violations and the fine is: For a first offense.....\$100 For a second offense.....\$200 For a third and subsequent offense.....\$400</p>					
1-17 Development Orders	8-166 Electrical Service	8-201 Outdoor Storage and Inoperative Vehicles	16.40.060.3.1 Maintenance of Trees and Vegetation	16.50.240 Accessory Outdoor Sales	
Chapter 4 Animals	8-167 Air and Water Heating	8-205 Harborage of Rats	16.40.070 Lighting	16.50.300 Portable Storage Units	
8-6 Construction Site Maintenance	8-168 Space, Use and Location	8-206 Mosquito Control	16.40.090 Parking Standards	25-136 Altering Curb	
8-7 Hours of Construction	8-169(a) and (b) Maintenance	8-207 Area Between Curb and Property Line	16.40.100.3 Driveway Maintenance	27-431 Prohibited Discharges	
8-35 Florida Building Code	8-169(c) Maintenance Accessory Structure	11-29 Water Pollution	16.40.120 Signs	27-465 Unlawful Dumping	
8-37 Tents/Temporary Structures	8-169(d) Maintenance	11-53 Loud, Raucous and Unnecessary Noises	16.40.160 Visibility at Intersections		

8-129 CIP	8-169(e) Manmade Bodies of Water	Chapter 16 Required Setbacks	16.50.130 Docks/Mooring Vessels		
8-163 Plumbing	8-170 Ventilation	16.20.160.8 Preservation Area Requirements	16.50.160 Garage Sales Immediate		
8-164 Kitchen Equipment	8-171 Bathroom Access	16.40.060.2.1.2 Groundcover – Commercial	16.50.170 Hobbies		
8-165 Light and Ventilation	8-196 thru 8- 200 Cleanliness	16.40.060.2.1.6(D) Prohibited Trees	16.50.180 Home Occupation		

(c)

Violations of the following sections of the St. Petersburg City Code are considered Class III violations and the fine is					
For a first offense.....\$300					
For a second and subsequent offense.....\$450					
8-98 Unfit/Occupied	8-203 Rental Re-Let				
8-169(a)(1) Permit Required	19-65 Graffiti – Property Owner				
8-169(a)(2) Permit Expired	25-6 Structure in Right of Way				
8-169(a)(3) Unpermitted Work	25-8 Doing Business on Streets and Sidewalks				
8-202 Illegal Units	25-273 Minor Easement Required				

(d)

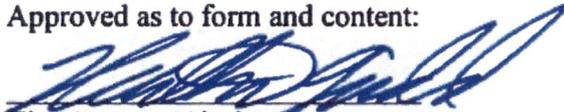
Violations of the following sections of the St. Petersburg City Code are considered Class IV violations and the fine is:					
For a first offense and subsequent offense.....\$500					
16.40.150 Tree Protection					

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Section 2. 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 3. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto 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)

AN ORDINANCE OF THE CITY OF ST. PETERSBURG CREATING A NEW ARTICLE III OF CHAPTER 9, CIVIL CITATIONS; PROVIDING AUTHORITY; AUTHORIZING THE ISSUANCE OF CIVIL CITATIONS; ADDING DEFINITIONS; PROVIDING FOR ONE OR MORE SPECIAL MAGISTRATES TO EXERCISE THE POWERS AS PROVIDED IN THIS ARTICLE AND STATE LAW RELATED TO CODE ENFORCEMENT; PROVIDING FOR AN APPEALS PROCESS TO CONTEST A CITATION, WHICH INCLUDES THE ASSESSMENT OF ADMINISTRATIVE CHARGES; PROVIDING A SCHEDULE OF VIOLATIONS AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, effective code enforcement is essential to the health, safety and welfare of the City of St. Petersburg; and,

WHEREAS, Florida Statutes, Chapter 162 provides the City with the powers to create multiple Code Enforcement Boards or Special Magistrates with the powers to enforce the City Code; and,

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WHEREAS, the City has a compelling interest in expediting code compliance; and,

WHEREAS, the purpose of a civil citation enforcement program is to effectively and expeditiously enforce the City Code;

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section One. Chapter 9 of the St. Petersburg City Code is hereby amended by adding a new Article III Sections 9-41 through 9-51 to read as follows:

ARTICLE III – CIVIL CITATIONS

Section 9-41 – Authority

(a) This Article has been enacted pursuant to the Home Rule powers of the City and authority of F.S. Ch. 162, as a supplemental method of enforcing certain sections of the codes and ordinances of the City and is enacted to protect the public health, safety, and welfare.

(b) Nothing in this article shall be construed to prohibit the City from enforcing its codes and ordinances by any other means including, but not limited to: a summons; a notice to appear in the county or circuit court; an arrest; an action before the code enforcement board; a civil action for injunctive relief; a stop work order, a demolition order, or any other method of enforcement.

Section 9-42. Applicability.

(a) The provisions of this Article shall apply to all violations of city codes and ordinances.

(b) For any violation of city codes or ordinances not specifically listed herein, the fine amount shall be \$100.

Section 9-43. Definitions; words defined.

For the purpose of this Article only, the following words shall have the following meanings:

Citation means the written charging document issued by a code enforcement inspector in a form prescribed by the POD which shall contain:

- (1) The date and time of issuance.
- (2) The name and address of the person to whom the citation is issued.
- (3) The date and time the civil infraction was committed, or observed to exist, or identified by the POD.
- (4) The facts constituting reasonable cause.
- (5) The number or section of the code or ordinance violated.
- (6) The name and title of the code enforcement inspector.
- (7) The procedure for the person to follow in order to pay the civil penalty or to contest the citation.
- (8) The applicable civil penalty if the person elects not to contest the citation.
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(10) The time period in which an appeal must be requested and the location where such request may be made.

(11) A conspicuous statement that if the person fails to pay the civil penalty within the time allowed, or fails to request a Special Magistrate appeal hearing to contest the citation, that person shall be deemed to have waived their right to contest the citation and that, in such case, an order of the Special Magistrate may be entered against that person for the amount of the civil citation.

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Person is defined in Chapter 1 of the City Code.

POD is defined in Chapter 1 of the City Code.

Repeat violation means a violation of a provision of the City Code by a person who has received a citation and: (1) paid the fine for; (2) contested the citation and found guilty of; or (3) been found guilty by reason of default for violating the same provision of the City Code within five (5) years prior to the violation, notwithstanding that the violations occurred at different locations.

Section 9-44. Enforcement procedures.

(a) A code enforcement inspector is authorized to issue a citation to a person when, based upon personal investigation, the inspector has reasonable cause to believe that the person is in violation of the City Code.

(b) Prior to issuing a citation, a code enforcement inspector shall provide written notice to the person that the person has committed a violation of the City Code and shall establish a reasonable time period within which the person must correct the violation. Such time period shall be no more than thirty (30) days. If, upon personal investigation, a code enforcement inspector finds that the person has not corrected the violation within

the given time period, a code enforcement inspector may issue a citation to the person who has committed the violation.

(c) A code enforcement inspector does not have to provide the person with a reasonable time period to correct the violation prior to issuing a citation and may immediately issue that citation if a code enforcement inspector has reason to believe that the violation:

- (1) Is a repeat violation;
- (2) Presents a serious threat to the public health, safety, or welfare; or
- (3) Is irreparable or irreversible;

(d) Each violation of the City Code shall be a separate civil infraction. Each day such violation shall continue shall be deemed to constitute a separate civil infraction.

(e) After issuing a citation to an alleged violator, a code enforcement inspector shall keep on file the citation for a period of eight weeks or at least 30 days after all appeal times have expired, whichever is later.

(f) A violation of a the City Code enforced by the provisions of this Article is a civil infraction punishable by a maximum civil penalty not to exceed five hundred dollars (\$500.00) or such amount as may hereafter be prescribed by law. The fines to be assessed by code enforcement inspectors shall be established by this Article.

(g) Subject to the procedures below, the alleged violator has the option of paying the penalty to the City or requesting an appeal hearing to be heard by the Special Magistrate authorized to hear civil citation hearings. Payment of said penalty to the City shall be made either in person or by mail, postmarked on or before, fifteen (15) days after receipt of the citation. If the alleged violator elects to pay the applicable penalty set forth on the citation, that person shall be deemed to have admitted the infraction and waived the right to a hearing.

(h) If a person fails to pay the penalty within the specified period or fails to timely request a hearing, that person shall be deemed to have waived the right to contest the citation. An order of the Special Magistrate may be entered against that person for the amount of the civil citation.

Sec. 9-45. Special Magistrate; appointment, powers.

(a) The City Council may appoint one or more Special Magistrates who shall have the authority to hold civil citation appeal hearings, assess fines against violators of the City Code

and otherwise exercise the powers of a municipal Code Enforcement Board as provided in F.S. ch. 162, pt. I, as and to the extent provided in this article.

(b) Special Magistrates shall consist of the following:

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

(2) To the extent permitted by applicable laws, the City may enter into a contract approved by City Council for use of a Special Magistrate.

(c) Minutes and records of hearings before a Special Magistrate shall be kept and maintained by the City in the manner and to the extent required by law. The City shall provide necessary and reasonable clerical and administrative support to enable a Special Magistrate to perform his or her duties. A Special Magistrate shall not be authorized to hire or use the services of any person except those provided by the City to assist him in the performance of his duties.

Sec. 9-46. Appeal of Civil Citation to Special Magistrate.

Any petitioner who wants to appeal the violation charged by a civil citation shall file with the City Clerk's Office a request for hearing on the form required by the POD by 5:00 PM on the tenth (10th) day following the date of the service of the civil citation. Such requests may be mailed by the violator if such request is sent certified mail and post-marked before midnight on the tenth (10th) day following the date of the service of the civil citation.

Sec. 9-47. Hearing procedures.

- (a) Hearings may be held at any time after giving the notice required by this Article. All hearings shall be open to the public.
- (b) The code enforcement inspector shall provide the Special Magistrate with a copy of the civil citation, the notice provided prior to issuance of the civil citation (if applicable), any recorded images related to the citation, and any other case history data prior to a hearing pursuant to this Article.
- (c) Notice of hearing shall be provided by first class mail, to the address provided by the violator in the request for hearing, at least twenty days before the hearing.
- (d) Cases on the agenda for a particular day shall be heard. All testimony shall be under oath and shall be recorded. The Special Magistrate shall take testimony from the code enforcement inspector, the petitioner and any other person with relevant information to the civil citation. The Special Magistrate shall review the

case history and any recorded images. The Special Magistrate shall not be bound by the formal rules of evidence; however, he or she shall act to ensure fundamental due process in each case.

- (e) The hearing may be continued once, prior to the hearing, at the discretion of the City, if the violator provides the City with written notice of the request to continue seven (7) days before the scheduled date of the hearing. Any violator may cancel his or her hearing by paying the penalty stated on the civil citation plus administrative costs established by this section before the start of the hearing. This information including where to make payment and the accepted forms of payment shall be set forth in the notice of hearing.
- (f) At the conclusion of each hearing, the Special Magistrate shall determine whether a violation of the City Code has occurred, in which case the Special Magistrate shall uphold or dismiss the citation, and issue a final order. If the citation is upheld, the final order shall order the violator to pay the penalty stated on the citation and shall order the violator to pay the administrative charges established by the POD.
- (g) If the violator fails to appear at the hearing, the violator shall be deemed to have waived the right to contest the citation, and the Special Magistrate will enter an order upholding the citation and ordering the violator to pay the penalty stated on the citation plus the administrative charges.

Sec. 9-48. Administrative charges.

In addition to the penalty stated on the citation, administrative charges shall be assessed against the violator. The POD shall establish the administrative charges, which charges shall at least cover all the costs to administer the appeal hearing. The cost associated with providing City staff for the hearing shall be considered part of the administrative charges. The POD shall review the administrative charges every six months and adjust, if necessary, to assure coverage of all the costs incurred in providing the hearings.

Sec. 9-49. Appeal.

Any aggrieved party including the City may appeal a final order of the Special Magistrate to the circuit court, if allowed by filing for a petition for writ of certiorari in the manner provided by law. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the Special Magistrate.

Sec. 9-50. Collection of unpaid penalty.

The POD may establish procedures for the collection of any unpaid civil penalty and administrative costs. At the discretion of the POD, the final order of the Special Magistrate for any unpaid fines or fines plus administrative costs, if applicable, may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and

upon any other real or personal property owned by the violator. Such liens may be foreclosed upon by the City subject to the state laws governing such code enforcement liens.

Sec. 9-51. Notices.

All notices required by this part, other than the initial violation warning letter, must be provided to the violator by:

- (a) Certified mail to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database, except the City may provide notice of a Special Magistrate hearing to any other address provided to the City by the alleged violator on the appeal hearing request form by first class mail.
- (b) Hand delivery
- (c) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such persons of the contents of the notice; or
- (d) In the case of a violation at a property commercial premises leaving the notice with the manager or other person in charge. Each employee of the business shall be deemed to be an agent of the business for service of warning notices and citations during regular business hours.
- (e) Additional notice may be completed by posting a copy of the notice or citation in a conspicuous place upon the property which is the subject of the violation. Such posting, together with proof of mailing in subsection (a) shall be sufficient to show that the notice requirements were met without regard to whether or not the alleged violator actually received such notice.

Sec. 9-52. Schedule of violations and penalties.

(a)

Violations of the following sections of the St. Petersburg City Code are considered Class I violations and the fine is:			
For a first offense.....\$40.00			
For a second offense.....\$80.00			
For a third offense.....\$160.00			
For a fourth or subsequent offense.....\$320.00			
8-2 Mailbox Required	16.40.100.5 Domestic Equipment	16.50.410 Temporary Uses	

8-3 Address Numbers	16.40.100.6 Commercial Equipment	16.50.440 Food Trucks	
8-99 LPA	16.50.085 Community Gardens	16.50.450 Pushcart Vendor	
8-146 Foreclosure Registry	16.50.140 Dog Dining	25-1 Mailbox in Right of Way	
16.40.040 Fence, Wall & Hedges	16.50.370.4 Sidewalk Café	25-5 Permit Required to Change Right of Way Surface	
16.40.100.4 Yard Parking	16.50.380 Sidewalk Display		

(b)

Violations of the following sections of the St. Petersburg City Code are considered Class II violations and the fine is: For a first offense.....\$100 For a second offense.....\$200 For a third and subsequent offense.....\$400					
1-17 Development Orders	8-166 Electrical Service	8-201 Outdoor Storage and Inoperative Vehicles	16.40.060.3.1 Maintenance of Trees and Vegetation	16.50.240 Accessory Outdoor Sales	
Chapter 4 Animals	8-167 Air and Water Heating	8-205 Harborage of Rats	16.40.070 Lighting	16.50.300 Portable Storage Units	
8-6 Construction Site Maintenance	8-168 Space, Use and Location	8-206 Mosquito Control	16.40.090 Parking Standards	25-136 Altering Curb	
8-7 Hours of Construction	8-169(a) and (b) Maintenance	8-207 Area Between Curb and Property Line	16.40.100.3 Driveway Maintenance	27-431 Prohibited Discharges	
8-35 Florida Building Code	8-169(c) Maintenance Accessory Structure	11-29 Water Pollution	16.40.120 Signs	27-465 Unlawful Dumping	
8-37 Tents/Temporary	8-169(d) Maintenance	11-53 Loud, Raucous	16.40.160 Visibility at		

Structures		and Unnecessary Noises	Intersections		
8-129 CIP	8-169(e) Manmade Bodies of Water	Chapter 16 Required Setbacks	16.50.130 Docks/Mooring Vessels		
8-163 Plumbing	8-170 Ventilation	16.20.160.8 Preservation Area Requirements	16.50.160 Garage Sales Immediate		
8-164 Kitchen Equipment	8-171 Bathroom Access	16.40.060.2.1.2 Groundcover – Commercial	16.50.170 Hobbies		
8-165 Light and Ventilation	8-196 thru 8- 200 Cleanliness	16.40.060.2.1.6(D) Prohibited Trees	16.50.180 Home Occupation		

(c)

Violations of the following sections of the St. Petersburg City Code are considered Class III violations and the fine is For a first offense.....\$300 For a second and subsequent offense.....\$450					
8-98 Unfit/Occupied	8-203 Rental Re-Let				
8-169(a)(1) Permit Required	19-65 Graffiti – Property Owner				
8-169(a)(2) Permit Expired	25-6 Structure in Right of Way				
8-169(a)(3) Unpermitted Work	25-8 Doing Business on Streets and Sidewalks				
8-202 Illegal Units	25-273 Minor Easement Required				

(d)

Violations of the following sections of the St. Petersburg City Code are considered Class IV violations and the fine is: For a first offense and subsequent offense.....\$500
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16.40.150 Tree Protection					
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Section 2. 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 3. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto 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)

MEMORANDUM

TO: The Honorable Chair and City Council Members

FROM: Heather K. Judd, Assistant City Attorney

THRU: Todd Yost, Director, Codes Compliance Assistance
Robert Gerdes, Manager, Codes Compliance Assistance

DATE: May 18, 2015

SUBJECT: Lot Clearing and Special Assessments for Junk, Trash and Debris
Removal

Please find attached the final draft of an ordinance amending Chapter 8, Section 201 and Chapter 16.40.060 relating to the process, notice and procedures related to Lot Clearing and Junk Trash and Debris removal from properties within the City.

The vegetation maintenance standards in Section 16.40.060.03.1 of the City Code are enforced by the Codes Compliance Assistance Department. If these violations go uncorrected by the property owner, the City Code authorizes the City to correct the violations. These violations typically consist of overgrown grass or vegetation in the visibility triangle. Correcting these types of violations is considered lot clearing, which is coordinated by the Codes Compliance Assistance Department with the work being performed by the Sanitation Department. The cost of the work is assessed against the property through City Council approval.

Recently, these two departments have worked together to begin removing junk, trash and debris from vacant properties. This is authorized by Chapter 8 of the City Code. The intent of the text amendments that are proposed is to clarify the authority to remove these items from vacant property and to specifically authorize assessment of the cost against the property as part of the lot clearing procedure.

Additionally, to further facilitate efficient procedures the appeals process for removal of junk trash and debris found in Chapter 8 of the City Code has been changed from a Subcommittee of the Code Enforcement Board (which is currently not being utilized) to an appeal conducted by a hearing officer. This process will be the same for appeals of lot clearing found in Section 16.40.060.4.2. Currently the Land Development Regulations (LDRs) provide that the Development Review Commission (DRC) or other designated non-department official would hear these appeals. In being able to provide efficient and accessible appeal procedures for what is generally a Codes Compliance issue, Staff has decided to replace this appeal procedure with the hearing officer as well. Both Chapter 8 and the Chapter 16 Lot Clearing section will require the same notice provision language. We believe this will help maintain consistency and clarity in the process.

1

Lastly, it was discovered that during a previous LDR revision some sections relating to various appeals were changed incorrectly. These sections were meant to move from appeals being heard by the City Administrator or his designee, to the DRC. However, when the change was made the authorization to "designees" remained. The DRC does not have such designees and Sections 16.70.030.1.G.2 and 16.70.010.6.A.3 have been changed to correct this error.

The DRC will be reviewing the proposed text amendments for consistency with the Comprehensive Plan and making the decision to whether to approve such amendments on June 3, 2015.

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE; AMENDING SECTION 8-201 TO CLARIFY THAT CORRECTION OF CERTAIN CODE VIOLATIONS BY THE CITY MAY BE CHARGED TO THE PROPERTY OWNER AS A SPECIAL ASSESSMENT AND TO CLARIFY NOTICE REQUIREMENTS AND PROVIDE A NEW APPEALS PROCESS; AMENDING SECTION 16.40.060 BY REASSIGNING WHO MAY HEAR LOT CLEARING APPEALS AND TO CLARIFY THAT REMOVAL OF JUNK, RUBBISH, AND GARBAGE IS INCLUDED IN THE COSTS THAT MAY BE CHARGED AS A SPECIAL ASSESSMENT TO REAL PROPERTY; CORRECTING TYPOS RELATING TO OTHER APPELLATE PROCEDURES AND PROVIDING AN EFFECTIVE DATE.

Section 1. The St. Petersburg City Code section 8-201(c)(1) is hereby amended to read as follows:

If the owner or occupant of any private property fails to remove any item, as described in subsection (b) of this section, which is unlawfully stored on that property within ten days after having been served with written notice, as described in subsection (g) of this section, which requires such removal, the City may cause the removal of such unlawfully stored items by following the lot clearing procedures found in Chapter 16. The POD may dispose of the items ~~after 30 days after removal from the private property unless the owner or occupant of the private property retrieves the items after presentation to the City of adequate proof of ownership thereof and payment to the City of reasonable charges for the storage and removal thereof.~~ The removal and disposal of such items may be accomplished either by the POD or by private contract, and all costs of such work required to correct the violation shall be charged against the property as a special assessment as provided in Chapter 16.

Section 2. The St. Petersburg City Code section 8-201(g) is hereby amended to read as follows:

- (g) (1) The written notice required by this section shall be deemed to have been served if:
- a. A copy thereof is personally delivered to the party to be notified;

- b. A copy is left at the party's usual place of abode with some person of the family above 15 years of age and informing such person of the contents thereof;
- c. A copy is mailed by either registered or certified United States mail ~~with return receipt requested~~;
- d. If the name of such party or the place of residence or post office address cannot be ascertained after diligent search and inquiry or in the event a notice sent by either registered or certified mail shall be returned undelivered, a copy of such notice is posted in a conspicuous place on the property upon which the items described in this section are or were located;
- e. A copy is attached to the item, if the item is located on public property; or
- f. A copy is personally delivered to the person with custody of the items stored on public property which items may belong to someone else, and a copy is attached to the item.

(2) The notice required by this section shall contain the following:

- a. A complete description of the items to be removed (such description may refer to an attached photograph);
- b. The location of the property;
- c. The section of the Code in violation;
- d. The location to which the items will be removed, if such items are removed from public property;
- e. The date and time by which the items must be removed from the private or public property; and
- f. If such items were removed from public property, the date by which the items must be claimed from the location where they are being stored, with notice that the items may be destroyed or otherwise disposed of after such date.

(3) For notices related to removal of items on private property by the POD pursuant to subsection (c) of this section or vehicles pursuant to subsection (f) of this section, the notice must be substantially in the same form as the Notice of Violation provided in the Lot Clearing procedures in Chapter 16 and contain notification that a hearing may be held at the owner's or occupant's request. The hearing ~~may~~must be requested by the owner or occupant by notice in writing to the City Clerk within ten days of the date of service on the notice. The time for request of a hearing shall be five days for a repeat violation. POD at the address prescribed on the notice. The notice that a hearing is requested must be received by the POD prior to the tenth day from the date of service of the written notice provided for in this section. A hearing, if requested, must be held prior to the removal of any item and shall be heard by a hearing officer ~~Committee composed of three members of the Code Enforcement Board~~. The owner or occupant, the City and all interested parties shall have the right to present evidence and appear before the Committee hearing officer either in person or by counsel. The ~~Subcommittee~~hearing officer shall decide based upon the evidence presented and

the applicable ordinances and laws whether or not the violation specified is sustained by the facts and shall rule expeditiously. The ~~Subcommittee~~hearing officer shall not be bound by the strict rules of evidence. If a hearing is requested, the POD shall not cause the removal of the items or vehicle until the ~~Subcommittee~~hearing officer has sustained the violation and five days have elapsed from the date that the ~~Committee's~~ hearing officer's decision is served upon the owner or occupant which service shall be served as provided in subsection (g) of this section.

Section 3. The St. Petersburg City Code section 16.40.060.4.2 is hereby amended to read as follows:

B. The appeal shall be heard by a hearing officer~~the Development Review Commission or by a department director or other senior management official not having direct supervisory authority over the POD who has been designated by the Development Review Commission for the purpose of conducting the hearing.~~ The hearing shall be conducted at a reasonable time and place, following notice of the hearing to the appellant. If the alleged violation is a repeat violation, the hearing shall be conducted not more than ten calendar days from the date of filing of the appeal. The hearing shall be informal and the strict rules of evidence shall not be applicable, but the minimal requirements of due process shall be observed. The objective of the hearing shall be to render a decision which is fair and just under the circumstances. At the hearing, the POD and the owner or the designated agent of the owner may introduce such evidence as is deemed necessary. The decision of the ~~Development Review Commission or the Development Review Commission's designee~~ hearing officer shall be final and the owner shall be deemed to have exhausted all administrative remedies.

Section 4. The St. Petersburg City Code section 16.40.060.4.3 is hereby amended to read as follows:

If the violations of City Code are not corrected by the property owner by the date stated in the notice of violation and no appeal has been made or, if made, a hearing has been held and has concluded adversely to the owner and the violation is not corrected within five days following the date of the hearing, the POD shall have authority to cause the violation to be corrected. By receiving the notice of violation in section 16.40.060.4.1 and failing to correct the violation or file an appeal (or to correct the violation within five days of an unsuccessful appeal), the property owner shall have given implied consent for the City, or its designee, to go onto the owner's property, including into fenced yards, to correct the violation(s). The POD shall have authority to cause the cutting and removal of vegetation, the application of pesticides to active hives of bees, wasps, yellow jackets or other stinging insects and/or the removal of such hives, and/or other appropriate lot clearing action as specifically provided by the City Code, including the removal of any and all junk, rubbish, or garbage on the property, when such work is necessary to correct the violation. ~~and~~ The costs of such work, as well as such administrative and other costs as are necessary to correct the violation, shall be charged against the property as a special assessment lien as provided in this section. ~~The POD is hereby authorized and directed to remove any and all junk, rubbish, or garbage on the property when the removal of that material is reasonably necessary to correct the violation.~~

Section 5. The St. Petersburg City Code section 16.70.010.6.A.3 is hereby amended to read as follows:

3. This section shall not apply to any notice of violation for which review by the Development Review Commission ~~or a designee of the Development Review Commission~~ or by the Code Enforcement Board is expressly authorized by this chapter.

Section 6. The St. Petersburg City Code section 16.70.030.1.G.2 is hereby amended to read as follows:

2. The owner or occupant may appeal a suspension or revocation of a zoning permit. ~~The Development Review Commission, or a department director or other senior management official who does not have direct supervisory authority over the POD and who has been designated by the Development Review Commission for such purpose,~~ shall hear appeals of the suspension or revocation of any zoning permit except an adult use permit, which shall be heard by the City Council. The decision of the Development Review Commission ~~or the Development Review Commission's designee~~ in such an appeal shall be deemed the final decision of the City.

(a) An appeal from a suspension or revocation of an adult use permit or denial of a request for extension of an adult use permit shall be heard by the City Council within 30 days of receipt of the notice of appeal by the City Clerk.

(b) The filing of a notice of appeal from the suspension or revocation of any zoning permit shall stay the effect of the suspension or revocation until the appeal has been decided, except that a suspension or revocation which is based upon a use or activity which constitutes a threat to public health or safety shall not be stayed pending the appeal.

Section 7. 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 8. 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 9. 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:

A handwritten signature in blue ink, written over a horizontal line. The signature is stylized and appears to be "H. B. ...".

City Attorney or Designee

ST. PETERSBURG CITY COUNCIL

Meeting of June 11, 2015

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

SUBJECT: An Ordinance amending Chapter 2 of the St. Petersburg City Code by revising Section 2-122 relating to the required date for Mayor's submission of an annual estimated budget to City Council and adding a provision authorizing City Council to establish an earlier date, with restrictions.

EXPLANATION: Currently, City Code requires the Mayor to submit an estimated budget to City Council no later than July 1st of each year. Since the certified property tax valuation from the Tax Appraiser is not provided to the City until July 1st, this sometimes requires significant revisions to the budget estimate be made after the submission to City Council. Moving the date to no later than July 15th will allow the Budget Department and Administration to make final adjustments to the recommended budget based upon the certified tax role prior to submission to City Council for their review and subsequent action. In addition, wording has been added to the Ordinance allowing City Council to establish by resolution a date earlier than July 15th, but no earlier than July 1st, for submission of the recommended budget, provided that Council passes such resolution at least two weeks prior to the new due date. Other key dates in the budget approval process for FY16 include:

- July 23, 2015 – Setting of Proposed Millage
- September 3, 2015 – First Public Hearing on Budget Adoption
- September 17, 2015 – Second Public Hearing and Adoption of FY16 Budget.

RECOMMENDATION: Administration recommends adoption of the revised Ordinance. Conduct Second Reading and Public Hearing on June 11, 2015.

COST/FUNDING/ASSESSMENT INFORMATION: There is no financial impact to the City; however, extension of the due date will provide more accurate estimation of the Mayor's recommended budget.

ATTACHMENTS: Ordinance

APPROVALS: Administration:

Budget:

Legal:


(As to consistency with attached legal documents)

AN ORDINANCE AMENDING SECTION 2-122 (a) OF THE ST PETERSBURG CITY CODE TO PROVIDE FOR A CHANGE IN THE DATE FOR THE ESTIMATED BUDGET TO BE SUBMITTED BY THE MAYOR TO CITY COUNCIL FROM NO LATER THAN JULY 1 OF EACH YEAR TO NO LATER THAN JULY 15 OF EACH YEAR; PROVIDING THAT THE CITY COUNCIL, BY RESOLUTION, CAN ADJUST THE BUDGET SUBMISSION DATE TO A DATE EARLIER THAN JULY 15; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Code Section 2-122(a) now requires the Mayor to submit an estimated budget on or before July 1, of each year; and

WHEREAS, the City is not supplied with the certified value of properties within the City until July 1 each year; and

WHEREAS, to have a more accurate estimated budget, it would require two weeks between the certification of value and the submittal of the estimated budget; and

WHEREAS, for the foregoing reasons it would be advantageous to move the required budget submittal date to a later date.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

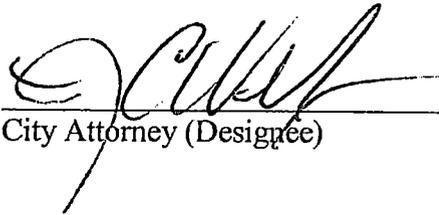
SECTION 1: Section 2-122 (a) of the St Petersburg City Code shall be amended to read as follows:

The Mayor from information and estimates shall compile, revise and submit to the City Council, on or before ~~July 1~~ July 15 of each year, a budget estimate of the expenditures and revenues of their respective departments and divisions for the ensuing year. City Council may, by resolution, require a budget submission date earlier than July 15 but not earlier than July 1 provided that the resolution is adopted at least two weeks prior to the revised date.

SECTION 2: Language which is underlined represents additions and the language which is ~~struck through~~ represents deletions.

SECTION 3: In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with 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, it shall become effective immediately upon a successful vote of City Council to override the veto in accordance with the City Charter.

APPROVED AS TO FORM AND CONTENT:



City Attorney (Designee)

ST. PETERSBURG CITY COUNCIL

Meeting of June 11, 2015

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

Subject: Two Ordinances in accordance with Section 1.02(c)(5)A., St. Petersburg City Charter, authorizing the restrictions contained in Site Dedications ("Site Dedications") dedicating the boat ramp project areas ("Project Areas") at Demens Landing Park and Bay Vista Park to the public as boating access facilities for the use and benefit of the general public from the date of execution of the Site Dedications by the City to June 30, 2035, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission ("FFWCC") Grants from the Florida Boating Improvement Program, Boating and Waterways Section for boat ramp improvements at Demens Landing Park and Bay Vista Park; authorizing the Mayor or his designee to execute Site Dedications for the Project Areas for a period ending June 30, 2035, and all other documents necessary to effectuate these Ordinances; and providing effective dates.

Explanation: The Florida Fish and Wildlife Conservation Commission ("FFWCC") offered the City Grants from the Florida Boating Improvement Program, Boating and Waterways Section ("Grants") for boat ramp improvements at Demens Landing Park and Bay Vista Park. On August 7, 2014, City Council adopted Resolution 2014-351 accepting the Grant for the construction of boat ramp improvements at Demens Landing Park. On September 18, 2014, City Council adopted Resolution 2014-398 accepting the Grant for the construction of boat ramp improvements at Bay Vista Park. FFWCC requires the execution of Site Dedications ("Site Dedications") for the Project Areas to the public as boating access facilities for the use and benefit of the general public from the date of execution of the Site Dedications by the City to June 30, 2035, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission ("FFWCC") Grants for the Project Areas and as a condition of the Grants.

Section 1.02(c)(5)a of the City Charter provides:

(c)

The disposition of park and waterfront property. With respect to the disposition of waterfront or park property the following shall govern:

(5)

Exception for acceptance of grants. Notwithstanding any other provision of this Charter, the following properties may be encumbered with assurances as to future uses in order to receive grants from governmental agencies upon the approval of City Council by an Ordinance receiving a public hearing and receiving an affirmative vote from at least six members of City Council. Each such encumbrance must be approved by a single ordinance dealing with only that encumbrance:

A. Perpetual encumbrances or restrictions for property or portions of property classified as Park or Waterfront property where such restrictions would restrict the property to recreation uses provided such restrictions could be removed

by replacing the grant facility and transferring the encumbrance to a new comparable park purchased at City expense or at the option of the Granting Agency repaying the grant money. The City could also accept similar grants having restrictions that are less than perpetual using the same ordinance adoption procedure.

The proposed Site Dedications are subject to the above procedures.

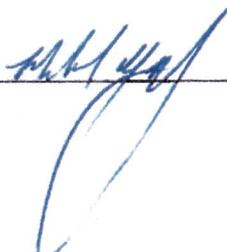
This is the second reading for these ordinances.

Recommendation. Administration recommends that City Council approve the attached Two Ordinances in accordance with Section 1.02(c)(5)A., St. Petersburg City Charter, authorizing the restrictions contained in Site Dedications ("Site Dedications") dedicating the boat ramp project areas ("Project Areas") at Demens Landing Park and Bay Vista Park to the public as boating access facilities for the use and benefit of the general public from the date of execution of the Site Dedications by the City to June 30, 2035, as a requirement for receipt of Florida Fish and Wildlife Conservation Commission ("FFWCC") Grants from the Florida Boating Improvement Program, Boating and Waterways Section for boat ramp improvements at Demens Landing Park and Bay Vista Park; authorizing the Mayor or his designee to execute Site Dedications for the Project Areas for a period ending June 30, 2035, and all other documents necessary to effectuate these Ordinances; and providing effective dates.

Cost/Funding/Assessment Information: There are no expenditures or receipts associated with the passage of the Ordinances. Funding for the construction of the boat ramp improvements has been previously approved.

Approvals:

Legal: /s/ RBB

Administration:  for Sherry Mcbee

Legal: 00234148.doc V. 2

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(c)(5)A., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN A SITE DEDICATION ("SITE DEDICATION") DEDICATING THE BOAT RAMP PROJECT AREA ("PROJECT AREA") AT DEMENS LANDING PARK TO THE PUBLIC AS A BOATING ACCESS FACILITY FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC FROM THE DATE OF EXECUTION OF THE SITE DEDICATION BY THE CITY TO JUNE 30, 2035, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION FOR THE BOAT RAMP IMPROVEMENTS AT DEMENS LANDING PARK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A SITE DEDICATION FOR THE PROJECT AREA FOR A PERIOD ENDING JUNE 30, 2035, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE..

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Demens Landing Park is a City Waterfront Park located at the eastern terminus of First Avenue Southeast, east of Bayshore, which is subject to Section 1.02, of the St. Petersburg City Charter governing use and disposition of City park and waterfront property. Demens Landing Park contains a boat launching ramp facility.

Section Two. The Florida Fish and Wildlife Conservation Commission ("FFWCC") has awarded the City a grant from The Florida Boating Improvement Program, Boating and Waterways Section for the construction of boat ramp improvements at Demens Landing Park ("Grant") in the amount of \$187,000.

Section Three. The FFWCC requires that the City execute a site dedication ("Site Dedication") dedicating the project area at each of the waterfront parks covered by the Grants as set forth in the City's grant applications ("Project Area") to the public as a boating access facility for the use and benefit of the general public for a minimum period of twenty (20) years from the date of the Site Dedication through June 30, 2035.

Section Four. Section 1.02(c)(5)A of the St. Petersburg City Charter provides:
5) *Exception for acceptance of grants.* Notwithstanding any other provision of this Charter, the following properties may be encumbered with assurances as to future uses in order to receive grants from governmental agencies upon the approval of City Council by an Ordinance receiving a public hearing and receiving an affirmative vote

from at least six members of City Council. Each such encumbrance must be approved by a single ordinance dealing with only that encumbrance:

A.

Perpetual encumbrances or restrictions for property or portions of property classified as Park or Waterfront property where such restrictions would restrict the property to recreation uses provided such restrictions could be removed by replacing the grant facility and transferring the encumbrance to a new comparable park purchased at City expense or at the option of the Granting Agency repaying the grant money. The City could also accept similar grants having restrictions that are less than perpetual using the same ordinance adoption procedure.

The Site Dedication required by FFWCC qualifies for the exemption set forth in Section 1.02(c)(5)A.

Section Five. The Mayor or his designee is authorized to execute a Site Dedication for the Demens Landing Park Project Area for a period ending June 30, 2035 and all other documents necessary to effectuate this ordinance.

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

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

Approvals:

Legal: /s/ RBB

Administration: Shayk McBe

Legal: 00233891.doc V.1

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(c)(5)A., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN A SITE DEDICATION ("SITE DEDICATION") DEDICATING THE BOAT RAMP PROJECT AREA ("PROJECT AREA") AT BAY VISTA PARK TO THE PUBLIC AS A BOATING ACCESS FACILITY FOR THE USE AND BENEFIT OF THE GENERAL PUBLIC FROM THE DATE OF EXECUTION OF THE SITE DEDICATION BY THE CITY TO JUNE 30, 2035, AS A REQUIREMENT FOR RECEIPT OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("FFWCC") GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM, BOATING AND WATERWAYS SECTION FOR THE BOAT RAMP IMPROVEMENTS AT BAY VISTA PARK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A SITE DEDICATION FOR THE PROJECT AREA FOR A PERIOD ENDING JUNE 30, 2035, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE..

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Bay Vista Park is a City Waterfront Park located at 7000 4th Street South, bounded on the north by a private home and Pinellas Point Drive South, on the south and east by Tampa Bay, and on the west by a private home, which is subject to Section 1.02, of the St. Petersburg City Charter governing use and disposition of City park and waterfront property. Bay Vista Park contains a boat launching ramp facility.

Section Two. The Florida Fish and Wildlife Conservation Commission ("FFWCC") has awarded the City a grant from The Florida Boating Improvement Program, Boating and Waterways Section for the construction of boat ramp improvements at Bay Vista Park ("Grant") in the amount of \$140,000.

Section Three. The FFWCC requires that the City execute a site dedication ("Site Dedication") dedicating the project area at each of the waterfront parks covered by the Grants as set forth in the City's grant applications ("Project Area") to the public as a boating access facility for the use and benefit of the general public for a minimum period of twenty (20) years from the date of the Site Dedication through June 30, 2035.

Section Four. Section 1.02(c)(5)A of the St. Petersburg City Charter provides:
5) *Exception for acceptance of grants.* Notwithstanding any other provision of this Charter, the following properties may be encumbered with assurances as to future uses in order to receive grants from governmental agencies upon the approval of City

Council by an Ordinance receiving a public hearing and receiving an affirmative vote from at least six members of City Council. Each such encumbrance must be approved by a single ordinance dealing with only that encumbrance:

A.

Perpetual encumbrances or restrictions for property or portions of property classified as Park or Waterfront property where such restrictions would restrict the property to recreation uses provided such restrictions could be removed by replacing the grant facility and transferring the encumbrance to a new comparable park purchased at City expense or at the option of the Granting Agency repaying the grant money. The City could also accept similar grants having restrictions that are less than perpetual using the same ordinance adoption procedure.

The Site Dedication required by FFWCC qualifies for the exemption set forth in Section 1.02(c)(5)A.

Section Five. The Mayor or his designee is authorized to execute a Site Dedication for the Bay Vista Park Project Area for a period ending June 30, 2035 and all other documents necessary to effectuate this ordinance.

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

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

Approvals:

Legal: /s/ RBB

Administration: _____

Shy K McBen

Legal: 00233907.doc V. 1

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE BY CREATING A NEW ARTICLE TO REGULATE NUISANCE PROPERTIES; MAKING FINDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE DECLARATION OF NUISANCE PROPERTIES AND CHRONIC NUISANCE PROPERTIES; PROVIDING FOR EXEMPTIONS; PROVIDING FOR NOTICE; REQUIRING A WRITTEN ACTION PLAN; PROVIDING FOR APPEALS; PROVIDING FOR PENALTIES; PROVIDING FOR THE RECOVERY OF POLICE COSTS; PROVIDING A PROCEDURE FOR COLLECTION; AUTHORIZING COLLECTION THROUGH THE NON AD VALOREM ASSESSMENT METHOD; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The St. Petersburg City Code is hereby amended by adding a new Article IV, Sections 9-61 through 9-78, to Chapter 9, to read as follows:

CHAPTER 9, ARTICLE IV. CHRONIC NUISANCE PROPERTY

DIVISION I. GENERALLY

Sec. 9-61. The City Council hereby makes the following findings:

(a) that any property that has generated three or more responses from the police department for nuisance activities within thirty days, or five or more responses in ninety days, has received significantly more services than the normal level of general and adequate police service provided to the public and has placed an extraordinary and unnecessary burden on the citizens, businesses, taxpayers and property owners of the City, has disproportionately used police services, and substantially reduced the availability of police services for other citizens.

(b) that property owners, and other parties who control a property, that chronically fail to control the use of their property substantially interfere with the comfortable enjoyment of life, health and safety of other citizens and the community.

(c) that it is in the public interest to require the owners and/or other responsible parties of such property to bear the additional costs associated with abating violations at properties at which nuisance activities chronically occur.

(d) that such properties disproportionately consume City services and impose an economic burden on properties in the City.

(e) that nuisance properties receive special services which extend far beyond general law enforcement or code enforcement activities and that the abatement of chronic nuisances by the City is a municipal service.

(f) that abating chronic nuisances possesses a logical relationship to the use and enjoyment of the benefitted real property and provides a direct, special benefit to the real property by:

- 1) reducing property maintenance costs;
- 2) reducing property management costs;
- 3) eliminating the invitation of on-site criminal activities;
- 4) protecting the health and safety of the occupants and nearby persons;
- 5) protecting the value of the real property; and
- 6) enhancing market perceptions of the real property.

g) that the cost of abating the nuisance activities shall be entirely apportioned to the benefitted real property receiving the services.

h) that the cost of abating the nuisance activities may be levied against the benefitted real property as a special assessment superior to all other private rights, interests, liens, encumbrances, titles and claims upon the real property and equal in dignity with a lien for ad valorem taxes.

Sec. 9-62. Definitions and Exemptions.

For the purposes of this division:

a) "Nuisance activity" means when any person associated with a property is charged with a violation of any of the following activities, behaviors or conduct:

- 1) Chapter 3 - Alcoholic Beverages, Sections 3-10, 11, 13, or 14.
- 2) Chapter 11, Article III - Noise Pollution.
- 3) Chapter 4, Article III - Dogs, Sections 4-55 or 57.
- 4) Chapter 20, Article V, Division 2 - Illicit Synthetic Drugs
- 5) F.S. § 767.12 - dangerous dogs.
- 6) F.S. § 790.15(1) - discharging firearm in public.
- 7) F.S. § 796.06 - renting space to be used for prostitution.
- 8) F.S. § 796.07 - prostitution.
- 9) F.S. § 800.03 - exposure of sexual organs.
- 10) F.S. § 806.13 - criminal mischief.
- 11) F.S. § 810.08 - trespass in structure or conveyance.

- 12) F.S. § 810.09 - trespass on property other than structure or conveyance.
- 13) F.S. § 812.014 - theft.
- 14) F.S. § 812.019 - dealing in stolen property.
- 15) F.S. § 812.173 - convenience business security.
- 16) F.S. § 823.01 - nuisances.
- 17) F.S. § 828.12 - cruelty to animals.
- 18) F.S. § 856.011 - disorderly intoxication.
- 19) F.S. § 856.015 - open house parties.
- 20) F.S. § 856.021 - loitering or prowling.
- 21) F.S. § 856.022 - loitering or prowling in close proximity to children.
- 22) F.S. Ch. 874 - criminal gang enforcement and prevention.
- 23) F.S. § 877.03 - breach of the peace; disorderly conduct.
- 24) F.S. Ch. 893 - any offense under the Florida Comprehensive Drug Abuse Prevention & Control Act.
- 25) Any other offense under state or federal law that is punishable by a term of imprisonment exceeding one year.

- b) 'Other responsible party' means any individual or entity other than the owner of the property that is operating a business upon the property or is occupying the property, whether pursuant to a lease, license, or is otherwise allowed to use the property by the owner.
- c) 'Person associated with a property' means the property owner, operator, manager, resident, occupant, guest, visitor, patron, employee or agent of any of these persons.
- d) 'Responsible party' means the owner of the property and any 'other responsible party' as defined herein.
- e) 'Separate and distinct incident' means that each time that the police department responds to a nuisance activity at the property shall be deemed a separate and distinct incident. This may include multiple incidents occurring on the same day.
- f) 'Police services' means all costs associated with a police officer response to a property and may include, but is not limited to, the costs for: officers and cruisers to respond to a call, receiving the call, dispatch, any supervisory time necessary, any research necessary for enforcement, any citation costs, any transport costs for arrests, and any other cost associated with a response to a call for service at the property.

- g) This division shall not be applied to restaurants or taprooms except for violations of the noise ordinance (Ch. 11), Sec. 3-10 and 3-11 of the alcoholic beverage ordinance and any violation set forth herein which is committed by the owner of the property or business or their employees. The 'theft' category shall not be applied in dealing with retail establishments.
- h) This division shall not be applied when the responsible party was the victim of a crime, or when there is more than one responsible party and one of the responsible parties is the victim of domestic violence.
- i) POD is defined in Chapter 1, references to the Chief shall mean the Chief of Police or his or her designee.

Sec. 9-63. Procedure.

a) Notices

- 1) Whenever the POD determines that the police department has responded to three or more nuisance activities that have occurred at a property during a thirty day period or five or more nuisance activities within a ninety day period, the POD may notify the property owner or other responsible party in writing that the property is a nuisance. The initial nuisance property notice (INP Notice) shall begin the procedures of this division, although the POD should have other contact with any responsible party in an attempt to abate the nuisance activity prior to the initiation of this process. The INP Notice shall contain:
 - i. A clear statement that the property is deemed a nuisance.
 - ii. The street address or legal description sufficient for identification of the property.
 - iii. A description of the nuisance activities that have occurred at the property, including the dates of the occurrences.
 - iv. A statement indicating that the cost of police responses and enforcement may be assessed as a special charge against the property, or referred for collection.
 - v. Examples of nuisance abatement measures.
 - vi. A statement that the property owner or other responsible party shall, within 14 days of date of the INP Notice, either respond to the POD with an acceptable, written action plan (WAP) to abate the nuisance activities at the property or file an appeal pursuant this division.
 - vii. A requirement that the WAP shall include the specific address(es) at which all future correspondence and notices shall be sent. Any

future notice sent to the address in the WAP by first class mail shall be considered to have been properly served.

- viii. A statement that the INP Notice may be appealed within fourteen days of service of the INP Notice.

2) Service of Notice

- i. The INP Notice shall be served by certified mail, return receipt requested, or hand delivery to any responsible party, or by hand delivery at the responsible party's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice. In the alternative, if the property is used for a nonresidential use, or a residential use with an onsite office, INP Notice may be served by hand delivery to any employee at the property or office, with a copy mailed by first class mail to the property and any responsible party.
 - ii. If service of the INP Notice cannot be accomplished as set forth above, the INP Notice may be served by publication and mailed notice. The INP Notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the City. The INP Notice shall also be mailed by first class mail to the property and any responsible party shown on the ad valorem tax roll.
 - iii. Evidence that an attempt has been made to hand deliver or mail the INP Notice as provided in this section, together with proof of publication as provided this section, shall be sufficient to show that the INP Notice requirements have been met, without regard to whether or not the responsible party actually received the INP Notice.
 - iv. After the INP Notice has been served as provided in this section, all subsequent correspondence and notices shall be mailed, by first class mail, to the address provided in the WAP, or if no address is provided, to the address at which service of the INP Notice was made or the property at which the nuisance activities occurred, unless otherwise specifically required by this division. Service by mail shall be effective upon mailing.
- 3) Constructive notice. A responsible party shall be deemed to have notice of a nuisance activity if that responsible party: i) has actual knowledge of

the nuisance activity; ii) has received notice of the nuisance activity; iii) has refused to accept a communication sent by certified mail; iv) has reason to know of the nuisance activity; v) knows about a fact related to a nuisance activity; or vi) is able to ascertain the existence of a nuisance activity by checking an official filing or recording. The lack of knowledge of, acquiescence to, participation in, or responsibility for a nuisance activity on the part of a responsible party shall not be a defense to any enforcement of this division.

- b) Upon service of the INP Notice, the responsible party shall, within fourteen days, either respond to the POD with an acceptable WAP to abate the nuisance activities at the property or file an appeal pursuant this division.
- c) Extensions. The POD may extend any deadline for up to 20 days if the responsible party is actively, and in good faith, attempting to comply with this section.
- d) Upon receipt of the proposed WAP, the Chief shall review the proposed WAP to determine if the Chief reasonably believes that, based on the measures identified in the proposed WAP, that it will ensure that the identified nuisance activities will not occur again. Measures to be considered in determining the adequacy of the WAP may include, but are not limited to:
 - 1) Commencement of an eviction action pursuant to F.S. Ch. 83 to remove from the property those individuals engaged in the nuisance activity;
 - 2) Implementation of crime prevention through environmental design (CPTED) measures;
 - 3) Frequency of site visits and inspections at various times of both day and night;
 - 4) Hiring of property management;
 - 5) Hiring of private security;
 - 6) Installation of security cameras and/or exterior lighting;
 - 7) Installation of fencing;
 - 8) Compliance with all property maintenance codes;
 - 9) Use and enforcement of a comprehensive written lease agreement which addresses the standard terms of the industry for rentals;
 - 10) Criminal background checks for prospective tenants and lease renewals;
 - 11) Posting of "no trespassing" signs at the property and execution of a "no trespass affidavit" authorizing the police department to act as an agent of the property owner to enforce trespass statutes on the property;
 - 12) Regular requests for offense and incident reports relating to the property that are available through the records custodian of the police department records division;
 - 13) Written documentation of all efforts to curtail or eliminate the re-occurrence of nuisance activities on the property;

- 14) Any other action that the POD determines is reasonably sufficient to curtail or eliminate the re-occurrence of nuisance activities on the property.
- e) Upon review of the proposed WAP, the POD shall accept the proposed WAP if the Chief reasonably believes that, based on the measures identified in the proposed WAP, that it will ensure that the identified nuisance activities will not occur again. If the Chief rejects the WAP, measures shall be identified which, if included in the WAP, will make the WAP acceptable.
 - 1) An accepted WAP shall include a specific timetable for the implementation of each measure of the WAP and shall be fully implemented within forty five (45) days from the date the POD mails notice of acceptance of the WAP to the responsible parties.
 - 2) If implementation of any measure in the WAP is expected to exceed 45 days (e.g. tenant eviction), through no fault of the responsible party, the POD may extend this time limit for such measure so long as the responsible party has implemented all other measures and the responsible party is acting in good faith to implement the measures which need additional time.
 - f) Whenever the POD determines that an accepted WAP has not abated the identified nuisance activities or that other nuisance activities have begun at the property, and that modification of an accepted WAP is necessary to abate nuisance activities at the property, the POD shall notify the responsible parties in writing that the WAP must be modified. This modification notice shall contain the same information as the INP Notice and, in addition, a description of the nuisance activities that continue to occur at the property and/or the new nuisance activities, and a copy of the previously accepted WAP.
 - g) Upon receipt of a modification notice, the responsible party shall, within fourteen days either respond to the POD with a modified, acceptable WAP to abate the nuisance activities at the property or file an appeal pursuant this division.
 - 1) Upon review of the modified WAP, the POD shall accept or reject the proposed modified WAP if the Chief reasonably believes that, based on the measures identified in the proposed modified WAP, that it will ensure that the identified nuisance activities will not occur again.
 - 2) The modified WAP shall include a specific timetable for the implementation of each aspect of the modified WAP and shall be fully implemented within forty five (45) days from the date the POD mails notice of acceptance of the modified WAP to the responsible parties,

subject to the specific extensions for specific measures allowed for the original WAP.

- h) Each WAP shall be effective for not less than six months nor more than one year from its approval.
 - 1) The POD shall determine the period of time the WAP shall be in effect at the time of approving the WAP, which time shall be based on the reasonable amount of time necessary to implement the requirements of the WAP and abate the nuisance activities.
 - 2) If the WAP is modified, the POD shall establish a new date for termination of the WAP.
 - 3) A responsible party may request that a WAP be terminated early. The POD may terminate the WAP before the established termination date if the POD determines that the nuisance activities have been abated and are not likely to reoccur in the near future. This decision is within the PODs discretion, is final, and is not appealable except as allowed by the State appellate rules or other applicable law.

Sec. 9-64. Penalties.

- a) If the responsible party fails to respond to the INP Notice, proposes a WAP that is rejected by the POD, or fails to implement an accepted or modified WAP completely, the POD shall declare the property a chronic nuisance and notify the responsible parties in writing that the property is a chronic nuisance, that the cost of any future police services for or any response to subsequent nuisance activities occurring at the property may be assessed as a special charge against the property, or referred for collection, that any responsible parties may be cited for allowing a chronic nuisance property to exist, and that they have fourteen days from the date of mailing in which to appeal. The POD shall record the declaration of a chronic nuisance in the public records so that any potential buyer will be able to have notice of the declaration.
- b) It is a violation of this section to be a chronic nuisance property. The fine for each violation of this section shall be \$500. The property owner, business owner, tenant, and manager may each be cited for a violation of this section.
- c) The POD or police department may calculate the cost of police services for responses to nuisance activities occurring at the property after the date the property is declared a chronic nuisance and refer the cost to the POD for imposition of a lien and/or collection.

Sec. 9-65. Appeals.

- a) Appeals may be taken from:
 - 1) the INP Notice that a property is a nuisance property,
 - 2) the written determination by the POD that a WAP, or modified WAP, is inadequate or rejected, or
 - 3) the written determination by the POD that the property is a chronic nuisance.
- b) Failure to file a timely appeal shall be deemed to be a waiver of that right and the responsible party shall have failed to exhaust their administrative remedies.
- c) An appeal may be filed by any responsible party who has been aggrieved.
- d) Any appeal must be filed not later than 5 p.m. on the fourteenth day after mailing of the action complained of. The appeal:
 - 1) shall be filed in the City Clerk's Office,
 - 2) shall be in writing,
 - 3) shall include a copy of the action complained of,
 - 4) shall include the address at where any notice of hearing shall be mailed,
 - 5) shall include the phone number and email address of the responsible party appealing, and
 - 6) shall be accompanied by a fee of \$100. If the responsible party filing the appeal prevails, then the appeal fee shall be returned.
 - 7) The City Clerk shall not accept any appeal which does not meet these requirements.
- e) The appeal shall be heard by a hearing officer who is an attorney licensed to practice law in Florida. Hearing officers shall be recommended by the City Attorney and confirmed by City Council.
- f) A notice of the appeal hearing by a hearing officer shall be mailed at least ten days prior to the time of the hearing and shall identify the location of the hearing.
- g) The hearing shall be a quasi-judicial hearing at which the hearing officer determines whether the POD followed the correct procedures and that the action appealed from meets the requirements of this division. If the rejection of a proposed WAP is the subject of the appeal, the hearing officer shall determine whether the measures identified in the proposed WAP, if implemented, are likely to abate the nuisance activities. If they are not, the hearing officer shall deny the appeal.
- h) In any hearing before the hearing officer, formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. All other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible whether or not such evidence would be admissible in a trial in the courts of the State. Each party shall have the right to be represented by counsel, to call and examine

witnesses under oath, to introduce documentary evidence or exhibits, to cross-examine opposing witnesses on any relevant matter even though the matter was not covered under direct examination, to impeach any witness regardless of which party first called him to testify, and to submit rebuttal evidence

- i) The burden of proof is upon the City to show that, by a preponderance of the evidence, the correct procedures were followed and that the determination of the POD meets the requirements of this division.
- j) At the hearing, the hearing officer shall affirm, modify or reverse the action of the POD and enter a final written order. When the hearing officer affirms the action of the POD, the POD may proceed without further delay.
- k) Any person aggrieved by the decision of the hearing officer may seek judicial review if allowed by the State appellate rules or other applicable law.
- l) As used in this subsection, and for appeal purposes only, "responsible party" may include a person who possesses a present legal right of present or future enjoyment of the property by virtue of a deed, title, mortgage, fully executed contract for purchase, lien or estate in the property, judgment of court, being a named beneficiary in a will or trust of a deceased owner (or the legal spouse of the property owner).
- m) Any responsible party appearing before the hearing officer may appear in person, by legal counsel or by an agent.

Sec. 9-66. Change of ownership.

- a) Any purchaser of a chronic nuisance property at a judicial sale, any trustee of a chronic nuisance property in receivership, and any personal representative of an estate in probate (or the beneficiaries if the owner died intestate) for which a chronic nuisance property is an asset shall file a WAP within forty five days after they become responsible for, or legally in control of, the property.
- b) An arms length purchaser or bona fide purchaser for value who purchases the property shall file a WAP within forty five days after closing or they become responsible for, or legally in control of, the property.
- c) A new owner who obtains title to a chronic nuisance property and who does not fall into one of the categories of owners set forth in this section, shall step into the shoes of the previous owner and comply with any WAP which has been approved or, if no WAP is approved, shall have fourteen days to file a WAP with the POD or file an appeal.

Sec. 9-67. Cost Recovery.

- a) Establishment of costs
 - 1) All bills for police service costs shall be for the actual cost of the police services provided to the property.

- 2) All bills for police service costs shall be supported with written documentation showing the actual time and costs for police services provided to the property.

b) Billing of police service costs

- 1) The property owner of the nuisance property and all other responsible parties are responsible for paying all police service costs.
- 2) Police service costs shall be billed to the property owner by first class mail to the address listed on the ad valorem tax roll and to any other responsible party at the address provided in the WAP. The bill shall contain at least the following information:
 - i. The street address or legal description sufficient for identification of the property,
 - ii. A description of the nuisance activities that occurred on the property;
 - iii. A description of the police services provided to abate the nuisance activities, and cost of the services;
 - iv. A statement that the total amount of the bill shall be paid to the City within 30 days from the date of the bill and that any police service costs that are not paid within 30 days from the date of the bill shall be delinquent;
 - v. A statement that that any unpaid police service costs may be levied against the property as a non-ad valorem assessment equal in rank and dignity with a lien for ad valorem taxes; and
 - vi. A statement that unpaid assessments may be certified to the tax collector for collection pursuant to the uniform method provided in F.S. § 197.3632.

Sec. 9-68. Cost Recovery Termination.

If the property receives no calls for police service for one year, then it shall no longer be a chronic nuisance under this section and shall not be billed for any additional calls for police service unless the POD initiates this process from the beginning.

Division 2. NON-AD VALOREM SPECIAL ASSESSMENTS; ALTERNATIVE COLLECTION METHODS

Sec. 9-71. Police service costs; non-ad valorem assessment.

- a) Whenever a responsible party has been notified that a chronic nuisance exists at a property and has been billed for 3 or more separate nuisance activities within a one-year time period for the costs of police services and

such bills are delinquent, the POD may initiate the assessment procedures set forth herein. After the initiation of these procedures, any delinquent bill for police service costs may be assessed against the property.

- b) Any police service costs that remain unpaid and are therefore delinquent may be levied against the benefitted real property as a non-ad valorem special assessment.

Sec.9-72.Non-ad valorem assessments.

The POD shall follow the procedures for assessing a non-ad valorem assessment as set forth in state statutes (currently F.S. 197.3632 – Uniform Method for the levy, collection and enforcement of non-ad valorem assessments) and any additional requirements of this division. In the event of any conflict in these procedures, state law procedures shall control.

Sec.9-73 Initial assessment roll.

- a) *Contents of initial assessment roll.* The POD shall, annually, prepare an initial assessment roll for delinquent police service costs which shall contain the following:
 - 1) A summary description of all benefitted real property with delinquent police service costs to be assessed, conforming to the description contained on the ad valorem tax roll;
 - 2) The name of the each owner of the benefitted real property as listed on the ad valorem tax roll; and
 - 3) The amount of the delinquent police service costs to be assessed against each parcel of benefitted real property.
- b) *Public inspection of initial assessment roll.* The initial assessment roll shall be retained by the City Clerk and shall be open to public inspection. The foregoing shall not be construed to require that the assessment roll be in printed form if the amount of police service assessment for each parcel of benefitted real property can be determined by use of a computer terminal available to the public.
- c) *Notice to property appraiser.* A copy of the initial assessment roll shall be provided to the property appraiser and included as a part of the notice of proposed property taxes if required by state law (F.S. § 200.069, the truth-in-millage notification).

Sec. 9-74. Final assessment roll; Public hearing.

- a) *Public hearing.* The City Council shall adopt a final non-ad valorem assessment roll at a public hearing held in accordance with state law (currently F.S. § 197.3632).

b) *Notice by mail.* The City shall mail notice of the public hearing to the property owner(s). The mailed notice shall conform to the requirements for non-ad valorem assessments set forth in state law (currently F.S. § 197.3632). Notice shall be mailed by first class mail prior to the hearing to each property owner at the address listed on the ad valorem tax roll. The mailed notice shall contain at least the following information:

- 1) The purpose of the assessment;
- 2) The total amount to be levied against each parcel of assessed real property;
- 3) A statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title;
- 4) A statement that all affected property owners have a right to appear at the hearing and to file written objections with the City Council; and
- 5) The date, time, and place of the hearing.

Failure of the property owner to receive such notice due to mistake or inadvertence shall not affect the validity of the assessment roll nor release or discharge any obligation for payment of a police service cost assessment.

c) *Notice by publication.* The City shall publish notice of the public hearing in a newspaper of general circulation in the City. The published notice shall conform to the requirements set forth in state law (currently F.S. § 197.3632) and shall contain at least the following information:

- 1) A geographic description of the real property subject to the assessment;
- 2) A brief and general description of the police services provided;
- 3) The fact that the assessment will be collected by the tax collector;
- 4) A statement that all affected property owners have the right to appear at the public hearing and the right to file written objections with the POD; and
- 5) A statement that the initial assessment roll is available for inspection at the office of the City Clerk and that all interested persons may ascertain the amount to be assessed against a parcel of assessed real property at the office of the City Clerk.

Sec. 9-75. Public hearing; adoption of final assessment roll.

a) *Public hearing.* At the public hearing, the City Council shall receive the written objections and shall hear testimony from all interested persons. If the City Council adopts the final assessment roll, the City Council shall specify the amount of the assessment. Notwithstanding the notices provided for in this division, the City Council may adjust the assessment or the application of the assessment to any assessed real property based on the benefit which the City has provided to the property.

- b) *Adoption of final assessment roll.* The City Council may, at the public hearing or at any subsequent meeting of the City Council, adopt an assessment roll which shall confirm, modify, or repeal the initial assessment roll with such amendments, if any, as the City Council deems equitable.
- c) *Legislative determination of special benefit and fair apportionment.* The adoption of the final assessment roll by the City Council shall constitute a legislative determination that all assessed parcels of real property derive a special benefit from the police services provided by the City and a legislative determination that the assessments are fairly and reasonably apportioned to the properties.

Sec. 9-76. Lien of police service assessments.

Upon the adoption of the final assessment roll, all police service cost assessments shall constitute a perfected lien against the assessed real property superior to all other private rights, interests, liens, encumbrances, titles and claims upon the property and equal in rank and dignity with a lien for ad valorem taxes.

Sec. 9-77. Correction of errors and omissions.

- a) *Validity of assessment.* Any informality or irregularity in the proceedings in connection with the levy of a police service costs assessment shall not affect the validity of the assessment after approval by the City Council. A police service costs assessment as finally approved by the City Council shall be competent evidence that the assessment was duly levied, made and adopted, and that all other proceedings were duly taken. No error or omission on the part of the property appraiser, tax collector, POD, or other employee of the City shall operate to release or discharge any obligation for payment of a police service costs assessment imposed by the City under this division.
- b) *Correction of errors by the POD.* Prior to the delivery of the assessment roll to the tax collector, the POD shall have the authority at any time to correct any error or omission in applying the assessment to any particular parcel of assessed real property not otherwise requiring the provision of notice pursuant to state law. Any such correction shall be considered valid ab initio and shall not affect the enforcement of the police service costs assessment. Any such correction shall be made by the POD and not the property appraiser or tax collector.

Sec. 9-78. Alternate Methods of collection.

- a) Police service costs assessments shall be collected pursuant to the uniform method provided in state law (currently F.S. § 197.3632), unless the POD determines that another enforcement method is more effective.

- b) In lieu of using the non-ad valorem assessment method, the POD may elect to collect a police service cost assessment by any other method authorized by law including, but not limited to, filing an action in a court of law or assessing the property using any other process.
- c) Any hearing or notice required by this division may be combined with any other hearing or notice required by any other provision of law.
- d) Notwithstanding the City's use of an alternative method of collection, POD shall have the same power and authority to correct errors and omissions as provided in this division.

SECTION 2. The provisions of this Ordinance shall be deemed severable. The unconstitutionality or invalidity of any word, sentence or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 3. In the event that this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (designee)

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE BY CREATING A NEW ARTICLE TO REGULATE NUISANCE PROPERTIES; MAKING FINDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE DECLARATION OF NUISANCE PROPERTIES AND CHRONIC NUISANCE PROPERTIES; PROVIDING FOR EXEMPTIONS; PROVIDING FOR NOTICE; REQUIRING A WRITTEN ACTION PLAN; PROVIDING FOR APPEALS; PROVIDING FOR PENALTIES; PROVIDING FOR THE RECOVERY OF POLICE COSTS; PROVIDING A PROCEDURE FOR COLLECTION; AUTHORIZING COLLECTION THROUGH THE NON AD VALOREM ASSESSMENT METHOD; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. The St. Petersburg City Code is hereby amended by adding a new Article IV, Sections 9-61 through 9-78, to Chapter 9, to read as follows:

CHAPTER 9, ARTICLE IV. CHRONIC NUISANCE PROPERTY

DIVISION I. GENERALLY

Sec. 9-61. The City Council hereby makes the following findings:

(a) that any property that has generated three or more responses from the police department for nuisance activities within thirty days, or five or more responses in ninety days, has received significantly more services than the normal level of general and adequate police service provided to the public and has placed an extraordinary and unnecessary burden on the citizens, businesses, taxpayers and property owners of the City, has disproportionately used police services, and substantially reduced the availability of police services for other citizens.

(b) that property owners, and other parties who control a property, that chronically fail to control the use of their property substantially interfere with the comfortable enjoyment of life, health and safety of other citizens and the community.

(c) that it is in the public interest to require the owners and/or other responsible parties of such property to bear the additional costs associated with abating violations at properties at which nuisance activities chronically occur.

(d) that such properties disproportionately consume City services and impose an economic burden on properties in the City.

(e) that nuisance properties receive special services which extend far beyond general law enforcement or code enforcement activities and that the abatement of chronic nuisances by the City is a municipal service.

(f) that abating chronic nuisances possesses a logical relationship to the use and enjoyment of the benefitted real property and provides a direct, special benefit to the real property by:

- 1) reducing property maintenance costs;
- 2) reducing property management costs;
- 3) eliminating the invitation of on-site criminal activities;
- 4) protecting the health and safety of the occupants and nearby persons;
- 5) protecting the value of the real property; and
- 6) enhancing market perceptions of the real property.

g) that the cost of abating the nuisance activities shall be entirely apportioned to the benefitted real property receiving the services.

h) that the cost of abating the nuisance activities may be levied against the benefitted real property as a special assessment superior to all other private rights, interests, liens, encumbrances, titles and claims upon the real property and equal in dignity with a lien for ad valorem taxes.

Sec. 9-62. Definitions and Exemptions.

For the purposes of this division:

a) "Nuisance activity" means when any person associated with a property is charged with a violation of any of the following activities, behaviors or conduct:

- 1) Chapter 3 - Alcoholic Beverages, Sections 3-10, 11, 13, or 14.
- 2) Chapter 11, Article III - Noise Pollution.
- 3) Chapter 4, Article III - Dogs, Sections 4-55 or 57.
- 4) Chapter 20, Article V, Division 2 - Illicit Synthetic Drugs
- 5) F.S. § 767.12 - dangerous dogs.
- 6) F.S. § 790.15(1) - discharging firearm in public.
- 7) F.S. § 796.06 - renting space to be used for prostitution.
- 8) F.S. § 796.07 - prostitution.
- 9) F.S. § 800.03 - exposure of sexual organs.
- 10) F.S. § 806.13 - criminal mischief.
- 11) F.S. § 810.08 - trespass in structure or conveyance.

- 12) F.S. § 810.09 - trespass on property other than structure or conveyance.
- 13) F.S. § 812.014 - theft.
- 14) F.S. § 812.019 - dealing in stolen property.
- 15) F.S. § 812.173 - convenience business security.
- 16) F.S. § 823.01 - nuisances.
- 17) F.S. § 828.12 - cruelty to animals.
- 18) F.S. § 856.011 - disorderly intoxication.
- 19) F.S. § 856.015 - open house parties.
- 20) F.S. § 856.021 - loitering or prowling.
- 21) F.S. § 856.022 - loitering or prowling in close proximity to children.
- 22) F.S. Ch. 874 - criminal gang enforcement and prevention.
- 23) F.S. § 877.03 - breach of the peace; disorderly conduct.
- 24) F.S. Ch. 893 - any offense under the Florida Comprehensive Drug Abuse Prevention & Control Act.
- 25) Any other offense under state or federal law that is punishable by a term of imprisonment exceeding one year.

- b) 'Other responsible party' means any individual or entity other than the owner of the property that is operating a business upon the property or is occupying the property, whether pursuant to a lease, license, or is otherwise allowed to use the property by the owner.
- c) 'Person associated with a property' means the property owner, operator, manager, resident, occupant, guest, visitor, patron, employee or agent of any of these persons.
- d) 'Responsible party' means the owner of the property and any 'other responsible party' as defined herein.
- e) 'Separate and distinct incident' means that each time one or more police officers respond to a nuisance activity at the property shall be deemed a separate and distinct incident. This may include multiple incidents occurring on the same day.
- f) 'Police services' means all costs associated with a police officer response to a property and may include, but is not limited to, the costs for: officers and cruisers to respond to a call, receiving the call, dispatch, any supervisory time necessary, any research necessary for enforcement, any citation costs, any transport costs for arrests, and any other cost associated with a response to a call for service at the property.

- g) This division shall not be applied to restaurants or taprooms except for violations of the noise ordinance (Ch. 11), Sec. 3-10 and 3-11 of the alcoholic beverage ordinance and any violation set forth herein which is committed by the owner of the property or business or their employees. The 'theft' category shall not be applied in dealing with retail establishments.
- h) This division shall not be applied when the responsible party was the victim of a crime, or when there is more than one responsible party and one of the responsible parties is the victim of domestic violence.
- i) POD is defined in Chapter 1.
- j) References to the 'Chief' shall mean the Chief of Police or his or her designee.

Sec. 9-63. Procedure.

a) Notices

- 1) Whenever the POD determines that police officers have responded to three or more nuisance activities that have occurred at a property during a thirty day period or five or more nuisance activities within a ninety day period, the POD may notify the property owner or other responsible party in writing that the property is a nuisance. The initial nuisance property notice (INP Notice) shall begin the procedures of this division, although the POD should have other contact with any responsible party in an attempt to abate the nuisance activity prior to the initiation of this process. The INP Notice shall contain:
 - i. A clear statement that the property is deemed a nuisance.
 - ii. The street address or legal description sufficient for identification of the property.
 - iii. A description of the nuisance activities that have occurred at the property, including the dates of the occurrences.
 - iv. A statement indicating that the cost of police responses and enforcement may be assessed as a special charge against the property, or referred for collection.
 - v. Examples of nuisance abatement measures.
 - vi. A statement that the property owner or other responsible party shall, within 14 days of date of the INP Notice, either respond to the POD with an acceptable, written action plan (WAP) to abate the nuisance activities at the property or file an appeal pursuant this division.
 - vii. A requirement that the WAP shall include the specific address(es) at which all future correspondence and notices shall be sent. Any

future notice sent to the address in the WAP by first class mail shall be considered to have been properly served.

- viii. A statement that the INP Notice may be appealed within fourteen days of service of the INP Notice.

2) Service of Notice

- i. The INP Notice shall be served by certified mail, return receipt requested, or hand delivery to any responsible party, or by hand delivery at the responsible party's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice. In the alternative, if the property is used for a nonresidential use, or a residential use with an onsite office, the INP Notice may be served by hand delivery to any employee at the property or office, with a copy mailed by first class mail to the property and any responsible party.
 - ii. If service of the INP Notice cannot be accomplished as set forth above, the INP Notice may be served by publication and mailed notice. The INP Notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the City. The INP Notice shall also be mailed by first class mail to the property and any responsible party shown on the ad valorem tax roll.
 - iii. Evidence that an attempt has been made to hand deliver or mail the INP Notice as provided in this section, together with proof of publication as provided this section, shall be sufficient to show that the INP Notice requirements have been met, without regard to whether or not the responsible party actually received the INP Notice.
 - iv. After the INP Notice has been served as provided in this section, all subsequent correspondence and notices shall be mailed, by first class mail, to the address provided in the WAP, or if no address is provided, to the address at which service of the INP Notice was made or the property at which the nuisance activities occurred, unless otherwise specifically required by this division. Service by mail shall be effective upon mailing.
- 3) Constructive notice. A responsible party shall be deemed to have notice of a nuisance activity if that responsible party: i) has actual knowledge of

the nuisance activity; ii) has received notice of the nuisance activity; iii) has refused to accept a communication sent by certified mail; iv) has reason to know of the nuisance activity; v) knows about a fact related to a nuisance activity; or vi) is able to ascertain the existence of a nuisance activity by checking an official filing or recording. The lack of knowledge of, acquiescence to, participation in, or responsibility for a nuisance activity on the part of a responsible party shall not be a defense to any enforcement of this division.

- b) Upon service of the INP Notice, the responsible party shall, within fourteen days, either respond to the POD with an acceptable WAP to abate the nuisance activities at the property or file an appeal pursuant this division.
- c) Extensions. The POD may extend any deadline for up to 20 days if the responsible party is actively, and in good faith, attempting to comply with this section.
- d) Upon receipt of the proposed WAP, the Chief shall review the proposed WAP to determine if the Chief reasonably believes that, based on the measures identified in the proposed WAP, that it will ensure that the identified nuisance activities will not occur again. Measures to be considered in determining the adequacy of the WAP may include, but are not limited to:
 - 1) Commencement of an eviction action pursuant to F.S. Ch. 83 to remove from the property those individuals engaged in the nuisance activity;
 - 2) Implementation of crime prevention through environmental design (CPTED) measures;
 - 3) Frequency of site visits and inspections at various times of both day and night;
 - 4) Hiring of property management;
 - 5) Hiring of private security;
 - 6) Installation of security cameras and/or exterior lighting;
 - 7) Installation of fencing;
 - 8) Compliance with all property maintenance codes;
 - 9) Use and enforcement of a comprehensive written lease agreement which addresses the standard terms of the industry for rentals;
 - 10) Criminal background checks for prospective tenants and lease renewals;
 - 11) Posting of "no trespassing" signs at the property and execution of a "no trespass affidavit" authorizing the police department to act as an agent of the property owner to enforce trespass statutes on the property;
 - 12) Regular requests for offense and incident reports relating to the property that are available through the records custodian of the police department records division;
 - 13) Written documentation of all efforts to curtail or eliminate the re-occurrence of nuisance activities on the property;

- 14) Any other action that the POD determines is reasonably sufficient to curtail or eliminate the re-occurrence of nuisance activities on the property.
- e) Upon review of the proposed WAP, the POD shall accept the proposed WAP if the Chief reasonably believes that, based on the measures identified in the proposed WAP, that it will ensure that the identified nuisance activities will not occur again. If the Chief rejects the WAP, measures shall be identified which, if included in the WAP, will make the WAP acceptable.
 - 1) An accepted WAP shall include a specific timetable for the implementation of each measure of the WAP and shall be fully implemented within forty five (45) days from the date the POD mails notice of acceptance of the WAP to the responsible parties.
 - 2) If implementation of any measure in the WAP is expected to exceed 45 days (e.g. tenant eviction), through no fault of the responsible party, the POD may extend this time limit for such measure so long as the responsible party has implemented all other measures and the responsible party is acting in good faith to implement the measures which need additional time.
 - f) Whenever the POD determines that an accepted WAP has not abated the identified nuisance activities or that other nuisance activities have begun at the property, and that modification of an accepted WAP is necessary to abate nuisance activities at the property, the POD shall notify the responsible parties in writing that the WAP must be modified. This modification notice shall contain the same information as the INP Notice and, in addition, a description of the nuisance activities that continue to occur at the property and/or the new nuisance activities, and a copy of the previously accepted WAP.
 - g) Upon receipt of a modification notice, the responsible party shall, within fourteen days either respond to the POD with a modified, acceptable WAP to abate the nuisance activities at the property or file an appeal pursuant this division.
 - 1) Upon review of the modified WAP, the POD shall accept or reject the proposed modified WAP if the Chief reasonably believes that, based on the measures identified in the proposed modified WAP, that it will ensure that the identified nuisance activities will not occur again.
 - 2) The modified WAP shall include a specific timetable for the implementation of each aspect of the modified WAP and shall be fully implemented within forty five (45) days from the date the POD mails notice of acceptance of the modified WAP to the responsible parties,

subject to the specific extensions for specific measures allowed for the original WAP.

- h) Each WAP shall be effective for not less than six months nor more than one year from its approval.
 - 1) The POD shall determine the period of time the WAP shall be in effect at the time of approving the WAP, which time shall be based on the reasonable amount of time necessary to implement the requirements of the WAP and abate the nuisance activities.
 - 2) If the WAP is modified, the POD shall establish a new date for termination of the WAP.
 - 3) A responsible party may request that a WAP be terminated early. The POD may terminate the WAP before the established termination date if the POD determines that the nuisance activities have been abated and are not likely to reoccur in the near future. This decision is within the PODs discretion, is final, and is not appealable unless allowed by State appellate rules or other applicable law.

Sec. 9-64. Penalties.

- a) If the responsible party fails to respond to the INP Notice, proposes a WAP that is rejected by the POD, or fails to implement an accepted or modified WAP completely, the POD shall declare the property a chronic nuisance and notify the responsible parties in writing that the property is a chronic nuisance, that the cost of any future police services for or any response to subsequent nuisance activities occurring at the property may be assessed as a special charge against the property, or referred for collection, that any responsible parties may be cited for allowing a chronic nuisance property to exist, and that they have fourteen days from the date of mailing in which to appeal. The POD shall record the declaration of a chronic nuisance in the public records so that any potential buyer will be able to have notice of the declaration.
- b) It is a violation of this section to be a chronic nuisance property. The fine for each violation of this section shall be \$500. The property owner, business owner, tenant, and manager may each be cited for a violation of this section.
- c) The POD or police department may calculate the cost of police services for responses to nuisance activities occurring at the property after the date the property is declared a chronic nuisance and refer the cost to the POD for imposition of a lien and/or collection.

Sec. 9-65. Appeals.

- a) Appeals may be taken from:
 - 1) the INP Notice that a property is a nuisance property,
 - 2) the written determination by the POD that a WAP, or modified WAP, is inadequate or rejected, or
 - 3) the written determination by the POD that the property is a chronic nuisance.
- b) Failure to file a timely appeal shall be deemed to be a waiver of that right and the responsible parties shall have failed to exhaust their administrative remedies.
- c) An appeal may be filed by any responsible party who has been aggrieved.
- d) Any appeal must be filed not later than 5 p.m. on the fourteenth day after mailing of the action complained of. The appeal:
 - 1) shall be filed in the City Clerk's Office,
 - 2) shall be in writing,
 - 3) shall include a copy of the action complained of,
 - 4) shall include the address at where any notice of hearing shall be mailed,
 - 5) shall include the phone number and email address of the responsible party appealing, and
 - 6) shall be accompanied by a fee of \$100. If the responsible party filing the appeal prevails, then the appeal fee shall be returned.
 - 7) The City Clerk shall not accept any appeal which does not meet these requirements.
- e) The appeal shall be heard by a hearing officer who is an attorney licensed to practice law in Florida. Hearing officers shall be recommended by the City Attorney and confirmed by City Council.
- f) A notice of the appeal hearing by a hearing officer shall be mailed at least ten days prior to the day of the hearing and shall identify the location of the hearing.
- g) The hearing shall be a quasi-judicial hearing at which the hearing officer determines whether the POD followed the correct procedures and that the action appealed from meets the requirements of this division. If the rejection of a proposed WAP is the subject of the appeal, the hearing officer shall determine whether the measures identified in the proposed WAP, if implemented, are likely to abate the nuisance activities. If they are not, the hearing officer shall deny the appeal.
- h) In any hearing before the hearing officer, formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. All other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible whether or not such evidence would be admissible in a trial in the courts of the State. Each party shall have the right to be represented by counsel, to call and examine witnesses under oath, to introduce documentary evidence or exhibits, to cross-

examine opposing witnesses on any relevant matter even though the matter was not covered under direct examination, to impeach any witness regardless of which party first called him to testify, and to submit rebuttal evidence

- i) The burden of proof is upon the City to show that, by a preponderance of the evidence, the correct procedures were followed and that the determination of the POD meets the requirements of this division.
- j) At the hearing, the hearing officer shall affirm, modify or reverse the action of the POD and enter a final written order. When the hearing officer affirms or modifies the action of the POD, the POD may proceed without further delay.
- k) Any person aggrieved by the decision of the hearing officer may seek judicial review if allowed by the State appellate rules or other applicable law.
- l) As used in this subsection, and for appeal purposes only, "responsible party" may include a person who possesses a present legal right of present or future enjoyment of the property by virtue of a deed, title, mortgage, fully executed contract for purchase, lien or estate in the property, court judgment, being a named beneficiary in a will or trust of a deceased owner, or the spouse of the property owner.
- m) Any responsible party appearing before the hearing officer may appear in person, by legal counsel or by an agent.

Sec. 9-66. Change of ownership.

- a) Any purchaser of a chronic nuisance property at a judicial sale, any trustee of a chronic nuisance property in receivership, and any personal representative of an estate in probate (or the beneficiaries if the owner died intestate) for which a chronic nuisance property is an asset shall file a WAP within forty five days after they become responsible for, or legally in control of, the property.
- b) An arms length purchaser or bona fide purchaser for value who purchases the property shall file a WAP within forty five days after closing or they become responsible for, or legally in control of, the property.
- c) A new owner who obtains title to a chronic nuisance property and who does not fall into one of the categories of owners set forth in this section, shall step into the shoes of the previous owner and comply with any WAP which has been approved or, if no WAP is approved, shall have fourteen days to file a WAP with the POD or file an appeal.

Sec. 9-67. Cost Recovery.

- a) Establishment of costs
 - 1) All bills for police service costs shall be for the actual cost of the police services provided to the property.

- 2) All bills for police service costs shall be supported with written documentation showing the actual time and costs for police services provided to the property.
- 3) Bills shall be due and payable thirty days from the date of the bill and shall be delinquent and subject to a late fee thereafter.

b) Billing of police service costs

- 1) The property owner of the nuisance property and all other responsible parties are responsible for paying all police service costs.
- 2) The bill for police service costs shall be mailed to the property owner by first class mail to the address listed on the ad valorem tax roll and to any other responsible party at the address provided in the WAP or the ad valorem tax roll. The bill shall contain at least the following information:
 - i. The street address or legal description sufficient for identification of the property,
 - ii. A general description of the nuisance activities that occurred on the property;
 - iii. A general description of the police services provided to abate the nuisance activities, and cost of the services;
 - iv. A statement that the total amount of the bill shall be paid to the City within 30 days from the date of the bill and that any police service costs that are not paid within 30 days from the date of the bill shall be delinquent;
 - v. A statement that that any unpaid police service costs may be levied against the property as a non-ad valorem assessment equal in rank and dignity with a lien for ad valorem taxes; and
 - vi. A statement that unpaid assessments may be certified to the tax collector for collection pursuant to the uniform method provided in F.S. § 197.3632.

Sec. 9-68. Cost Recovery Termination.

If the property receives no calls for police services for nuisance activities for one year from the date it is declared a chronic nuisance, then it shall no longer be a chronic nuisance under this section and shall not be billed for any additional calls for police service unless the POD initiates this process from the beginning.

Division 2. NON-AD VALOREM SPECIAL ASSESSMENTS; ALTERNATIVE COLLECTION METHODS

Sec. 9-71. Police service costs; non-ad valorem assessment.

- a) Whenever a responsible party has been notified that a chronic nuisance exists at a property and has been billed for 3 or more separate nuisance activities within a one-year time period for the costs of police services and such bills are delinquent, the POD may initiate the assessment procedures set forth herein. After the initiation of these procedures, any delinquent bill for police service costs may be assessed against the property.
- b) Any police service costs that remain unpaid and are therefore delinquent may be levied against the benefitted real property as a non-ad valorem special assessment.

Sec.9-72.Non-ad valorem assessments.

The POD shall follow the procedures for assessing a non-ad valorem assessment as set forth in state statutes (currently F.S. 197.3632 – Uniform Method for the levy, collection and enforcement of non-ad valorem assessments) and any additional requirements of this division. In the event of any conflict in these procedures, state law procedures shall control.

Sec.9-73 Initial assessment roll.

- a) *Contents of initial assessment roll.* The POD shall prepare an initial assessment roll for delinquent police service costs which shall contain the following:
 - 1) A summary description of all benefitted real property with delinquent police service costs to be assessed, conforming to the description contained on the ad valorem tax roll;
 - 2) The name of the each owner of the benefitted real property as listed on the ad valorem tax roll; and
 - 3) The amount of the delinquent police service costs to be assessed against each parcel of benefitted real property.
- b) *Public inspection of initial assessment roll.* The initial assessment roll shall be retained by the City Clerk and shall be open to public inspection. The foregoing shall not be construed to require that the assessment roll be in printed form if the amount of the assessment for each parcel of benefitted real property can be determined by use of a computer terminal available to the public.
- c) *Notice to property appraiser.* A copy of the initial assessment roll shall be provided to the property appraiser and included as a part of the notice of proposed property taxes if required by state law (F.S. § 200.069, the truth-in-millage notification).

Sec. 9-74. Final assessment roll; Public hearing.

- a) *Public hearing.* The City Council shall adopt a final non-ad valorem assessment roll at a public hearing held in accordance with state law (currently F.S. § 197.3632).
- b) *Notice by mail.* The City shall mail notice of the public hearing to the property owner(s). The mailed notice shall conform to the requirements for non-ad valorem assessments set forth in state law (currently F.S. § 197.3632). Notice shall be mailed by first class mail prior to the hearing to each property owner at the address listed on the ad valorem tax roll. The mailed notice shall contain at least the following information:
- 1) The purpose of the assessment;
 - 2) The total amount to be levied against each parcel of assessed real property;
 - 3) A statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title;
 - 4) A statement that all affected property owners have a right to appear at the hearing and to file written objections with the City Council; and
 - 5) The date, time, and place of the hearing.

Failure of the property owner to receive such notice due to mistake or inadvertence shall not affect the validity of the assessment roll nor release or discharge any obligation for payment of a police service cost assessment.

- c) *Notice by publication.* The City shall publish notice of the public hearing in a newspaper of general circulation in the City. The published notice shall conform to the requirements set forth in state law (currently F.S. § 197.3632) and shall contain at least the following information:
- 1) A geographic description of the real property subject to the assessment;
 - 2) A brief and general description of the police services provided;
 - 3) The fact that the assessment will be collected by the tax collector;
 - 4) A statement that all affected property owners have the right to appear at the public hearing and the right to file written objections with the POD; and
 - 5) A statement that the initial assessment roll is available for inspection at the office of the City Clerk and that all interested persons may ascertain the amount to be assessed against a parcel of assessed real property at the office of the City Clerk.

Sec. 9-75. Public hearing; adoption of final assessment roll.

- a) *Public hearing.* At the public hearing, the City Council shall receive the written objections and shall hear testimony from all interested persons. If the City Council adopts the final assessment roll, the City Council shall specify the amount of the assessment. Notwithstanding the notices provided for in this division, the City Council

may adjust the assessment or the application of the assessment to any assessed real property based on the benefit which the City has provided to the property.

- b) *Adoption of final assessment roll.* The City Council may, at the public hearing or at any subsequent meeting of the City Council, adopt an assessment roll which shall confirm, modify, or repeal the initial assessment roll with such amendments, if any, as the City Council deems equitable.
- c) *Legislative determination of special benefit and fair apportionment.* The adoption of the final assessment roll by the City Council shall constitute a legislative determination that all assessed parcels of real property derive a special benefit from the police services provided by the City and a legislative determination that the assessments are fairly and reasonably apportioned to the properties.

Sec. 9-76. Lien of police service assessments.

Upon the adoption of the final assessment roll, all police service cost assessments shall constitute a perfected lien against the assessed real property superior to all other rights, interests, liens, encumbrances, titles and claims upon the property and equal in rank and dignity with a lien for ad valorem taxes.

Sec. 9-77. Correction of errors and omissions.

- a) *Validity of assessment.* Any informality or irregularity in the proceedings in connection with the levy of a police service costs assessment shall not affect the validity of the assessment after approval by the City Council. A police service costs assessment as finally approved by the City Council shall be competent evidence that the assessment was duly levied, made and adopted, and that all other proceedings were duly taken. No error or omission on the part of the property appraiser, tax collector, POD, or other employee of the City shall operate to release or discharge any obligation for payment of a police service costs assessment imposed by the City under this division.
- b) *Correction of errors by the POD.* Prior to the delivery of the assessment roll to the tax collector, the POD shall have the authority at any time to correct any error or omission in applying the assessment to any particular parcel of assessed real property not otherwise requiring the provision of notice pursuant to state law. Any such correction shall be considered valid ab initio and shall not affect the enforcement of the police service costs assessment. Any such correction shall be made by the POD and not the property appraiser or tax collector.

Sec. 9-78. Alternate Methods of collection.

- a) Police service costs assessments shall be collected pursuant to the uniform method provided in state law (currently F.S. § 197.3632), unless the POD determines that another enforcement method is more effective.
- b) In lieu of using the non-ad valorem assessment method, the POD may elect to collect a police service cost assessment by any other method authorized by law including, but not limited to, filing an action in a court of law or assessing the property using any other process.
- c) Any hearing or notice required by this division may be combined with any other hearing or notice required by any other provision of law.
- d)** Notwithstanding the City's use of an alternative method of collection, POD shall have the same power and authority to correct errors and omissions as provided in this division.

SECTION 2. The provisions of this Ordinance shall be deemed severable. The unconstitutionality or invalidity of any word, sentence or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 3. In the event that this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (designee)

ST. PETERSBURG CITY COUNCIL

Meeting of June 11, 2015

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

SUBJECT: **City File LGCP-2015-01:** City-initiated Comprehensive Plan text amendments.

A detailed analysis of the request is provided in Staff Report LGCP-2015-01, attached.

REQUEST: ORDINANCE ____-H amending Section 1.7, Definitions and Chapter 3, Future Land Use Element.

RECOMMENDATION:

Administration: The Administration recommends APPROVAL.

Public Input: No phone calls, visitors or correspondence have been received, to date.

Community Planning & Preservation Commission (CPPC): On April 14, 2015 the CPPC held a public hearing regarding these proposed text amendments to the Comprehensive Plan. The CPPC recommended APPROVAL by a unanimous vote of 7 to 0.

City Council Action: On May 7, 2015 the City Council conducted the first reading and public hearing for the attached proposed ordinance, approved Resolution 2015-196 to transmit the amendments for state, regional and county review, and set the second reading and adoption public hearing for June 11, 2015.

External Agency Review: As with all Comprehensive Plan text changes, the proposed ordinance and staff report were transmitted to the following entities (referred to as "external agencies") for review: Florida Department of Economic Opportunity, Florida Department of Transportation (FDOT, District 7), Florida Department of State, Florida Department of Education, Florida Department of Environmental Protection (FDEP), Southwest Florida Water Management District (SWFWMD), Tampa Bay Regional Planning Council (TBRPC) and the Pinellas County Planning Department.

- May 14, 2015 correspondence from the Florida Department of Education contained no comments.

Recommended City Council Action: 1) CONDUCT the second reading and adoption public hearing for the attached proposed ordinance; AND 2) ADOPT the ordinance.

Attachments: Ordinance, CPPC Minutes, Staff Report

ORDINANCE NO. ___-H

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF ST. PETERSBURG, FLORIDA; AMENDING SECTION 1.7, DEFINITIONS; AMENDING CHAPTER 3, FUTURE LAND USE ELEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, consistent with the requirements of Chapter 163, Florida Statutes, the City of St. Petersburg has adopted a Comprehensive Plan to establish goals, objectives and policies to guide the development and redevelopment of the City; and

WHEREAS, the City Administration has initiated amendments to several Comprehensive Plan objectives and policies; and

WHEREAS, the Community Planning & Preservation Commission of the City has reviewed these proposed amendments to the Comprehensive Plan at a public hearing held on April 14, 2015 and has recommended approval; and

WHEREAS, the City Council, after taking into consideration the recommendations of the Community Planning & Preservation Commission and the City Administration, as well as the comments received during the public hearing conducted on this matter, finds that the proposed amendments to the City of St. Petersburg Comprehensive Plan are appropriate;

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

Section 1. The definition of Floor Area Ratio (FAR) in Section 1.7, Definitions, is hereby amended to read as follows:

A measure of the intensity of a development. The ratio of gross floor area to the net land area of the lot.

Section 2. The definition of Gross Floor Area in Section 1.7, Definitions, is hereby amended to read as follows:

Gross floor area of a structure shall be the total area of all floors, including stairwells, elevator shafts, etc., measured from the outside face of enclosing walls or supports. The Land Development Regulations may ~~exclude exempt parking areas-~~ and other qualified exemptions for land use types, building design, site layout and orientation features provided within a zoning district's design guidelines from the calculation of gross floor area.

Section 3. Policy LU3.1.B.3 in Chapter 3, the Future Land Use Element, is hereby amended to read as follows:

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

Section 4. Policy LU17.B.3 in Chapter 3, the Future Land Use Element, is hereby amended to read as follows:

Floor Area Ratio (F.A.R.) for buildings within the downtown waterfront area (DC-3 zoning district) shall not exceed 4.0, in accordance with the land development regulations that have been adopted to implement this policy, including provisions for a base FAR as well as FAR bonuses and exemptions. Exemptions to FAR shall not be counted when calculating a development's FAR.

Section 5. Severability. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is deemed unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provision of this ordinance.

Section 6. Coding. Words in struck-through type shall be deleted. Underlined words constitute new language that shall be added. Provisions not specifically amended shall continue in full force and effect.

Section 7. Effective date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective 31 days after the state land planning agency notifies the City that the plan amendment package is complete, unless there is a timely administrative challenge in accordance with Section 163.3184(5), F.S., in which case the ordinance shall not become effective unless and until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment(s) to be in compliance.

REVIEWED AND APPROVED AS TO
FORM AND CONTENT:



City Attorney (or Designee)

4/10/15

Date



Planning & Economic Development Dept.

4-9-15

Date



CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING
April 14, 2015

Approved as written 5/12/15

PUBLIC HEARING

E. City File: LGCP-2015-01

Contact Person: Rick MacAulay, 551-3386

Request: City-initiated amendments to the Comprehensive Plan pertaining to Section 1.7, Definitions; and Chapter 3, Future Land Use Element.

Staff Presentation

Rick MacAulay gave a PowerPoint presentation based on the staff report.

Commissioner Michaels asked about the FAR exemptions referred to in the staff report and what would be the outside FAR that might be attained as a result of this change. Mr. MacAulay stated that some examples of existing exemptions are: (1) a parking structure/garage, (2) square footage of a locally designated historic property which is retained and restored as part of the site plan, (3) square footage of workforce housing units, and (4) retail uses located on the ground level. There is no outside or set FAR limit but typically will go maybe 10% to 20% over the base FAR.

Public Hearing

Don Mastry, 200 Central Ave, spoke in favor of the request.

Peter Belmont, 102 Fareham Pl N, filled out a card in opposition of the request, but was not present to speak.

Executive Session

MOTION: *Commissioner Wolf moved and Commissioner Montanari seconded a motion approving the amendments to the Comprehensive Plan, in accordance with the staff report.*

VOTE: *YES – Burke, Michaels, Montanari, Reese, Wolf, Carter, Smith
NO - None*

Motion was approved by a vote of 7 - 0.



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

For Public Hearing and Executive Action on April 14, 2015
at **3:00 p.m.**, in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File #LGCP-2015-01(Revised 4-9-15)
Agenda Item IV.E.

Request: City Administration requests that the Comprehensive Plan be amended as follows:

1. It is proposed that Section 1.7, Definitions be amended for *Floor Area Ratio (FAR)* and *Gross Floor Area*.
2. It is proposed that Chapter 3, Future Land Use Element be amended pertaining to floor area calculations and limits within the Central Business District Plan category and the DC-3 (Downtown Center-3) zoning district.

Staff Analysis: The following analysis addresses the above-described Comprehensive Plan amendments in greater detail.

1. Section 1.7, Definitions

It is proposed that Section 1.7, Definitions be amended as follows:

Floor Area Ratio (FAR) - A measure of the intensity of a development. The ratio of gross floor area to the net land area of the lot.

Gross Floor Area - Gross floor area of a structure shall be the total area of all floors, including stairwells, elevator shafts, etc., measured from the outside face of enclosing walls or supports. The Land Development Regulations may ~~exclude~~ exempt parking areas- and other qualified exemptions for land use types, building design, site layout and orientation features provided within a zoning district's design guidelines from the calculation of gross floor area.

2. Chapter 3, Future Land Use Element

It is proposed that Chapter 3, Future Land Use Element, be amended as follows:

- a) It is proposed that Policy LU3.1.B.3 be amended as follows:

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

Explanation: The proposed modifications clarify the fact that the LDRs permit floor area bonuses and exemptions that may go beyond the floor area ratio stated in the Comprehensive Plan, moreover, the proposed modifications codify the City's past practice.

- b) It is proposed that Policy LU17.B.3 be amended as follows:

Floor Area Ratio (F.A.R.) for buildings within the downtown waterfront area (DC-3 zoning district) shall not exceed 4.0-, in accordance with the Land development regulations that have been adopted to implement this policy-, including provisions for a base FAR as well as FAR bonuses and exemptions. Exemptions to FAR shall not be counted when calculating a development's FAR.

Explanation: The proposed modifications clarify the fact that the LDRs permit floor area bonuses and exemptions that may go beyond the floor area ratio stated in the Comprehensive Plan, moreover, the proposed modifications codify the City's past practice.

Consistency with the Comprehensive Plan

The proposed changes presented in this staff report are consistent with the following objective and policy:

Objective LU21: The City shall, on an ongoing basis, review and consider for adoption, amendments to existing or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.

Policy LU21.1 The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to

identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.

Recommended Action:

City Administration requests that the Community Planning & Preservation Commission APPROVE the Comprehensive Plan amendments presented in this staff report, and recommend that the City Council approve and adopt the amendments.

ST. PETERSBURG CITY COUNCIL

Meeting of June 11, 2015

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

SUBJECT: **City File: ZM-4:** Private application proposing an amendment to the Official Zoning Map designation for the subject property, an estimated 0.78 acre portion of a 1.96 acre parcel owned by Circle K Stores, Inc., generally located on the southwest corner of 5th Avenue North and 34th Street North.

A detailed analysis of the request is provided in Staff Report ZM-4, attached.

REQUEST: (A) ORDINANCE ____-Z amending the Official Zoning Map designation from CRT-1 (Corridor Residential Traditional) to CCS-1 (Corridor Commercial Suburban), or other less intensive use.

RECOMMENDATION:

Administration: The Administration recommends APPROVAL.

Public Input: No phone calls or correspondence have been received to date.

Neighborhood Input: The subject property is located within the boundaries of the Central Oak Park Neighborhood Association. The Planning & Economic Development Department has received no phone calls or correspondence to date.

Community Planning & Preservation Commission (CPPC): On May 12, 2015 the CPPC held a public hearing regarding these amendments, and voted unanimously 7 to 0 to recommend APPROVAL.

City Council Action: On June 4, 2015 the City Council conducted the first reading of the proposed ordinances and set the second reading and adoption public hearing for June 11, 2015.

Recommended City Council Action: 1) CONDUCT the second reading of the proposed ordinance; 2) CONDUCT the public hearing; AND 3) ADOPT the ordinance.

Attachments: Ordinance, CPPC Minutes and Staff Report.

ORDINANCE NO. ___-Z

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ST. PETERSBURG, FLORIDA, BY CHANGING THE ZONING OF PROPERTY GENERALLY LOCATED AT 3400 5TH AVENUE NORTH, ON THE SOUTHWEST CORNER OF 5TH AVENUE NORTH AND 34TH STREET NORTH, FROM CRT-1 (CORRIDOR RESIDENTIAL TRADITIONAL) TO CCS-1 (CORRIDOR COMMERCIAL SUBURBAN); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The Official Zoning Map of the City of St. Petersburg is amended by placing the hereinafter described property in a Zoning District as follows:

Property

The West 150 feet of Lot 1 Block 1, Powers Central Park Block One Replat, according to the plat thereof, as recorded in Plat Book 138, Page 20, of the Public Records of Pinellas County, Florida, including that certain 16 foot Public Alley vacated by Ordinance 1034-V, as recorded in Official Records Book 18756, Pages 694-696, of the Public Records of Pinellas County, Florida.

[Containing 33,900 square feet or 0.78 acres, more or less.]

District

From: CRT-1 (Corridor Residential Traditional)

To: CCS-1 (Corridor Commercial Suburban)

SECTION 2. All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. This ordinance shall become effective upon adoption.

APPROVED AS TO FORM AND SUBSTANCE:

ZM-4 (Zoning)


PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

5-6-15
DATE


ASSISTANT CITY ATTORNEY

5/12/15
DATE



CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING
May 12, 2015

QUASI-JUDICIAL PUBLIC HEARING

A. City File ZM-4

Contact Person: Cate Lee, 892-5255

Location: The subject property is an estimated 0.78 acre portion of a 1.96 acre parcel owned by Circle K Stores, Inc., generally located on the southwest corner of 5th Avenue North and 34th Street North.

Request: To amend the Official Zoning Map Designation of the western 0.78 acres from CRT-1 (Corridor Residential Traditional-1) to CCS-1 (Corridor Commercial Suburban-1), or other less intensive use.

Staff Presentation

Cate Lee gave a PowerPoint presentation based on the staff report.

Commissioner Whiteman asked if a new zoning designation is needed citing the last sentence on the bottom of page 2 under Applicable Regulations: "The existing drainage ponds, dumpster enclosure and vehicular use area conform to the present CRT-1 zoning regulations." Ms. Lee stated that the proposed zoning designation is needed in order to expand the canopy to the west and to add two additional fuel pumps.

Commissioner Michaels asked how this proposal complies with LU.18 of the Comprehensive Plan: "Commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages." The proposed frontage is residential, not commercially designated. Ms. Lee stated that the staff report outlined all of the policies and objectives of the Comprehensive Plan that may be applicable to this zoning application; some may be in support and some may not be in support. In this application, on balance, the Comprehensive Plan supports the rezoning request.

Commissioner Michaels asked if there were any other elements of the Comprehensive Plan not supporting this request, to which Ms. Lee replied, no.

Applicant Presentation

Soumya Chakrabarti, representing the applicant, Circle K Stores, Inc. spoke in support of the request.

Public Hearing

No speakers present.

Executive Session

Commissioner Wannemacher asked what would be added below ground. Mr. Chakrabarti replied no new tanks will be added below ground.

Commissioner Wannemacher asked if the rezoning would be necessary if only one pump were added. Ms. Lee replied, yes, because expansion would still be needed to the west because of the vehicle circulation.

Commissioner Michaels asked, in the applicant's and staff's opinion that this proposal is meeting the highest safety and conservation standards, to which Mr. Chakrabarti replied, yes.

MOTION: *Commissioner Wolf moved and Commissioner Wannemacher seconded a motion approving the request in accordance with the staff report.*

VOTE: *YES – Burke, Michaels, Montanari, Reese, Wannemacher, Wolf, Carter
NO - None*

Motion passed by a vote of 7 to 0.



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

For Public Hearing and Executive Action on May 12, 2015
at **3:00 p.m.**, in City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File: ZM-4
Agenda Item #IV.A

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

**APPLICANT/
PROPERTY OWNER:**

Circle K Stores, Inc.
1130 W. Warner Road, Building B
Tempe, AZ 85284

**APPLICANT'S
REPRESENTATIVE:**

Soumya Chakrabarti, P.E.
MDM Services Inc.
1055 Kathleen Road
Lakeland, FL 33805

SUBJECT PROPERTY:

The subject property, estimated to be a 0.78 acre portion of a 1.96 acre parcel, is generally located on the southwest corner of 5th Avenue North and 34th Street North.

PIN/LEGAL:

The subject property is a portion of parcel number 22/31/16/72765/001/0010. The legal description of the subject property is attached.

REQUEST:

As depicted on the attached map series, the 1.96 acre parcel currently has two Official Zoning Map designations, CRT-1 and CCS-1. The request is to amend the western 0.78 acres from CRT-1 (Corridor Residential Traditional-1) to CCS-1 (Corridor Commercial Suburban-1), or other less intensive use.

PURPOSE:

The applicant's desire is to install two additional fuel pumps.

EXISTING USE:

The parcel currently consists of a gas station with a convenience store, including a gas station pumping canopy with pump islands, vehicular use area, a dumpster enclosure and drainage ponds. The subject property contains a vehicular use area, a dumpster enclosure and drainage ponds.

SURROUNDING USES:

The surrounding uses for the subject property are as follows:

- North: Restaurant with drive-thru (Taco Bell), multifamily residence and single-family residence
- South: Retail sales (antique shop)
- East: Strip commercial along 34th Street North
- West: Personal service (hair salon), offices and single-family residence

NEIGHBORHOOD ASSOCIATION:

The subject property is located within the boundaries of the Central Oak Park Neighborhood Association. The Association does not have a neighborhood plan.

ZONING HISTORY:

The present CRT-1 zoning designation has been in place since September 2007, following the implementation of the City's Vision 2020 Plan, the Citywide rezoning and update of the land development regulations (LDRs).

APPLICABLE REGULATIONS:

As stated above, the subject property is estimated to be 0.78 acres or 33,900 square feet in size. The applicant has indicated that the subject property will be used for two more fuel pumps; the existing drainage ponds, dumpster enclosure and parking area will remain. The existing drainage ponds, dumpster enclosure and vehicular use area conform to the present CRT-1 zoning regulations.

Development potential under the present CRT-1 zoning designation is as follows: 19 multifamily units, calculated at a base density of 24 units per acre; 33,900 square feet of non-residential space, based on a floor-area-ratio (FAR) of 1.0; or a mix of these uses.

Development under the requested CCS-1 zoning designation is as follows: 12 multifamily units, calculated at a base density of 15 units per acre; 18,645 square feet of non-residential space, based on a floor-area-ratio (FAR) of 0.55; or a mix of these uses.

STAFF ANALYSIS:

The primary issues associated with the applicant's request are 1) consistency of the requested designation with the established zoning pattern; and 2) level of service considerations.

Zoning Consistency

The requested CCS-1 zoning designation is consistent with the existing Planned Redevelopment – Mixed-Use (PR-MU) future land use plan category, therefore the request satisfies Policy LU3.3 of the Comprehensive Plan, which states that *“each land use plan category shall have a set of different zoning districts that may be permitted within the land use category, and zoning that is not consistent with the plan category shall not be approved.”*

The established character of the immediate area is a mix of commercial and residential uses to the north, commercial uses to the south and east, and a mix of office and residential uses to the west. The requested CCS-1 zoning is consistent with the designations to the north, south and east. Therefore, the requested designation is consistent with Policy LU3.6 which states that *“land planning should weigh heavily the established character of predominantly developed areas where changes of use or intensity of development are contemplated.”*

The property to the south has frontage on 34th Street North with a commercial depth of 377 feet. The proposed CCS-1 for the subject property will match this depth. Therefore, the request also satisfies Policy LU3.17, which states *“future expansion of commercial uses is encouraged when infilling into existing commercial areas.”*

Level of Service (LOS) Impact

The Level of Service (LOS) impact section of this report concludes that the proposed rezoning will not alter the City's population or the population density pattern or have a negative effect upon the adopted LOS standards for public services and facilities including potable water, sanitary sewer, solid waste, traffic, mass transit, recreation, and stormwater management.

SPECIAL NOTE ON CONCURRENCY:

Level of Service impacts are addressed further in this report. Approval of this rezoning request does not guarantee that the subject property will meet the requirements of Concurrency at the time development permits are requested. **Completion of this rezoning does not guarantee the**

right to develop on the subject property. Upon application for site plan review, or development permits, a full concurrency review will be completed to determine whether or not the proposed development may proceed. The property owner will have to comply with all laws and ordinances in effect at the time development permits are requested.

RECOMMENDATION:

City staff recommends **APPROVAL** of the applicant's request to amend the Official Zoning Map designation from CRT-1 (Corridor Residential Traditional-1) to CCS-1 (Corridor Commercial Suburban-1), or other less intensive use, on the basis that the proposal is consistent with the goals, objectives and policies of the City's Comprehensive Plan.

**RESPONSES TO RELEVANT
CONSIDERATIONS ON AMENDMENTS
TO THE OFFICIAL ZONING MAP:**

a. Compliance of probable use with goals, objectives, policies and guidelines of the City's Comprehensive Plan.

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

- LU3.1.(F)(2) Planned Redevelopment – Mixed Use (MU) - allowing mixed use retail, office, service and medium density residential uses not to exceed a floor area ratio of 1.25 and a net residential density of 24 dwelling units per acre.

- LU3.5 The tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.

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

- LU3.17 Future expansion of commercial uses is encouraged when infilling into existing commercial areas and activity centers, or where a need can be clearly identified, and where otherwise consistent with the Comprehensive Plan.

- LU3.18 All retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets or lowering the LOS below adopted standards, and with proper facilities for pedestrian convenience and safety.

- LU4(2) Commercial – the City shall provide opportunities for additional commercial development where appropriate.

- LU5.3 The Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.

- LU18: Commercial development along the City's major corridors shall be limited to infilling and redevelopment of existing commercially designated frontages.

- b. **Whether the proposed amendment would impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.**

The proposed amendment will not impact environmentally sensitive lands or areas which are documented habitat for listed species as defined by the Conservation Element of the Comprehensive Plan.

- c. **Whether the proposed change would alter population or the population density pattern and thereby impact residential dwelling units and or public schools.**

The proposed change will not alter population or the population density pattern and thereby impact residential dwelling units and/or public schools.

- d. **Impact of the proposed amendment upon the following adopted levels of service (LOS) for public services and facilities including but not limited to: water, sewer, sanitation, traffic, mass transit, recreation, stormwater management.**

The following analysis indicates that the proposed change *will not* have a significant impact on the City's adopted levels of service for potable water, sanitary sewer, solid waste, traffic, mass transit, stormwater management and recreation. Should the requested rezoning for the subject property be approved, the City has sufficient capacity to meet all demands.

WATER

Under the existing interlocal agreement with Tampa Bay Water (TBW), the region's local governments are required to project and submit, on or before February 1 of each year, the anticipated water demand for the following water year (October 1 through September 30). TBW is contractually obligated to meet the City's and other member governments' water supply needs. The City's current potable water demand is 27.7 million gallons per day.

The City's adopted level of service (LOS) standard for potable water is 125 gallons per capita per day, while the actual usage is estimated to be 78 gallons per capita per day. Therefore, there is excess water capacity to serve the amendment area.

WASTEWATER

The subject property is served by the Southwest Water Reclamation Facility, which presently has excess capacity estimated to be 9.92 million gallons per day. Therefore, there is excess sanitary sewer capacity to serve the amendment area.

SOLID WASTE

All solid waste disposal is the responsibility of Pinellas County. The County currently receives and disposes of municipal solid waste, and construction and demolition debris, generated throughout Pinellas County. The Pinellas County Waste-to-Energy Plant and the Bridgeway Acres Sanitary Landfill are the responsibility of Pinellas County Utilities, Department of Solid Waste Operations; however, they are operated and maintained under contract by two private companies. The Waste-to-Energy Plant continues to operate below its design capacity of incinerating 985,500 tons of solid waste per year. The continuation of successful recycling efforts and the efficient operation of the Waste-to-Energy Plant have helped to extend the life span of Bridgeway Acres. The landfill has approximately 30 years remaining, based on current grading and disposal plans.

There is excess solid waste capacity to serve the amendment area.

TRAFFIC

The adopted level of service standard for roadways is "D" in the Comprehensive Plan. Fifth Avenue North is classified as a minor arterial roadway and is presently operating at a level of service "C" between 16th Street North and 34th Street North, while 34th Street is classified as a principal arterial roadway, and is presently operating at a level of service "D" from Central Avenue to 5th Avenue North and level of service "C" from 5th Avenue North to 22nd Avenue North. Sufficient capacity exists to accommodate the requested change.

MASS TRANSIT

The Citywide LOS for mass transit will not be affected. The PSTA has two routes that provide local transit service to the subject site: Route 19 has a service frequency of 20 minutes and Route 11 has a service frequency of 60 minutes. The LOS standard for mass transit is headways less than one hour.

RECREATION

The City's adopted LOS for recreational acreage, which is 9 acres per 1,000 population, will not be impacted by this proposed rezoning. Under both the existing and proposed zoning, the LOS citywide will remain at 21.9 acres per 1,000 population.

STORMWATER MANAGEMENT

The subject property currently has two drainage ponds which will remain. Should the parcel be redeveloped in the future, site plan approval will be required. At that time, the stormwater management system for the site will be required to meet all City and SWFWMD stormwater management criteria.

- e. Appropriate and adequate land area sufficient for the use and reasonably anticipated operations and expansion.**

The land area is both appropriate and adequate for the anticipated use of the subject property.

- f. The amount and availability of vacant land or land suitable for redevelopment shown for similar uses in the City or in contiguous areas.**

There are approximately 122 acres of vacant land in the City designated with CCS-1 zoning.

- g. Whether the proposed change is consistent with the established land use pattern.**

The proposed change will permit commercial development, which is consistent with the established land use pattern to the north, south and east of the subject area.

- h. Whether the existing district boundaries are logically drawn in relation to existing conditions on the property proposed for change.**

The existing CRT-1 zoning district boundary is not illogically drawn in relation to existing conditions.

- i. If the proposed amendment involves a change from a residential to a nonresidential use, whether more nonresidential land is needed in the proposed location to provide services or employment to the residents of the City.**

Both the current zoning, CRT-1, and the proposed zoning, CCS-1, allow for mixed-use development opportunities (i.e., each allow for some residential, office and commercial uses).

- j. Whether the subject property is located within the 100-year flood plain or Coastal High Hazard Area as identified in the Coastal Management Element of the Comprehensive Plan.**

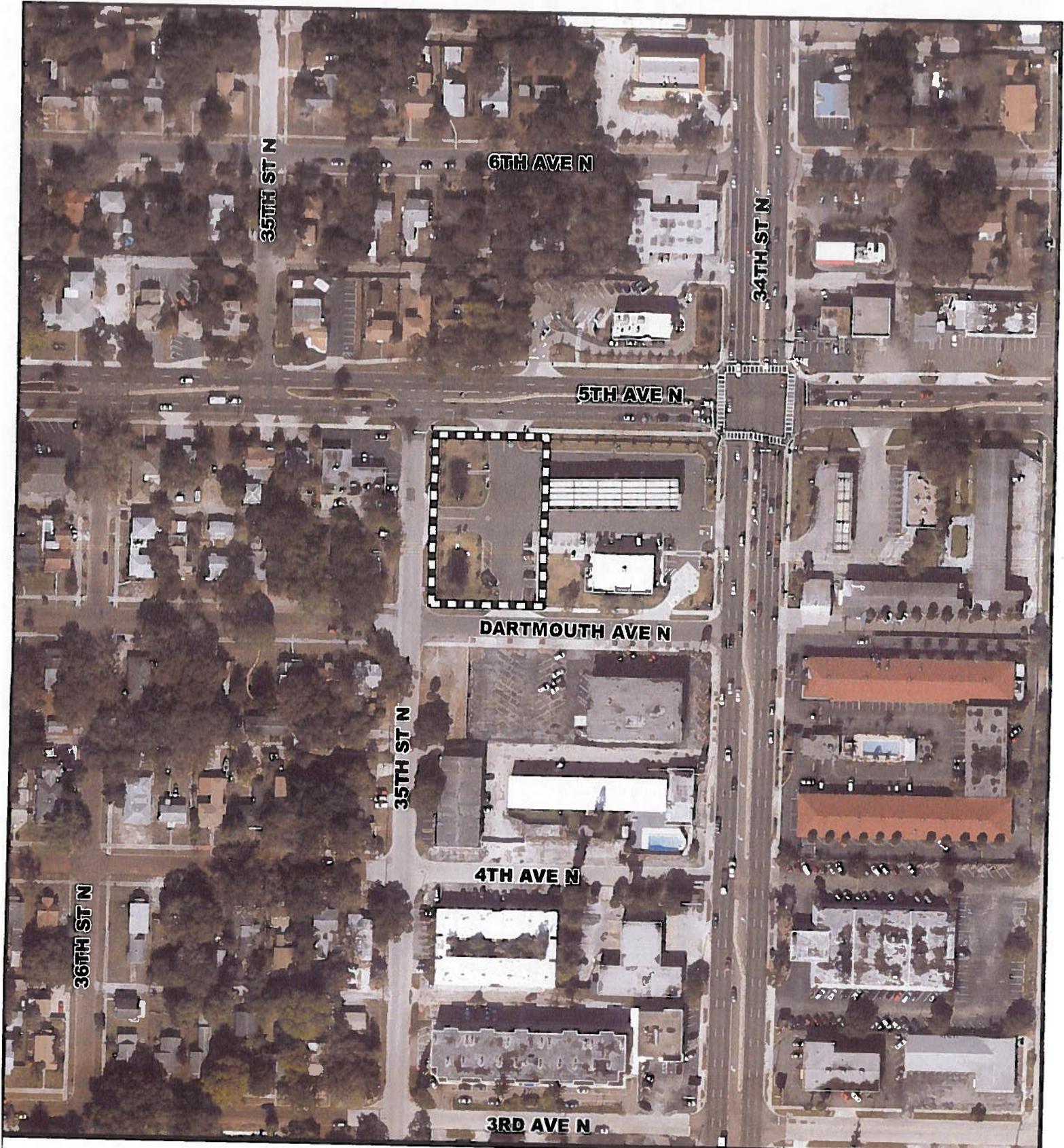
According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is not located within the 100-year flood plain. The property is not located within the CHHA (Coastal High Hazard Area).

- k. Other pertinent information.** None.

Legal (Area to be Rezoned)

The West 150 feet of Lot 1 Block 1, Powers Central Park Block One Replat, according to the plat thereof, as recorded in Plat Book 138, Page 20, of the Public Records of Pinellas County, Florida, including that certain 16 foot Public Alley vacated by Ordinance 1034-V, as recorded in Official Records Book 18756, Pages 694-696, of the Public Records of Pinellas County, Florida.

Containing 33,900 square feet or 0.78 acres, more or less.

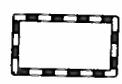


AERIAL

CITY FILE

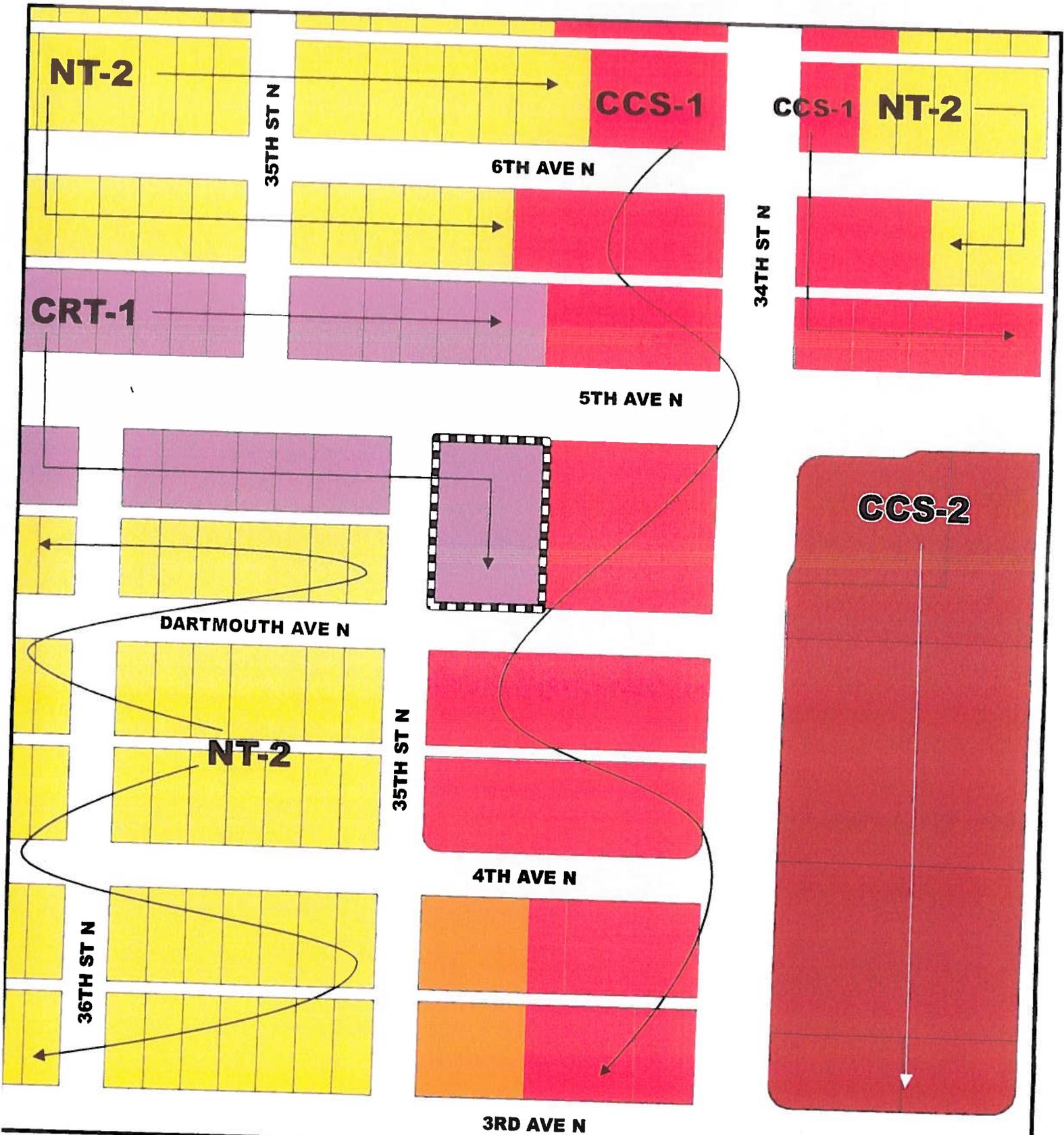
ZM-4

SCALE: 1" = 167'



SUBJECT AREA





EXISTING ZONING

CITY FILE

ZM-4

SCALE: 1" = 167'

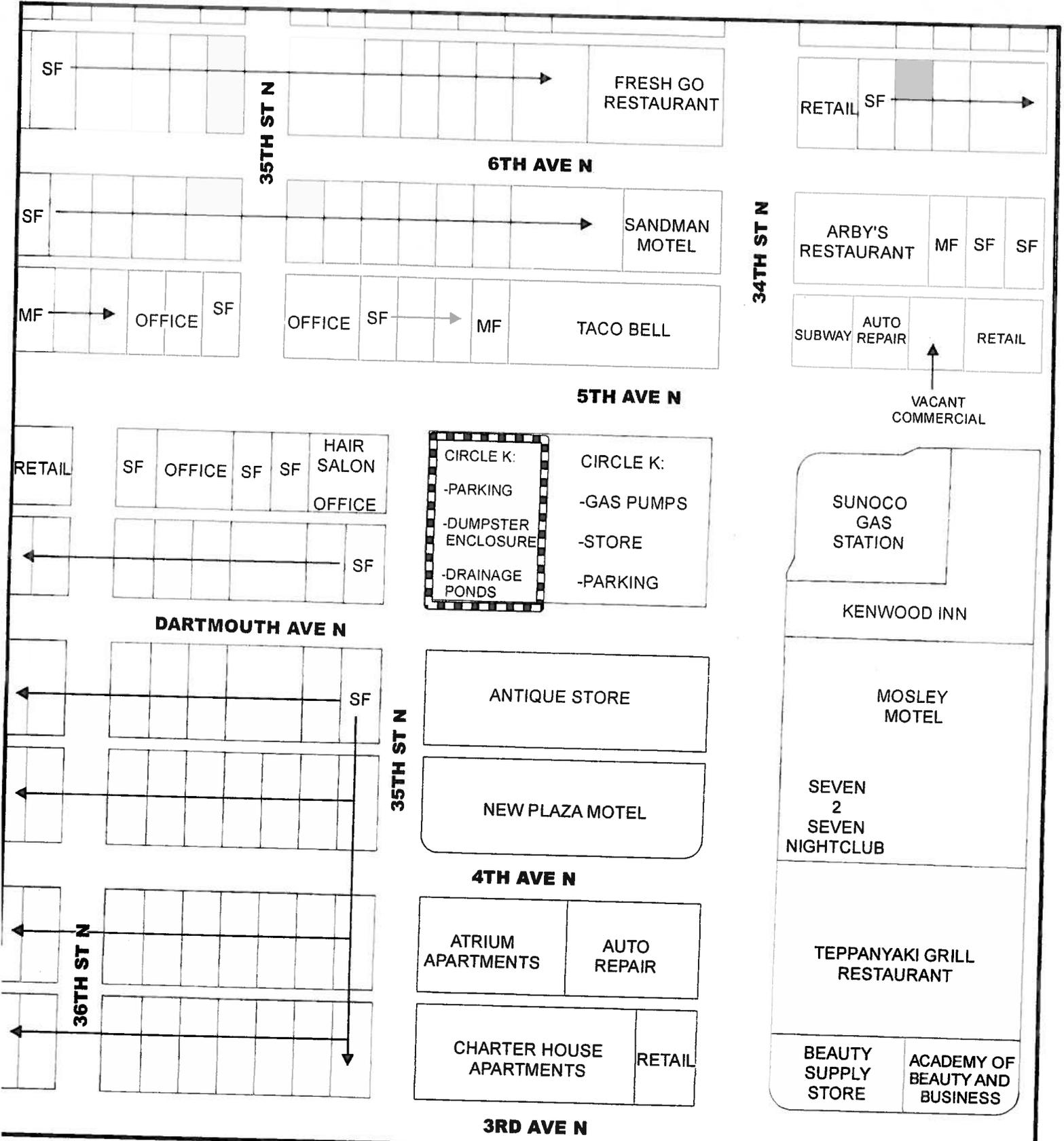
From: CRT-1
(Corridor Residential
Traditional-1)

To: CCS-1
(Corridor Commercial
Suburban-1)



SUBJECT AREA





EXISTING SURROUNDING USES

CITY FILE

ZM-4

SCALE: 1" = 167'



SUBJECT AREA



SAINT PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of June 11, 2015

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

Subject: Approving the purchase of loaders and trailers from Nortrax, Inc. for the Fleet Management Department at a total cost of \$193,656.

Explanation: This purchase is being made from Florida Sheriffs Association Bid No. 14-12-0904. The vendor will furnish and deliver a four-wheeled backhoe loader, a compact tracked front end loader, a four-wheeled skid steer loader and two flat deck transport trailers with ramps. The loaders will have 99 HP, 66 HP and 60 HP diesel engines respectively, as well as guards and warning lights. The equipment will be assigned to the Stormwater Pavement and Traffic Operations, Parks and Recreation and Water Resources departments and will be used to move and load materials. The trailers will be used to transport the loaders. The new loaders have life expectancies of five to seven years. They are replacing 12 to 15 year-old units with original purchase prices ranging from \$18,444 to \$53,954. The old equipment has reached the end of its economic useful life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing Florida Sheriff's Association Bid 14-12-0904:

Nortrax, Inc. (Tampa, FL).....\$193,656

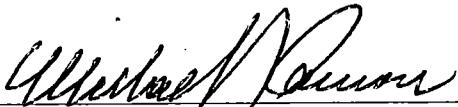
Loader, Backhoe, John Deere 310SK	1	EA	62,011.00	\$62,011.00
Upgrade Model 310SL	1	EA	3,921.00	3,921.00
Options	1	EA	25,979.00	<u>25,979.00</u>
				\$91,911.00
Loader, Tracked Skid Steer, John Deere 329E	1	EA	54,037.00	\$54,037.00
Downgrade Model 319E	1	EA	(14,060.00)	(14,060.00)
Options	1	EA	27,819.28	<u>12,205.00</u>
				\$52,182.00
Loader, Skid Steer, John Deere 318E	1	EA	28,473.00	\$28,473.00
Options	1	EA	486.00	<u>486.00</u>
				\$28,959.00
Trailer, Tag Along, Eager Beaver B8-DOW	2	EA	11,323.00	\$22,646.00
Downgrade Model SK7	2	EA	(1,021.00)	<u>(2,042.00)</u>
				\$20,604.00

The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Bid No. 14-12-0904 effective through September 30, 2015. This purchase is made in accordance with Section 2-256 (3) of the City Code which authorizes the Mayor or his designee to purchase from the Sheriffs Association and Florida Association of Counties negotiated purchase programs for vehicles.

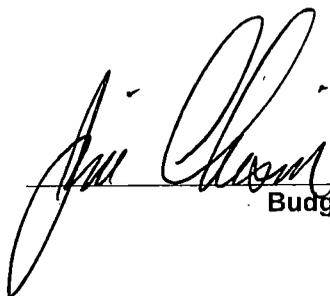
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Department, Fleet Mechanical Costs (8002527).

Attachments: Vehicle Purchase Summary
 Resolution

Approvals:



 Administrative



 Budget

Vehicle Purchase Summary

Item No.	Description	Qty.	Department	Purpose	R	Age	Life Cycle
1.	Loader, Backhoe, 4-wheel drive, 99 HP diesel engine	1 EA	Stormwater Pavement & Traffic Operations	Move and load material and debris from tree trimming and removal	R	12 Yrs	7 Yrs
2.	Loader, Track, 4-wheel drive, 66 HP diesel engine	1 EA	Parks & Recreation	Move and load materials (sand rock dirt etc.)	R	15 Yrs	5 Yrs
3.	Load, Skid Steer, 4-wheel drive, 60 HP diesel engine	2 EA	Water Resources	Used to transport materials and excavate underground storm water lines	R	15 Yrs	5 Yrs
4.	Trailer	1 EA	Fleet	Used to transport loaders	R	15 Yrs	7 Yrs

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO NORTRAX, INC. FOR THE PURCHASE OF REPLACEMENT LOADERS AND TRAILERS FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$193,656 UTILIZING FLORIDA SHERIFFS ASSOCIATION BID NO. 14-22-0904; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace loaders and trailers that have reached the end of their economic useful life; and

WHEREAS, pursuant to Section 2-256(3) of the City Code the City is permitted to utilize the Florida Sheriffs Association and the Florida Association of Counties negotiated purchase programs for vehicles; and

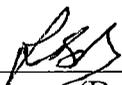
WHEREAS, Nortrax, Inc. has met the specifications, terms and conditions of Florida Sheriffs Association Bid No. 14-22-0904; and

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida the award of an agreement to Nortrax, Inc. for the purchase of loaders and trailers for the Fleet Management Department at a total cost not to exceed \$193,656 utilizing Florida Sheriffs Association Bid No. 14-22-0904 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 June 11, 2015

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

Subject: Awarding a five-year blanket purchase agreement to Fisher Scientific Company L.L.C. for laboratory, safety supplies and equipment for the Water Resources Department at an estimated annual cost of \$120,000.

Explanation: This purchase is being made from Florida State Contract No. 41120000-15-ACS.

The vendor will furnish and deliver chemicals, glassware, cultures and plastics for water and water quality assessment.

The Procurement Department, in cooperation with the Water Resources Department, recommends for award utilizing Florida State Contract No. 41120000-15-ACS:

Fisher Scientific Company L.L.C.....\$120,000

Fisher Scientific Company L.L.C. has met the specifications, terms and conditions of Florida State Contract No. 41120000-15-ACS dated April 1, 2015. This purchase is made in accordance with Section 2-256(2) of the Procurement Code which authorizes the Mayor or his designee to utilize competitively bid contracts of other governmental entities. This agreement will be effective from date of award through February 12, 2020. A blanket purchase agreement will be issued to the vendor and will be binding only for the actual quantities ordered.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Water Resources Operating Fund (4001).

Attachments: Discount Schedule (7 pages)
Resolution

Approvals:



Administrative



Budget

**Exhibit C
Prime Award PPG Schedule**

PPG Code	Description	Std Discount	Alt Discount
A001	Apparatus - All Other Examples include Weights, Magnets and Magnifiers, Metal Tanks, Mixers (In-Line), Molecular and Chemical Models, Needles (Dissection), Patient Care Simulators, Pipetter Calibration Kits, Power Saws, Scissors, Sieves, Animal Cages and Cage Accessories, Aquaria and Accessories, and Defibrillator Accessories.	31.1%	31.1%
A002	Microbiology Apparatus	32.5%	32.5%
A003	Racks	37.1%	37.1%
A004	Facility Safety - Maintenance & Operations - Apparatus	35.4%	35.4%
A005	Clamps, Trays, and Supports	41.6%	41.6%
A006	Cryogenic Products	31.2%	31.2%
A007	Desiccators	33.7%	33.7%
A008	Fire Fighting & Emergency Response – Equipment & Medical	17.1%	17.1%
A009	Liquid Handling Fillers and Dispensers	21.8%	21.8%
A010	PPE – Fall Protection	26.7%	26.7%
B001	Biologicals - All Other Examples include: Serum Substitutes, Animal Sera, Storage Accessories for Preserved Specimens, Live Cell Cultures, Overexpression Lysates, and Peptides.	9.6%	9.6%
B002	Prepared Microbiology Media [Plates]	22.4%	22.4%
B003	Antibodies	7.7%	7.7%
B004	Cell Culture Media and Reagents	26.1%	26.1%
B005	Blood Culture Systems	31.3%	31.3%
B006	PCR Supplies	8.6%	8.6%
B007	Dehydrated Microbiology Media	22.8%	22.8%
B008	Bovine Sera	24.2%	24.2%
B009	Microbiology Supplies	20.2%	20.2%
B010	Prepared Microbiology Media [Tubes]	13.9%	13.9%
B011	Microbiology Quality Control Supplies	16.5%	16.5%
B012	Enzymes	9.4%	9.4%
B013	Prepared Microbiology Media [Bottles and Slides]	3.0%	3.0%
B014	Nucleic Acids and Components	11.4%	11.4%
B015	Proteins	20.1%	20.1%
C001	Consumables - All Other Examples include: Irrigation Solutions, Nucleotide Decontaminants, Plastic Tanks, Radiation Decontaminants, Distillation Products, and Cell Scrapers.	35.8%	35.8%
C002	PPE – Hand Protection – Thin-Wall Gloves	52.0%	52.0%

PPG Code	Description	Std Discount	Alt Discount
C003	Filtration Products - Other Filtration Products	26.5%	26.5%
C004	Vials and Vial Inserts	39.0%	39.0%
C005	Pipets - Serological Pipets	45.7%	45.7%
C006	Specimen Collection - Evacuated Blood Tubes	18.8%	18.8%
C007	Microscope Slides	56.0%	56.0%
C008	Facility Safety - Maintenance & Operations - Consumables	45.1%	45.1%
C009	Cell Culture Flasks	26.5%	26.5%
C010	Tubes - Centrifuge Tubes	34.6%	34.6%
C011	Pipetter Tips - Universal Pipetter Tips	45.0%	45.0%
C012	PPE - Apparel	39.7%	39.7%
C013	Bottles - Other	40.6%	40.6%
C014	Bottles - Plastic Bottles [General Purpose]	45.3%	45.3%
C015	Microplates - Other	20.7%	20.7%
C016	Controlled Environments - Apparel	37.4%	37.4%
C017	Specimen Containers	34.1%	34.1%
C018	Controlled Environments - Wipers & Swabs	38.1%	38.1%
C019	Filtration Products - Bottletop Filters	20.6%	20.6%
C020	Filtration Products - Syringe and Syringeless Filters [Nonsterile]	27.3%	27.3%
C021	Controlled Environments - Gloves	46.9%	46.9%
C022	Filtration Products - Centrifugal Filter Devices	7.8%	7.8%
C023	Pipetter Tips - Pipetter Specific Tips	29.0%	29.0%
C024	Cell Culture Microplates	19.4%	19.4%
C025	Pipetter Tips - Filtering Pipetter Tips	29.2%	29.2%
C026	Cleaning Products	31.1%	31.1%
C027	Specimen Collection - Winged Collection Set	23.6%	23.6%
C028	Microplates - Assay Microplates	22.4%	22.4%
C029	Dishes - Petri Dishes	59.4%	59.4%
C030	Tubes - Test Tubes	45.2%	45.2%
C031	Tubes - Storage Tubes	29.8%	29.8%
C032	Chromatography Columns	12.2%	12.2%
C033	Bottles - Media Bottles	38.3%	38.3%
C034	Pipets - Transfer Pipets	58.5%	58.5%
C035	Tubes - Microtubes	55.6%	55.6%
C036	Syringes - General Purpose Syringes	29.5%	29.5%
C037	Cell Culture Tubes	54.8%	54.8%
C038	Cell Culture Dishes	23.2%	23.2%
C039	Chromatography Columns and Supplies	18.1%	18.1%
C040	Cellware [Specialty]	22.8%	22.8%
C041	Bags - Sample Bags	39.2%	39.2%
C042	Specimen Collection - Microbiology and Transport Systems	17.4%	17.4%

PPG Code	Description	Std Discount	Alt Discount
C043	Pipets - Other	51.6%	51.6%
C044	Tubing and Tubing Connectors	38.9%	38.9%
C045	Specimen Collection - Urine Specimen Collection	35.2%	35.2%
C046	Bottles - Glass Bottles [General Purpose]	40.2%	40.2%
C047	Specimen Collection - Blood Specimen Collection	21.1%	21.1%
C048	Specimen Collection - Tubes for Blood Collection	32.6%	32.6%
C049	Controlled Environments -- Housekeeping, Matting, Packaging, Stationary & Tape	27.1%	27.1%
C050	Syringes - Other	26.5%	26.5%
C051	Bags - Autoclaving Bags	52.8%	52.8%
C052	PPE -- Eye, Face, and Hearing	45.9%	45.9%
C053	Flasks - Other	39.7%	39.7%
C054	Filtration Products - Filter Units	19.7%	19.7%
C055	Microplate Covers	20.9%	20.9%
C056	Flasks - Volumetric	44.3%	44.3%
C057	Water and Wastewater Testing Supplies	27.6%	27.6%
C058	Dishes - Other	56.7%	56.7%
C059	Facility Safety - First Aid, Identification & Communication, Spill Control & Containment	26.7%	26.7%
C060	Specimen Collection - Tube Needles	31.8%	31.8%
C061	Carboys and Jerricans	45.4%	45.4%
C062	Tubes - Tube Closures	38.5%	38.5%
C063	PPE -- Hand Protection -- Work & Specialty Gloves	33.6%	33.6%
C064	Reservoirs and Reservoir Liners	26.5%	26.5%
C065	Coverslips	55.7%	55.7%
C066	Tubes - Other	26.2%	26.2%
C067	Specimen Collection - Other	19.2%	19.2%
C068	Cylinders [Laboratory]	42.7%	42.7%
C069	Membranes For Hybridization and Transfer	15.1%	15.1%
C070	Autoradiography Supplies	25.6%	25.6%
C071	Waste Disposal Containers	39.8%	39.8%
C072	Bench Protectors	42.0%	42.0%
C073	Funnels	45.9%	45.9%
C074	Bags - Other	30.8%	30.8%
C075	Cuvets and Cells	36.7%	36.7%
C076	Beakers - Plastic and Other	42.5%	42.5%
C077	PPE -- Hand Protection -- Chemical Resistant Gloves	35.9%	35.9%
C078	Embedding Cassettes	20.0%	20.0%
C079	Beakers - Glass	42.6%	42.6%
C080	Knives and Knife Blades	39.2%	39.2%

PPG Code	Description	Std Discount	Alt Discount
C081	Pipetter Tips - Robotic Pipetter Tips	21.0%	21.0%
C082	Film and Foil Wrapping	47.8%	47.8%
C083	Pipetter Tips - Other	41.4%	41.4%
C084	Stirring Bars and Rods	48.1%	48.1%
C085	Fire Fighting & Emergency Response -- PPE	52.1%	52.1%
C086	Stoppers	34.5%	34.5%
C087	Burets	40.8%	40.8%
C088	Samplers	25.3%	25.3%
C089	Spatulas [General Purpose]	38.0%	38.0%
C090	Crucibles	43.1%	43.1%
C091	Bottles - Wash Bottles	42.7%	42.7%
C092	Pipetter Tips - Repeater Pipetter Tips	25.6%	25.6%
C093	PPE -- Head Protection	35.1%	35.1%
D001	Diagnostics - All Other Examples include: Magnetic Particles, Nitric Oxide Pathway Reagents and Kits, RNAi Controls, Cell Growth and Differentiation Reagents and Kits, and Food Chemistry Test Kits	6.8%	6.8%
D002	Clinical Diagnostic Kits and Reagents - Other	24.5%	24.5%
D003	Clinical Controls Calibrators and Standards	20.9%	20.9%
D004	Protein Chemistry Reagents and Kits	5.4%	5.4%
D005	Clinical Diagnostic Kits and Reagents - Influenza Testing	18.9%	18.9%
D006	Molecular Biology Reagents and Kits - Other	4.3%	4.3%
D007	Clinical Diagnostic Kits and Reagents - Pregnancy [hCG] Tests	34.2%	34.2%
D008	Clinical Diagnostic Kits and Reagents - Streptococcus Testing	17.1%	17.1%
D009	Western Blotting, ELISA and Cell Imaging	7.4%	7.4%
D010	Clinical Diagnostic Kits and Reagents - C. difficile Testing	24.0%	24.0%
D011	Electrophoresis Reagents	9.6%	9.6%
D012	Tissue Processing Reagents	22.4%	22.4%
D013	Clinical Diagnostic Kits and Reagents - General Chemistry Testing	8.2%	8.2%
D014	Immunoassay Testing	5.7%	5.7%
D015	Molecular Biology Reagents and Kits - Nucleic Acid Labeling and Detection	4.1%	4.1%
D016	Molecular Biology Reagents and Kits - DNA Extraction and Purification	9.5%	9.5%
D017	Clinical Diagnostic Kits and Reagents - Urinalysis Testing	24.1%	24.1%
D018	Dialysis Desalting and Buffer Exchange	3.5%	3.5%
D019	Microbiology Products	18.3%	18.3%
D020	Hematology Stains	18.6%	18.6%
D021	Immunoreagents	5.5%	5.5%
D022	Antibody Production and Purification	5.1%	5.1%

PPG Code	Description	Std Discount	Alt Discount
E001	Equipment - All Other Examples include: Slide Warmers, Tissue Processors and Accessories, Ultraviolet Lamps, Pipetting Workstations, Automated Laboratory Robotics, and Heat Stress Monitors	19.2%	19.2%
E002	Refrigerators and Freezers - Other	30.4%	30.4%
E003	Incubators	24.0%	24.0%
E004	Refrigerators and Freezers - Ultra Low Temperature Freezers [Upright]	29.7%	29.7%
E005	Pipettors - Manual Pipettors	20.3%	20.3%
E006	Microscopes	22.8%	22.8%
E007	Centrifuges - Benchtop [General Purpose]	10.8%	10.8%
E008	PPE - Respiratory Protection	30.3%	30.3%
E009	Microtomy Equipment	8.6%	8.6%
E010	Water Purification - Other	15.3%	15.3%
E011	Hoods and Enclosures	19.7%	19.7%
E012	Centrifuges - Benchtop Microcentrifuges	20.9%	20.9%
E013	Baths - Other	24.7%	24.7%
E014	Centrifuges - Benchtop Other	14.7%	14.7%
E015	Pipettors - Other	15.9%	15.9%
E016	Pumps - Vacuum	29.0%	29.0%
E017	Hotplates	31.5%	31.5%
E018	Shakers and Mixers - Platform Shakers	19.8%	19.8%
E019	Ovens	26.8%	26.8%
E020	Shakers and Mixers - Other	34.7%	34.7%
E021	Centrifuges - Centrifuge Accessories	17.1%	17.1%
E022	Pipet Fillers	32.6%	32.6%
E023	Sterilizers	21.5%	21.5%
E024	Blenders and Homogenizers	25.3%	25.3%
E025	Pumps - Other	25.6%	25.6%
E026	Electrophoresis Equipment	22.2%	22.2%
E027	Water Purification - Pretreatment and Polishing Systems	18.8%	18.8%
E028	Evaporators	14.1%	14.1%
E029	Counting Devices	22.0%	22.0%
E030	Baths - Water	30.8%	30.8%
E031	Stirrers - Magnetic	26.9%	26.9%
E032	Furnaces	26.0%	26.0%
E033	Mills	20.4%	20.4%
E034	Washers and Dryers for Glassware	23.2%	23.2%
E035	Pumps - Tubing	24.0%	24.0%
E036	Stirrers - Overhead	25.3%	25.3%
E037	Ultrasonic Cleaners	18.6%	18.6%

PPG Code	Description	Std Discount	Alt Discount
E038	Freeze Drying Equipment	27.3%	27.3%
E039	Microplate Washers	10.0%	10.0%
E040	Heaters	14.2%	14.2%
E041	Photodocumentation Systems	13.7%	13.7%
E042	Chromatography Equipment	5.6%	5.6%
E900	Equipment - Education	0.0%	0.0%
F001	Furniture	37.1%	37.1%
H001	Chemicals - All Other Examples include Desiccants and Drying Agents, Intravenous Solutions, Stains and Dyes and Indicators, and all chemicals not covered by another specific PPG listed below.	32.1%	32.1%
H002	Organics	34.4%	34.4%
H003	Solvents - Other	63.7%	63.7%
H004	Acids - Inorganic	47.5%	47.5%
H005	Inorganics - Other	51.1%	51.1%
H006	Buffers	38.4%	38.4%
H007	Solvents - Acetonitrile	43.9%	43.9%
H008	Solvents - Methanol	65.5%	65.5%
H009	Solvents - Ethanol	37.1%	37.1%
H010	Histology Reagents	54.8%	54.8%
H011	Inorganics - Sodium Compounds [Inorganics]	56.4%	56.4%
H012	Solutions for Chemical Testing	44.3%	44.3%
H013	Standards	29.3%	29.3%
H014	Solvents - Isopropanol [IPA]	62.9%	62.9%
H015	Caustics	58.6%	58.6%
H016	Solvents - Acetone	65.0%	65.0%
H017	Water	54.4%	54.4%
H018	Acids - Organic	50.3%	50.3%
H019	Solvents - Methylene Chloride	69.9%	69.9%
H020	Solvents - Hexanes	71.4%	71.4%
H021	Solvents - Xylenes	76.3%	76.3%
I001	Instruments - All Other Examples include: Radiation Contamination Monitors, Rheometers, Hygrometers and Accessories, Immunoassay Systems, Chromatography Products, and Flow Cytometers and Accessories.	14.4%	14.4%
I002	Spectrometry and Spectrophotometry	10.9%	10.9%
I003	Balances - Other	27.5%	27.5%
I004	Electrochemistry	25.7%	25.7%
I005	Clinical Chemistry Analyzers	28.8%	28.8%
I006	Coagulation Analyzers	32.0%	32.0%

PPG Code	Description	Std Discount	Alt Discount
I007	Balances - Analytical Balances	28.0%	28.0%
I008	Thermometers	32.8%	32.8%
I009	PH ORP Titration	27.5%	27.5%
I010	Instrumentation – Radiation, Chemical, Noise, Heat-Stress & Air Quality Monitoring	9.6%	9.6%
I011	Microplate Readers	13.4%	13.4%
I012	Electrodes	26.3%	26.3%
I013	Thermal Cycling Instruments	9.1%	9.1%
I014	Timers	31.3%	31.3%
I015	Viscometry Instruments	20.4%	20.4%
I016	Anemometers and Flowmeters	15.8%	15.8%
X001	Discounts not Allowed	0.0%	0.0%
X002	Discounts not Allowed	0.0%	0.0%
X003	Discounts not Allowed	0.0%	0.0%
X004	Discounts not Allowed	0.0%	0.0%
X005	Discounts not Allowed	0.0%	0.0%
X006	Discounts not Allowed	0.0%	0.0%
<p>Note: When the calculated price for a catalog product falls below Thermo Fisher Scientific's cost plus 7%, the price charged will be cost plus 7%.</p>			

A RESOLUTION APPROVING THE AWARD OF
A FIVE-YEAR AGREEMENT (BLANKET
AGREEMENT) TO FISHER SCIENTIFIC
COMPANY L.L.C. FOR LABORATORY,
SAFETY SUPPLIES AND EQUIPMENT AT AN
ESTIMATED ANNUAL COST NOT TO
EXCEED \$120,000 FOR THE WATER
RESOURCES DEPARTMENT; AND
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has a need for laboratory, safety supplies and equipment;
and

WHEREAS, pursuant to Section 2-256(b) of the City Code the City is permitted
to utilize competitively bid proposals or contracts secured by state, county or municipal
government when it is in the best interest of the City; and

WHEREAS, Fisher Scientific Company L.L.C. has met the specifications, terms
and conditions of Florida State Contract No. 41120000-15-ACS dated April 1, 2015; and

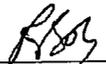
WHEREAS, the Procurement & Supply Management Department, in cooperation
with the Water Resources Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
St. Petersburg, Florida that the award of an agreement (Blanket Agreement) to Fisher Scientific
Company L.L.C. for the purchase of laboratory, safety supplies and equipment at an estimated
annual cost not to exceed \$120,000 utilizing Florida State Contract No. 41120000-15-ACS is
hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents
necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that this agreement shall be effective from the
date of award through February 12, 2020.

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 June 11, 2015

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

Subject: A resolution authorizing the Administration to negotiate an agreement with Hodge Management, LLC for the Woodlawn Gym Police Athletic League Facility Fire Protection Upgrade Project.

Explanation: On January 9, 2015, RFQ 5665 for Woodlawn Gym Police Athletic League Facility Fire Protection Upgrades was solicited. Quotes were due on February 3, 2015 and no bids were received. In accordance with the city's Procurement Code Sec. 2-244(i) in the event no bids are received, City Council shall have the authority to authorize the Administration to negotiate directly with potential bidders.

Previous solicitations for Fire Marshall approved protection upgrade options did not produce desirable results. Initially, bids were solicited to install a comprehensive sprinkler system in the building. A single bid in the amount of \$227,000 from RoDan Fire Sprinklers Inc. was rejected as it exceeded the City's budget of \$165,000. Subsequently, bids were solicited for a cost-effective alternative solution of adding a rated stairwell from the first to third floor of the building. Hodge Management, LLC, a General Contractor, was the low bidder in the amount of \$164,900. Following discussions with the PAL staff and the Fire Department, it was strongly recommended to reconsider the sprinkler option. Therefore, RFQ 5665 was solicited for a modified sprinkler system upgrade.

Following the solicitation, staff inquired among potential vendors the reasons why no bids were received. It was determined that the installation of a fire sprinkler system for the 80 year-old building will require work beyond the scope of a fire sprinkler contractor, such as removal, repairs and replacement of ceilings, installing a fire alarm system connection and repairs of various building wall penetrations. For this reason, a General Contractor is best suited to manage the work.

Therefore, the Administration is requesting authorization to negotiate a scope, terms and conditions for the installation of a fire sprinkler system with Hodge Management, LLC, a General Contractor. The Contractor was low bidder on a previous solicitation for the building's fire protection upgrade and has satisfactorily provided similar work for the City in the past.

Upon negotiating an acceptable agreement, City Council's approval will be requested.

Attachments: Resolution

Approvals:



Administrative

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO NEGOTIATE AN AGREEMENT WITH HODGE MANAGEMENT, LLC FOR THE WOODLAWN GYM POLICE ATHLETIC LEAGUE FACILITY FIRE PROTECTION UPGRADE PROJECT; PROVIDING THAT AN AGREEMENT WILL BE PRESENTED TO CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, bids for the Woodlawn Gym Police Athletic League Facility Fire Protection Upgrade Project were solicited pursuant to RFQ 5665; and

WHEREAS, quotes were due on February 3, 2015 and no bids were received; and

WHEREAS, pursuant to Section 2-244(i) of the City Code City Council has the authority to authorize the Administration to negotiate directly with potential bidders; and

WHEREAS, the Administration is requesting authorization to negotiate scope, terms and conditions for the installation of a fire sprinkler system with Hodge Management, LLC; and

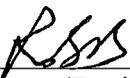
WHEREAS, upon successful negotiation, an agreement will be presented to City Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Administration is hereby authorized to negotiate an agreement with Hodge Management, LLC for the Woodlawn Gym Police Athletic League Facility Fire Protection Upgrade Project; and

BE IT FURTHER RESOLVED that an agreement will be presented to City Council for approval.

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 June 11, 2015**

Subject: Accepting a proposal from SCI Distribution LLC, a sole source supplier, for a web-based fuel and fleet management system for the Fleet Management department and RFID readers to record participation rates in the City's Universal Residential Curbside Recycling program at a total cost not to exceed \$195,590; approving a supplemental appropriation of \$49,655 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW CNG Fueling Station FY15 project (14936); and providing an effective date.

Explanation: The Procurement Department received a proposal for a web-based fuel and fleet management system and a system to record participation rates in the City's Universal Curbside Recycling program.

The vendor will provide all resources to set-up, configure and install fuel pumps and vehicle interface hardware, camera system, software and accessories for two fuel management stations at the Fleet Management and Sanitation facilities. The web-based fuel and fleet management applications will allow fleet management to monitor fuel usage, track vehicle locations and view categories of vehicle and driver performance data in real time from a web-connected server or handheld mobile devices.

Additionally, the system will log data for each refueling process, including: date and time; operator and vehicle identification number; vehicle VIN number and description; cost center/accounts; vehicle odometer miles; vehicle hours; fuel type, pump number and description; fuel pump counter start and end gallons; and, dollar value of each transaction.

The Fleet Management implementation consists of five RFID island fuel controllers; five Wi-Fi modem transmission units; two-hose pump control modules; pedestal for fuel island controllers; smart chip key identification for vehicle/driver; 1,400 vehicle identification units, (RFID tags); security camera system; and, integration of telemetric GPS solution for the software platform.

The Sanitation implementation consists of eight fuel tracking devices attached to the nozzles of four existing CNG pumps. Additionally, system hardware installed in the hopper of the collection truck will record, transmit and report the residential recycling containers that are dumped by reading the container's embedded RFID. The driver will also be able to denote blocked or contaminated containers through the system. This data will be used to verify participation rates and determine which areas of the City need to be encouraged to "Participate not Contaminate" in the program.

The Procurement Department in cooperation with the Fleet Management and Sanitation departments, recommends approval:

SCI Distribution LLC.....\$195,590

Fleet Management	
Fuel Equipment	\$73,780
Software	10,000
Installation & Training	18,640
Sub-Total	\$102,420
Sanitation	
RFID Equipment	\$31,720
RFID Software	11,320
Installation & Training	475
Fuel Equipment (CNG)	45,055
Installation	4,600
Sub-Total	\$93,170

SCI Distribution LLC, is a Clearwater based company that provides wireless fleet management and fuel management products. They have completed similar projects for the Cities of Clearwater, Haines, Cocoa, Cape Coral and North Miami. They have also completed project for Hendry and St. Johns counties and Glades County School District.

This purchase is made in accordance with Section 2-249 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. SCI is the only company that has combined both fuel management and fleet management on a single Web application to enable fleet managers to monitor and control fuel usage and fleet activity from virtually anywhere.

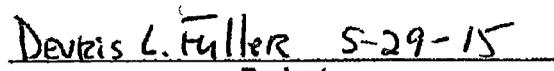
Cost/Funding/Assessment Information: Funds have been appropriated in the General Capital Improvements Fund (3001) RNI Fuel System Upgrade (14603) [\$102,420]; Sanitation Operating Fund (4021) Residential Curbside Recycling account (4502275) [\$43,515] and approving a supplemental appropriation in the amount of \$49,655 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW CNG Fueling Station FY15 Project (14936) will be necessary.

Attachments: Sole Source (2 pages)
Resolution

Approvals:



Administrative



Budget

City of St. Petersburg
Sole Source Request
Procurement & Supply Management

Department: Fleet Management Requisition No. 5319120

Check One: Sole Source Proprietary Specifications

Proposed Vendor: SCI Distribution

Estimated Total Cost: \$127,451.00 Total (\$94,420.00 Fleet, \$33,031.00 Sanitation)

Description of Items (or Services) to be purchased:

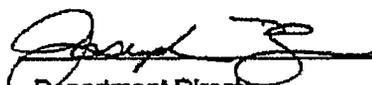
Replacement of existing automated fuel management system, and Sanitation recycling program tracking.

Purpose of Function of items:

The automated fuel system allows for the fueling of city vehicles 24 hours a day 7 days a week at three locations without the need for staff.

Justification for Sole Source of Proprietary specification:

SCI Distribution is the only vendor that combines fuel tracking, level monitoring, telematics, GPS, video security, vehicle systems monitoring, on one single proprietary software. (see attached letter)



Department Director

4/29/15

Date



Administrator/Chief

4.24.15

Date

Louis Moore

4/28/15

Louis Moore, Director
Procurement & Supply Management

Date

I hereby certify that in accordance with Section 2-232(d) of the City of St. Petersburg Procurement Code, I have conducted a good faith review of available sources and have determined that there is only one potential source for the required items per the above justification. I also understand that under Florida Statute 838.22(2) it is a second degree felony to circumvent a competitive bidding process by using a sole-source contract for commodities or services.

A RESOLUTION DECLARING SCI DISTRIBUTION, LLC TO BE A SOLE SOURCE SUPPLIER; ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT TO SCI DISTRIBUTION, LLC FOR THE PURCHASE OF A WEB-BASED FUEL AND FLEET MANAGEMENT SYSTEM AND RFID READERS FOR THE FLEET MANAGEMENT DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$195,590; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; APPROVING A SUPPLEMENTAL APPROPRIATION OF \$49,655 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) TO THE WRF SW CNG FUELING STATION FY15 PROJECT (14936) AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has a need for a Web-Based Fuel and Fleet Management System and RFID readers for the Fleet Management Department; and

WHEREAS, the City has determined that SCI Distribution, LLC is the only company that has combined both fuel management and fleet management on a single Web application to enable fleet managers to monitor and control fuel usage and fleet activity from virtually anywhere; and

WHEREAS, Section 2-249 of the City Code provides requirements for sole source procurement; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Fleet Management and Sanitation Departments, recommends approval of the award of an agreement for the purchase of a Web-based Fuel and Fleet Management System and RFID readers to SCI Distribution, LLC as a sole source supplier; and

WHEREAS, the Mayor or his designee has prepared a written statement to 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 SCI Distribution, LLC is a sole source supplier; and

BE IT FURTHER RESOLVED that the award of an agreement for the purchase of a Web-Based Fuel and Fleet Management System and RFID readers for the Fleet Management and Sanitation Departments at a total cost not to exceed \$195,590 is hereby approved and the Mayor or the Mayor's designee is authorized to execute all necessary documents to effectuate this transaction; and

BE IT FURTHER RESOLVED that the following appropriation in the amount of \$49,655 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW CNG Fueling Station FY15 Project (14936) is hereby approved for FY15:

<u>Water Resources Capital Project Fund (4003)</u>	
WRF SW CNG Fueling Station FY15 Project (14936)	\$49,655

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)



Budget Department

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 11, 2015

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

Subject: Waiving public construction bonds for American Housing Builders, Inc. and Griffin Contracting, Inc. for the construction of five single family homes.

Explanation: On March 5, 2015 City Council approved American Housing Builders, Inc. and Griffin Contracting, Inc. as qualified developers to provide residential design/build development services to construct single family residential homes on city acquired parcels using current program income supplemented by future program income earned pursuant to the sale Neighborhood Stabilization Program properties.

American Housing Builders Inc. will construct three single family homes at 745 15th Avenue South; 840 13th Avenue South; and at 1116 18th Avenue South. Griffin Contracting, Inc. will construct two single family homes at 2660 3rd Avenue South and 4119 13th Avenue South.

Florida Statute 255.05 (d) allows City Council, as the awarding body, to waive at its discretion construction bonds for projects of less than \$200,000.

In order to reduce the cost of construction and maximize available funding for future home construction, it is deemed to be in the best interest of the City to save the cost of the public construction bonds. Waiving the public construction bonds for these homes will save the City approximately \$18,000 in construction cost (See costs attached).

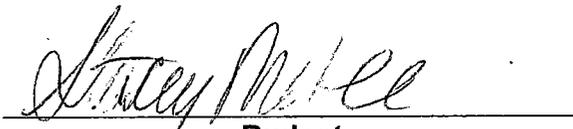
Cost/Funding/Assessment Information: Funds have been previously appropriated in the Neighborhood Stabilization Program Fund (1114).

Attachments: Pricing Schedule
Resolution

Approvals:



Administrative



Budget

Two Step Bid NSP-3 Developer Designed Homes

COMPANY	Officers:	MODEL	Traditional Price	Suburban Price
American Housing Builders, Inc.	Stuart Cohen, Pres Walter McKenzie, VP/T Ralph Kretzer, VP/S	NSP Franklin price- 1292 Sq. ft.	\$132,860	\$131,360
		Bond Cost	\$4,000	\$4,000
		NSP Franklin - Total	\$136,860	\$135,360

COMPANY	Officers:	MODEL	Traditional Price	Suburban Price
Griffin Contracting, Inc.	Chris Risdon, Pres/S/T Jeffrey Adams, VP	RB 1101	\$125,915	\$125,915
		Bond Cost	\$3,000	\$3,000
		RB 1101 - Total	\$128,915	\$128,915
	RB 1345	\$135,874	\$135,874	
	Bond Cost	\$3,000	\$3,000	
	RB 1345 - Total	\$138,874	\$138,874	

A RESOLUTION AUTHORIZING THE
WAIVING OF PUBLIC CONSTRUCTION
BONDS FOR AMERICAN HOUSING
BUILDERS, INC. AND GRIFFIN
CONTRACTING, INC. FOR THE
CONSTRUCTION OF FIVE SINGLE-FAMILY
HOMES; AND PROVIDING AN EFFECTIVE
DATE.

WHEREAS, on March 5, 2015 City Council approved American Housing Builders, Inc. and Griffin Contracting, Inc. as qualified developers to provide residential design/build development services to construct single family residential homes on City acquired parcels; and

WHEREAS, Florida Statute 255.05(d) allows City Council, as the awarding body, to waive construction bonds for project whose value is less than \$200,000; and

WHEREAS, it is in the City's best interest to reduce the cost of construction by saving the cost of public construction bonds.

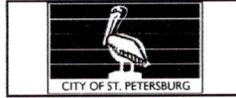
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the waiver of public construction bonds for American Housing Builders, Inc. and Griffin Contracting, Inc. for the construction of five single-family homes is hereby approved.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)



MEMORANDUM

Council Meeting of June 11, 2015

TO: Members of City Council

FROM: Mayor Rick Kriseman 

RE: Confirmation of Appointment to the City Beautiful Commission

I respectfully request that Council confirm the appointment of Samantha Sooknarine as a regular member to the City Beautiful Commission to serve an unexpired three-year term ending December 31, 2016.

A copy of Ms. Sooknarine's resume has been provided to the Council office for your information.

RK/cs

Attachments

cc: M. Jefferies, Parks and Recreation Director
L. Seufert, Park Operations Manager

A RESOLUTION CONFIRMING THE
APPOINTMENT OF A REGULAR MEMBER TO
THE CITY BEAUTIFUL COMMISSION; AND
PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that this Council hereby confirms the appointment of Samantha Sooknarine as a regular member to the City Beautiful Commission to serve an unexpired three-year term ending December 31, 2016.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content

City Attorney or (Designee)

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 11, 2015

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

Subject: A resolution approving the transfer of \$60,000 from the unappropriated balance of the General Capital Improvement Fund (3001) to the Sanitation Operating Fund (4021); approving a supplemental appropriation in the amount of \$60,000 from the increase in the unappropriated balance in Sanitation Operating Fund resulting from this transfer to the Codes Compliance Assistance Department (100-1129), Object Code 5320310 to fund eligible costs associated with demolition and securing; approving the transfer of \$60,000 from the unappropriated balance of the General Capital Improvement Fund (3001) to the General Fund (0001); approving a supplemental appropriation in the amount of \$60,000 from the increase in the unappropriated balance in the General Fund resulting from this transfer to the Planning And Economic Development Department (370-2609) Residential Rehabs Program Project 141000 to fund eligible costs associated with rebates for Residential Rehabs Program; authorizing the Mayor or his designee to execute all documents necessary to effectuate this resolution; and providing an effective date.

Explanation: The Rebates for Residential Rehabs program was established in FY13 in order to stimulate rehabilitation of the City's aging housing stock by providing contractors and developers a 30% rebate on eligible renovations to single family residences. An original allocation of \$400,000 was made to fund the program at that time; an additional \$96,000 was allocated to the program in FY14 from proceeds of a property sale, and an additional \$100,000 was added in FY15. The program, although having a slow start, has been very successful and all funds have currently been expended or committed; however, there remains a waiting list for additional rebates, which have now been reduced to 20% of the cost of the improvements. An additional \$60,000 in funding is expected to clear the waiting list and be sufficient to fund rebates expected through the remainder of this fiscal year.

Similarly, efforts to demolish and secure derelict structures citywide have been more successful than expected. Funding in the amount of \$433,722 was provided in the FY15 adopted budget; a supplemental appropriation of \$150,000 was added later in FY15, bringing the total budget to \$583,722. To date, \$579,046 has been expended and there remains a backlog of demolitions to be effected. A transfer of \$60,000 will assist in clearing this backlog.

Recommendation: The Administration recommends that City Council adopt the attached resolution approving the transfer of \$60,000 from the unappropriated balance of the General

Resolution No. 2015-___

A RESOLUTION APPROVING THE TRANSFER OF \$60,000 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001) TO THE SANITATION OPERATING FUND (4021); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$60,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE IN SANITATION OPERATING FUND RESULTING FROM THIS TRANSFER TO THE CODES COMPLIANCE ASSISTANCE DEPARTMENT (100-1129), OBJECT CODE 5320310 TO FUND ELIGIBLE COSTS ASSOCIATED WITH DEMOLITION AND SECURING; APPROVING THE TRANSFER OF \$60,000 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001) TO THE GENERAL FUND (0001); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$60,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE IN THE GENERAL FUND RESULTING FROM THIS TRANSFER TO THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT (370-2609) RESIDENTIAL REHABS PROGRAM PROJECT 141000 TO FUND ELIGIBLE COSTS ASSOCIATED WITH REBATES FOR RESIDENTIAL REHABS PROGRAM; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during the course of the fiscal year, there has been an increased demand for City Codes Compliance Assistance Department demolition of derelict buildings and for rebates through the Rebates for Residential Rehabs (RRR) program administered by the Planning and Economic Development Department; and

WHEREAS, the Administration finds it necessary to transfer funding from the General Capital Improvement Fund to provide additional funding to the City Codes Compliance Department demolition program and the Planning and Economic Development Department Rebates for Residential Rehabs (RRR) program to provide for efficiencies in the delivery of the programs and to insure transparency; and

WHEREAS, the Administration has requested the following:

- The transfer and appropriation of \$60,000 from the General Capital Improvement Fund to the Codes Demolition program,
- The transfer and appropriation of \$60,000 from the General Capital Improvement Fund to the Rebates for Residential Rehabs program; and

WHEREAS, these actions will enable both programs to have the funding needed to efficiently and effectively implement the programs and provide for addressing the needs of the community.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that there are hereby approved the following supplemental appropriations from the unappropriated balances of their respective funds for Fiscal Year 2015:

General Capital Improvement Fund (3001)
Transfer to: Sanitation Operating Fund (4021) \$60,000

Sanitation Operating Fund (4021)
Codes Compliance Assistance Department (110-1129)
Object Code 5320310 \$60,000

;and

General Capital Improvement Fund (3001)
Transfer to: General Fund (0001)

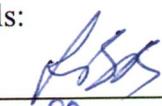
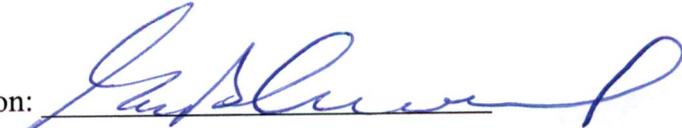
General Fund (0001)
Planning and Economic Development Department (370-2609)
Residential Rehabs Program Project 141000 \$60,000

; 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 adoption.

Approvals:

Legal:  Administration: 

Budget: 

Legal: 00235082.doc V. 3

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 11, 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 First Amendment to License Agreement with Pinellas Studio of Dance, Inc., a Florida corporation, for use of ±6,140 sq. ft. within the St. Petersburg Shuffleboard Club building located at 559 Mirror Lake Drive North, St. Petersburg, for a period of twelve (12) months at a rental rate of \$300.00 per month, with the right to request an extension for an additional one (1) year term, subject to approval by City Council; and to execute all documents necessary to effectuate same; and providing an effective date. *(Requires affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate and Property Management received authorization from Leisure Services Administration to extend the term of the license agreement for a period of one (1) year with Pinellas Studio of Dance, Inc. ("PSD"), for the use of the second floor space (consisting of ±6,140 sq. ft.) within the St. Petersburg Shuffleboard Club building located at 559 Mirror Lake Drive North, St. Petersburg ("Premises"). Through the adoption of Resolution No. 2014-297, on July 10, 2014 City Council approved a one-year License Agreement ("License"), with extensions for up to two (2) successive one (1) year terms, that provided the Licensee use of the Premises for the primary purpose of providing instruction, classes and an annual special event for advanced dance students. This will be the first (1st) of the allowed extensions following the approval of the License, subject to City Council approval.

PSD has executed a First Amendment to License for a term of twelve months (12) months, with the right to renew for an additional 1-year term, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term. PSD will provide instruction, classes and an annual special event for advanced dance students. The rental fee will be three hundred dollars (\$300.00) per month, plus applicable taxes during the term, due to the fact that the premises is not a heated/air conditioned space. The Licensee is responsible for daily cleaning and removal of all trash and debris, in addition to providing and paying for all costs (including installation, deposits, and usage) for utilities, telephone services, internet, and cable television in association with its use of the Premises. Additionally, the Licensee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Licensee's use of the Premises. The License may be terminated without cause by either party with sixty (60) days written notice prior to the scheduled date of termination.

Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for five (5) years or less on commercially-zoned property with approval by an affirmative vote of at least six (6) members of City Council. The subject property is zoned (DC-2) Downtown Center-2.

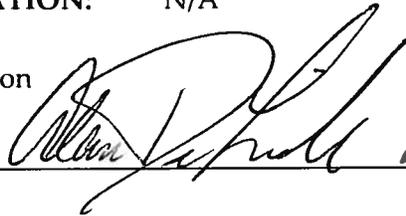
RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a First Amendment to License Agreement with Pinellas Studio of Dance, Inc., a Florida corporation, for use of ±6,140 sq. ft. within the St. Petersburg Shuffleboard Club building located at 559 Mirror Lake Drive North, St. Petersburg, for a period of twelve (12) months at a rental rate of \$300.00 per month, with the right to request an extension for an additional one (1) year term, subject to approval by City Council; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS:

Administration:


_____ EG

Budget:

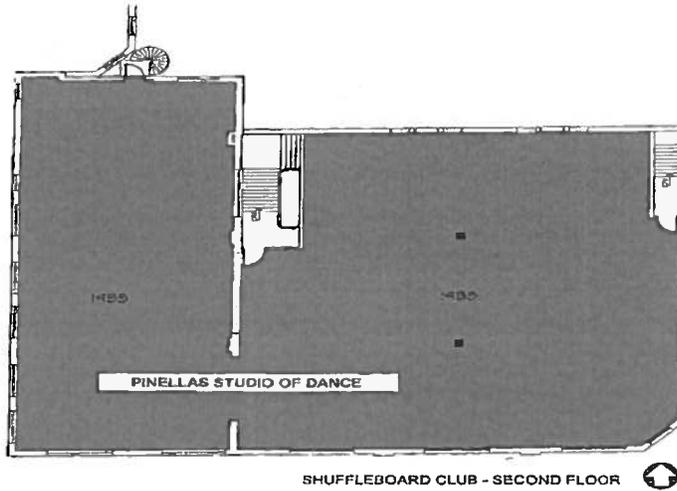
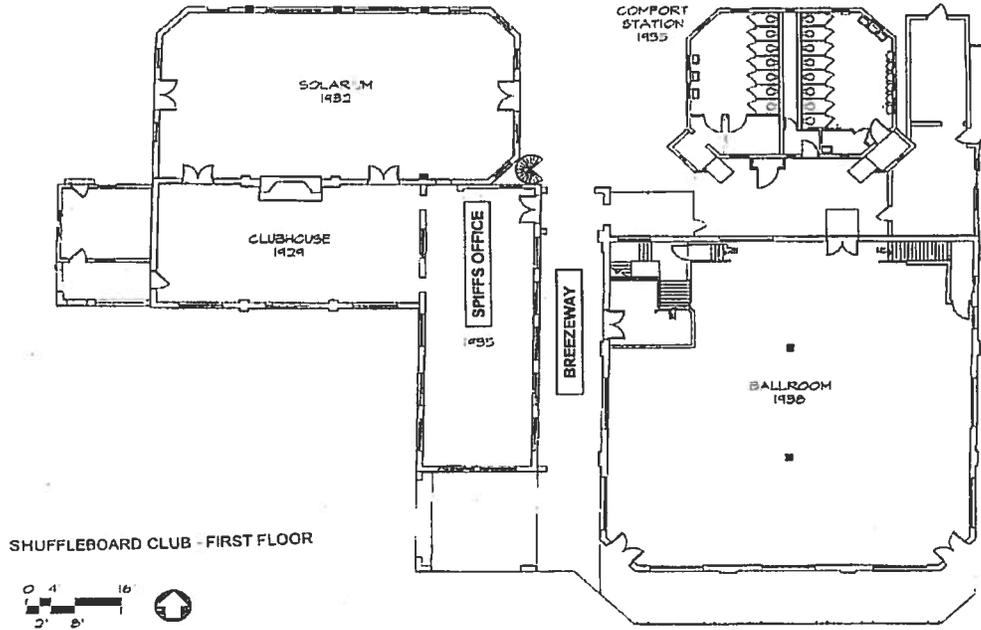
_____ N/A

Legal:

/s/ RBB

(As to consistency w/attached legal documents)
Legal: 00234821.doc V. 1

ILLUSTRATION
(Pinellas Studio of Dance, Leasehold)



A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A FIRST AMENDMENT TO LICENSE AGREEMENT WITH PINELLAS STUDIO OF DANCE, INC., A FLORIDA CORPORATION, FOR USE OF ±6,140 SQ. FT. WITHIN THE ST. PETERSBURG SHUFFLEBOARD CLUB BUILDING LOCATED AT 559 MIRROR LAKE DRIVE NORTH, ST. PETERSBURG, FOR A PERIOD OF TWELVE (12) MONTHS AT A RENTAL RATE OF \$300.00 PER MONTH, WITH THE RIGHT TO REQUEST AN EXTENSION FOR AN ADDITIONAL ONE (1) YEAR TERM, SUBJECT TO APPROVAL BY CITY COUNCIL; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Pinellas Studio of Dance, Inc. ("Licensee") desires to continue use of the second floor space (consisting of ±6,140 sq. ft.) of the St. Petersburg Shuffleboard Club building located at 559 Mirror Lake Drive North, St. Petersburg, which is classified as Parkland; and

WHEREAS, the proposed First Amendment to License will be for a term of twelve (12) months, with the right to renew for an additional 1-year term, subject to City Council approval; and

WHEREAS, the rental fee will be three hundred dollars (\$300.00) per month, plus applicable taxes during the term; and

WHEREAS, the License may be terminated without cause by either party by providing written notice no less than sixty (60) days prior to the scheduled date of termination; and

WHEREAS, the Licensee is responsible for daily cleaning and removal of all trash and debris, in addition to providing and paying for all costs (including installation, deposits, and usage) for utilities, telephone services, internet, and cable television in association with its use of the Premises; and

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

WHEREAS, Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for five (5) years or less on commercially-zoned property with approval by an affirmative vote of at least six (6) members of City Council; and

WHEREAS, the subject property is zoned (DC-2) Downtown Center-2.

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 First Amendment to License Agreement with Pinellas Studio of Dance, Inc., a Florida corporation, for use of ±6,140 sq. ft. within the St. Petersburg Shuffleboard Club building located at 559 Mirror Lake Drive North, St. Petersburg, for a period of twelve (12) months at a rental rate of \$300.00 per month with the right to request an extension for an additional one (1) year term, subject to approval by City Council; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



City Attorney (Designee)

Legal: 00234821.doc V. 1

APPROVED BY:



Michael Jefferis, Director

Parks and Recreation

APPROVED BY:



Bruce E. Grimes, Director

Real Estate and Property Management

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 11, 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 Second Amendment to License Agreement with Beach Drive Banquet, LLC, a Florida limited liability company, to extend its use of the North Yacht Basin and the surrounding areas known as Space No. EX500 to rent and operate vessels for a period of one (1) year for a monthly base rent of \$500.00; 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 Department received a request from Jessica Tonzola, Manager of Beach Drive Banquet, LLC ("User"), asking the City to extend its Agreement for continued use of the land and water space in the North Yacht Basin known as Space No. EX500 ("Premises") to rent and/or operate pontoon boats, fishing boats, kayaks, electric boats and a sailboat ("Vessels") for instructional purposes, fishing, tours, rides and excursions, including the sale of tickets and loading and unloading of passengers, for another year. Through the adoption of Resolution No. 2013-298 on August 1, 2013, City Council approved a one-year License Agreement ("Agreement"), with extensions for up to two (2) successive one (1) year terms, that provided the User the right to occupy the Premises for the primary purpose of renting and operating Vessels for instructional purposes, fishing, tours, rides and excursions, subject to approval by City Council. This extension represents the final one-year term permitted under the Agreement.

The User has executed the proposed Second Amendment to the License Agreement ("Amendment") for a term of one (1) year with the terms and conditions providing the User with the same basic rights and privileges it has enjoyed during the preceding term, subject to City Council approval. The User shall continue paying the City base rent in the amount of five hundred dollars (\$500.00) per month, in addition to paying a monthly percentage fee at a rate of seven percent (7%) of all monthly gross sales exceeding \$10,000.00 per month. The User is responsible for maintenance of the Premises, including the sidewalks, lighting, utilities, docks, fenders, pilings, fencing, equipment (collectively "Facilities"), and keeping these areas clean of all trash and debris. The User is responsible for utilities and other services for the Premises including, but not limited to, water, electric, telephone, internet service, sewer, gas, cable/satellite television, trash collection and stormwater fees, in addition to any applicable taxes and insurance. The User may sell the following items aboard the Vessels: beer, wine, soft drinks, coffee and snacks provided that User has obtained and provided to the City copies of all necessary licenses, permits, certifications and authorizations. Additionally, the User will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, marine protection and indemnity insurance with a

minimum limit of \$1,000,000 per occurrence, and liquor liability insurance with a minimum limit of \$1,000,000 per occurrence protecting the City against all claims or demands that may arise or be claimed on account of the User's use of the Premises.

The Agreement may be terminated without cause by either party with ninety (90) days written notice prior to the scheduled date of termination. Under the terms of the Agreement, "the City is under no obligation to locate or provide to User any replacement Premises or Facilities under any circumstances."

Pursuant to Section 1.02 (c)(1) and (2) of the City Charter, the subject property is classified on the Parks and Waterfront Property Map for five (5) years or less with approval by an affirmative vote of at least six (6) members of City Council. The subject property is zoned (DC-P) Downtown Center-Park.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a Second Amendment to License Agreement with Beach Drive Banquet, LLC, a Florida limited liability company, to extend its use of the North Yacht Basin and the surrounding areas known as Space No. EX500 to rent and operate vessels for a period of one (1) year for a monthly base rent of \$500.00; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration:



Budget:

N/A

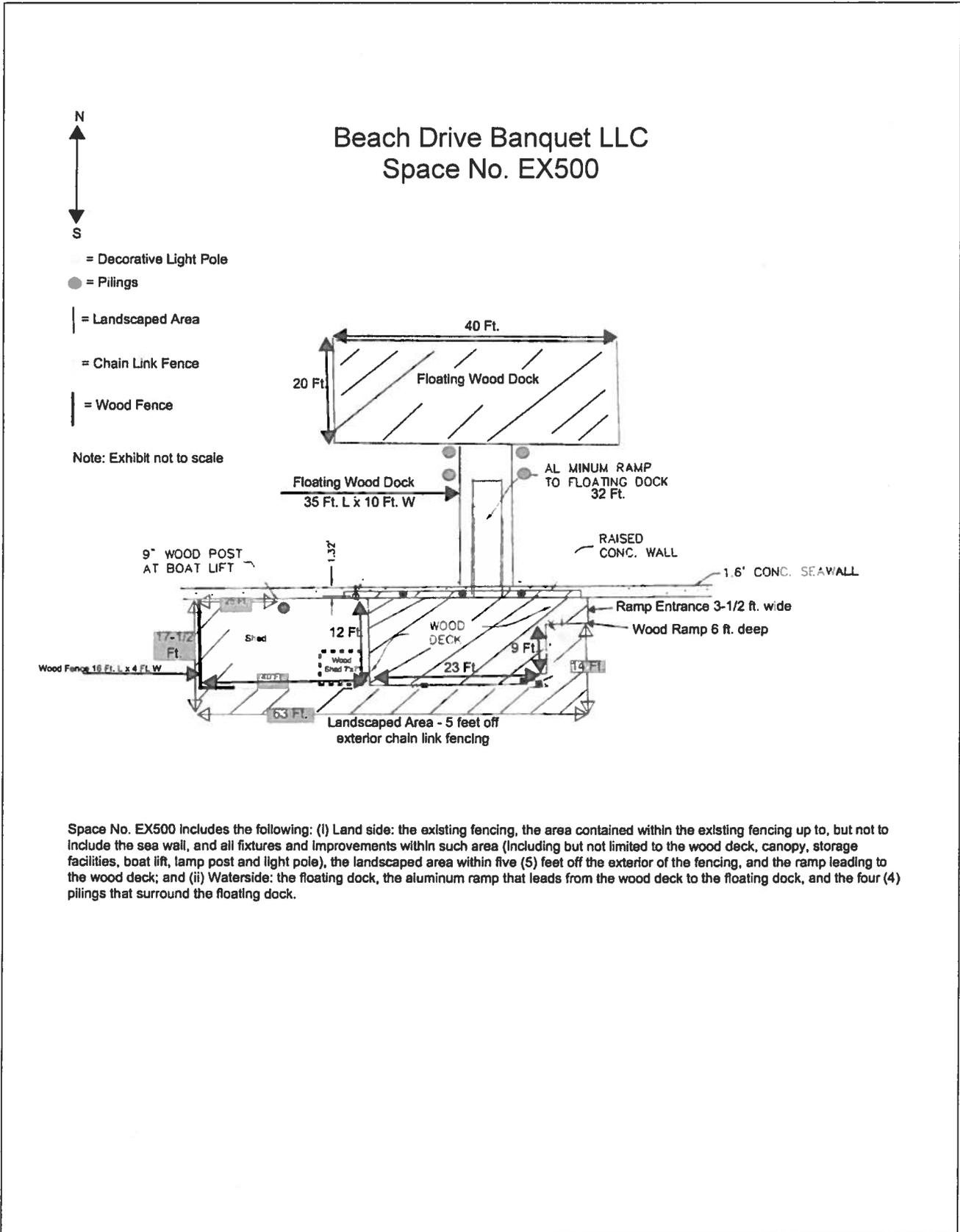
Legal:



(As to consistency w/attached legal documents)

Legal: 00235110.doc V. 1

ILLUSTRATION



Space No. EX500 includes the following: (i) Land side: the existing fencing, the area contained within the existing fencing up to, but not to include the sea wall, and all fixtures and improvements within such area (including but not limited to the wood deck, canopy, storage facilities, boat lift, lamp post and light pole), the landscaped area within five (5) feet off the exterior of the fencing, and the ramp leading to the wood deck; and (ii) Waterside: the floating dock, the aluminum ramp that leads from the wood deck to the floating dock, and the four (4) pilings that surround the floating dock.

Resolution No. 2015 - _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A SECOND AMENDMENT TO LICENSE AGREEMENT WITH BEACH DRIVE BANQUET, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO EXTEND ITS USE OF THE NORTH YACHT BASIN AND THE SURROUNDING AREAS KNOWN AS SPACE NO. EX500 TO RENT AND OPERATE VESSELS FOR A PERIOD OF ONE (1) YEAR FOR A MONTHLY BASE RENT OF \$500.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management Department received a request from Jessica Tonzola, Manager of Beach Drive Banquet, LLC ("User"), asking the City to extend its Agreement for continued use of the land and water space in the North Yacht Basin known as Space No. EX500 ("Premises") to rent and/or operate pontoon boats, fishing boats, kayaks, electric boats and a sailboat ("Vessels") for instructional purposes, fishing, tours, rides and excursions, including the sale of tickets and loading and unloading of passengers, for another year; and

WHEREAS, through the adoption of Resolution No. 2013-298 on August 1, 2013, City Council approved a one-year License Agreement ("Agreement"), with extensions for up to two (2) successive one (1) year terms, that provided the User the right to occupy the Premises for the primary purpose of renting and operating Vessels for instructional purposes, fishing, tours, rides and excursions, subject to approval by City Council; and

WHEREAS, this extension represents the final one-year term permitted under the Agreement; and

WHEREAS, the User has executed the proposed Second Amendment to the License Agreement ("Amendment") for a term of one (1) year with the terms and conditions providing the User with the same basic rights and privileges it has enjoyed during the preceding term, subject to City Council approval; and

WHEREAS, the User shall continue to pay the City base rent in the amount of five hundred dollars (\$500.00) per month, in addition to paying a monthly percentage fee at a rate of seven percent (7%) of all monthly gross sales exceeding \$10,000.00 per month; and

WHEREAS, the User is responsible for maintenance of the Premises, including the sidewalks, lighting, utilities, docks, fenders, pilings, fencing, equipment (collectively "Facilities"), and keeping these areas clean of all trash and debris; and

WHEREAS, the User is responsible for utilities and other services for the Premises including, but not limited to, water, electric, telephone, internet service, sewer, gas, cable/satellite television, trash collection and stormwater fees, in addition to any applicable taxes and insurance; and

WHEREAS, the User may sell the following items aboard the Vessels: beer, wine, soft drinks, coffee and snacks provided that User has obtained and provided to the City copies of all necessary licenses, permits, certifications and authorizations; and

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

WHEREAS, the Agreement may be terminated without cause by either party with ninety (90) days written notice prior to the scheduled date of termination; and

WHEREAS, under the terms of the Agreement, "the City is under no obligation to locate or provide to User any replacement Premises or Facilities under any circumstances"; and

WHEREAS, pursuant to Section 1.02 (c)(1) and (2) of the City Charter, the subject property is classified on the Parks and Waterfront Property Map for five (5) years or less with approval by an affirmative vote of at least six (6) members of City Council; and

WHEREAS, the subject property is zoned (DC-P) Downtown Center-Park.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to execute a Second Amendment to License Agreement with Beach Drive Banquet, LLC, a Florida limited liability company, to extend its use of the North Yacht Basin and the surrounding areas known as Space No. EX500 to rent and operate vessels for a period of one (1) year for a monthly base rent of \$500.00; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



City Attorney (Designee)
Legal: 00235110.doc V. 1

APPROVED BY:



for Clay D. Smith, Director
Downtown Enterprise Facilities

APPROVED BY:



Bruce E. Grimes, Director
Real Estate and Property Management

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 11, 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 Arts Center Association, Inc. d/b/a Morean Arts Center for a period of five (5) years to continue to maintain ten (10) fence panels for displaying artwork on a portion of the City-owned Pinellas Trail Extension for an annual use fee of \$50.00; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: Real Estate and Property Management Department received a request from Arts Center Association, Inc. d/b/a Morean Arts Center ("Licensee") to prepare a new license agreement for the continued maintenance of ten (10) fence panels installed through the City's Engineering Department for the Licensee's display of artwork on a portion of the City-owned Pinellas Trail Extension located at approximately 420 – 22nd Street South, St. Petersburg ("Property").

The Property is legally described as follows:

A PORTION OF THE CITY OWNED PINELLAS TRAIL LYING IN SECTION 24, TOWNSHIP 31S, RANGE 16E AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRTY (30) FEET OF THE CITY OWNED PINELLAS TRAIL PARALLEL TO THE SOUTH PROPERTY LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10930, PAGE 2030 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AND HAVING A PARCEL TAX ID NUMBER 24/31/16/00000/320/0410.

SAID THIRTY FOOT PORTION OF PINELLAS TRAIL SHALL EXTEND TO THE WEST, TO THE EAST RIGHT-OF-WAY LINE OF 22ND STREET SOUTH EXTENDED, AND EXTEND TO THE EAST, TO THE SOUTHERLY EXTENSION OF THE EAST PROPERTY LINE OF SAID PARCEL 24/31/16/00000/320/0410. CONTAINING 0.47 ACRES OF LAND, MORE OR LESS.

The Licensee has executed a License Agreement ("License") for a term of five (5) years, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term. The Licensee shall pay a use fee of \$50.00 per year, including applicable taxes, to the City for the entire term. The License provides that the Licensee shall be responsible for all applicable costs associated with the Licensee's use of the Property. Additionally, the Licensee shall maintain a \$1,000,000 Commercial General 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 panels and deliver up the Property in good condition upon expiration or earlier termination of the License.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a License Agreement with Arts Center Association, Inc. d/b/a Morean Arts Center for a period of five (5) years to continue to maintain ten (10) fence panels for displaying artwork on a portion of the City-owned Pinellas Trail Extension for an annual use fee of \$50.00; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustrations and Resolution

APPROVALS: Administration:



Budget:

N/A

Legal:

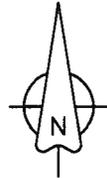
/s/ RBB

(As to consistency w/attached legal documents)

Legal: 00233814.doc V. 4

ILLUSTRATION NO. 1

SECTION 24, TOWNSHIP 31S, RANGE 16E



NOT TO SCALE

PARCEL# 24-31-16-00000-320-0410
O.R. BOOK 10930, PAGE 2030
PINELLAS COUNTY, FLORIDA

420 22ND STREET SOUTH.

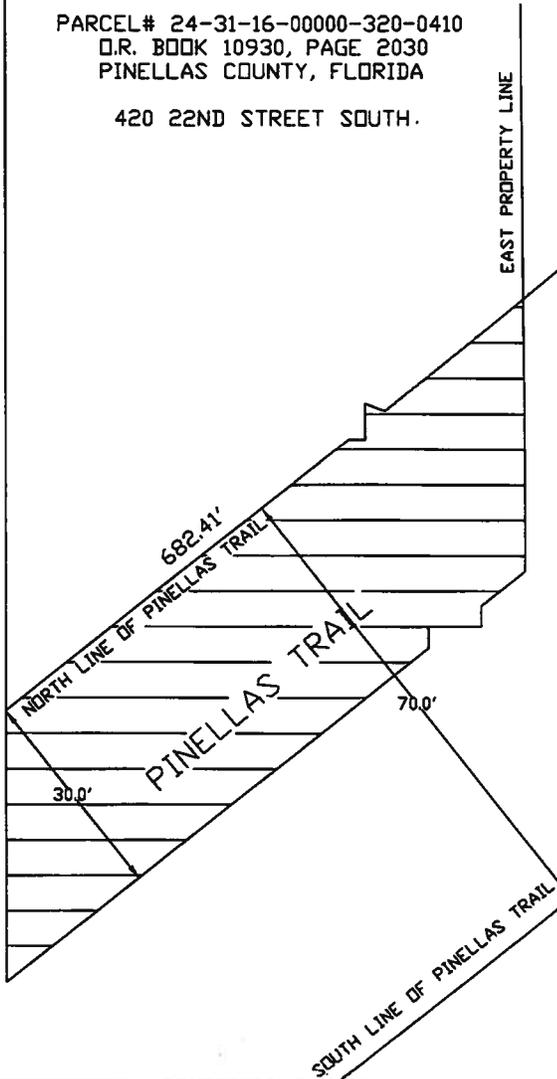
A PORTION OF THE CITY OWNED PINELLAS TRAIL LYING IN SECTION 24, TOWNSHIP 31S, RANGE 16E AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRTY (30) FEET OF THE CITY OWNED PINELLAS TRAIL PARALLEL TO THE SOUTH PROPERTY LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICAL RECORDS BOOK 10930, PAGE 2030 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AND HAVING A PARCEL TAX ID NUMBER 24/31/16/00000/320/0410.

SAID THIRTY FOOT PORTION OF PINELLAS TRAIL SHALL EXTEND TO THE WEST, TO THE EAST RIGHT-OF-WAY LINE OF 22ND STREET SOUTH EXTENDED, AND EXTEND TO THE EAST, TO THE SOUTHERLY EXTENSION OF THE EAST PROPERTY LINE OF SAID PARCEL 24/31/16/00000/320/0410. CONTANING 0.47 ACRES OF LAND, MORE OR LESS.

EAST RIGHT-OF-WAY 22ND STREET S.

EAST PROPERTY LINE



THIS IS NOT A SURVEY, SKETCH WAS PREPARED TO ACCOMPANY THE LEGAL DESCRIPTION

ENGINEERING DEPARTMENT
CITY OF ST. PETERSBURG

<p style="text-align: center;">ENGINEERING SURVEY DIVISION 1744 NINTH AVENUE NORTH ST. PETERSBURG, FLORIDA 33713</p> <p>(727) 892-5346 892-5347</p>	<p style="text-align: center;">SURVEYOR'S CERTIFICATE</p> <p style="font-size: small;">NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.</p> <p style="text-align: center;"> MATTHEW D. PICKEL 6/10/10 DATE </p> <p style="font-size: small;">CITY SURVEY PROJECT COORDINATOR FLORIDA PROFESSIONAL SURVEYOR AND MAPPER #6125</p>
<p>PROJECT NUMBER 00000-000</p>	
<p>FIELD DATE: XXX 00,0000 DWG. NO. 00-000</p>	

ILLUSTRATION NO. 2

PHOTOS OF EXISTING INSTALLATION



Resolution No. 2015-_____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH ARTS CENTER ASSOCIATION, INC. D/B/A MOREAN ARTS CENTER FOR A PERIOD OF FIVE (5) YEARS TO CONTINUE TO MAINTAIN TEN (10) FENCE PANELS DISPLAYING ARTWORK ON A PORTION OF THE CITY-OWNED PINELLAS TRAIL EXTENSION FOR AN ANNUAL USE FEE OF \$50.00; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management received a request from Arts Center Association, Inc. d/b/a Morean Arts Center ("Licensee") to prepare a new license agreement for the continued maintenance of ten (10) fence panels installed through the City's Engineering Department for the Licensee's display of artwork on a portion of the City-owned Pinellas Trail Extension located at approximately 420 – 22nd Street South, St. Petersburg ("Property"); and

WHEREAS, the Property is legally described as follows:

A PORTION OF THE CITY OWNED PINELLAS TRAIL LYING IN SECTION 24, TOWNSHIP 31S, RANGE 16E AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH THIRTY (30) FEET OF THE CITY OWNED PINELLAS TRAIL PARALLEL TO THE SOUTH PROPERTY LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10930, PAGE 2030 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AND HAVING A PARCEL TAX ID NUMBER 24/31/16/00000/320/0410.

SAID THIRTY FOOT PORTION OF PINELLAS TRAIL SHALL EXTEND TO THE WEST, TO THE EAST RIGHT-OF-WAY LINE OF 22ND STREET SOUTH EXTENDED, AND EXTEND TO THE EAST, TO THE SOUTHERLY EXTENSION OF THE EAST PROPERTY LINE OF SAID PARCEL 24/31/16/00000/320/0410. CONTAINING 0.47 ACRES OF LAND, MORE OR LESS; and

WHEREAS, the Licensee has executed a License Agreement ("License") 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 a use fee of \$50.00 per year, including applicable taxes, to the City for the entire term; and

WHEREAS, the Licensee shall maintain a \$1,000,000 Commercial General 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 panels and deliver up the Property in good condition upon expiration or earlier termination of the License.

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 Arts Center Association, Inc. d/b/a Morean Arts Center for a period of five (5) years to continue to maintain ten (10) fence panels for displaying artwork on a portion of the City-owned Pinellas Trail Extension, as legally described above, for an annual use fee of \$50.00; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

/s/ RBB
City Attorney (Designee)
Legal: 00233814.doc V. 4

APPROVED BY:

Evan Mory
Evan Mory, Director
Transportation and Parking

APPROVED BY:

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

ST. PETERSBURG CITY COUNCIL

Meeting of June 11, 2015

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

SUBJECT A Resolution by City Council accepting redevelopment authority from the Pinellas County Board of County Commissioners to establish a redevelopment trust fund for the South St. Petersburg Community Redevelopment Area.

RECOMMENDATION Administration recommends City Council approve the attached Resolution.

INTRODUCTION

On May 21, 2015, City Council adopted Ord. 169-H approving the South St. Petersburg Community Redevelopment Plan (Plan), a key component of which was the establishment of a tax increment financing (TIF) district for the entire South St. Petersburg CRA with a related redevelopment trust fund. The Plan was adopted pursuant to the requirements of the Community Redevelopment Act of 1969 (Ch. 163, Part III, FS), whose powers are invested in "home rule" counties, which in turn can delegate redevelopment authority to municipalities. Because Pinellas County has adopted a Home Rule Charter, it has the authority to delegate none, some or all of the redevelopment powers allowed by the Act.

On June 2, 2015, the Pinellas County BCC approved the South St. Petersburg Community Redevelopment Plan, including the establishment of a single TIF district and related redevelopment trust fund for the entire South St. Petersburg CRA. At the same meeting, the BCC delegated authority to the St. Petersburg City Council by Res. 15-xxx to establish a redevelopment trust fund for the South St. Petersburg CRA, pursuant to Sec. 163.387 (see Exhibit 2 of the Resolution).

Approval of the attached Resolution will allow City Council to establish the Redevelopment Trust Fund for the South St. Petersburg CRA at its June 11, 2015, public hearing. If City Council approves the Trust Fund, the Pinellas County BCC is expected to approve contributions to it on June 23, 2015. TIF revenue will begin flowing into the Trust Fund in spring 2016.

RECOMMENDATION

Administration recommends City Council approve the attached Resolution.

Attachment: Resolution

APPROVALS:

Administrative:

 _____ 

Budget:

N/A

Legal:

 _____

NO. 2014 - ____

A RESOLUTION ACCEPTING THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS' DELEGATION OF AUTHORITY TO THE CITY OF ST. PETERSBURG CITY COUNCIL TO ESTABLISH A REDEVELOPMENT TRUST FUND, AS DEFINED BY SEC.163.387 OF THE COMMUNITY REDEVELOPMENT ACT OF 1969 (CHAPTER 163, PART III, FS, AS AMENDED) FOR THE SOUTH ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of Florida enacted the Community Redevelopment Act of 1969, as amended;

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

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

“163.410 Exercise of powers in counties with home rule charters.—In any county which has adopted a home rule charter, the powers conferred by this part shall be exercised exclusively by the governing body of such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by this part within the boundaries of a municipality to the governing body of such a municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the County....”

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

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

WHEREAS, the City of St. Petersburg finds that the delegation of Chapter 163, Part III, FS, redevelopment powers and authority to the City of St. Petersburg City Council is an

appropriate vehicle with which to accomplish redevelopment of slums and blighted areas to serve in the best interest of the public;

WHEREAS, City Council, by Resolution No. 2013-247, dated June 20, 2013, requested the Pinellas County Board of County Commissioners (BCC) to delegate the necessary redevelopment powers to the St. Petersburg City Council to carry out said redevelopment within the South St. Petersburg Community Redevelopment Area (CRA), including the establishment of two small independent tax increment financing districts;

WHEREAS, the Pinellas County Board of County Commissioners (BCC), by Resolution No. 14-43, dated June 3, 2014, did delegate certain redevelopment powers and authority, under the Community Redevelopment Act of 1969, FS, as amended, to the St. Petersburg City Council, which are:

- a. The power, pursuant to Section 163.355, FS, to make findings that one or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in the City, and that the rehabilitation, conservation or redevelopment or a combination thereof, of such areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the City.
- b. The power to declare itself a community redevelopment agency pursuant to Section 163.356, FS, with the requirement that the powers and authority to conduct redevelopment activities will only be exercised by the elected officials constituting the City Council of the City of St. Petersburg.
- c. The sole power granted to the City Council as the Community Redevelopment Agency is the power to prepare and grant final approval to community redevelopment plans and modifications thereof pursuant to Section 163.360 through 163.365, FS. The delegation of authority contained herein is subject to the Board of County Commissioners of Pinellas County retaining authority to review and approve the initial redevelopment plan and amendments thereto, prior to its implementation, and also prior to its presentation to the Pinellas Planning Council.

WHEREAS, the City of St. Petersburg submitted a draft South St. Petersburg Community Redevelopment Plan to Pinellas County on February 20, 2015, which replaced the earlier proposal for two tax increment financing districts with a proposal to establish one TIF district coterminous with the entire 4,700-acre South St. Petersburg CRA.

WHEREAS, upon the recommendation of the Citizen Advisory Committee for the South St. Petersburg CRA and the St. Petersburg Community Redevelopment Agency, City Council approved on May 21, 2015, the South St. Petersburg Community Redevelopment Plan

(see Ordinance No. 169-H), with the single TIF district coterminous with the entire 4,700-acre South St. Petersburg CRA and related redevelopment trust fund (see Exhibit 1);

WHEREAS, on June 2, 2015, the Pinellas County BCC approved Resolution No. 15-xxx, approving the South St. Petersburg Community Redevelopment Plan, including the establishment of a single TIF district for the entire South St. Petersburg CRA;

WHEREAS, on June 2, 2015, the Pinellas County BCC approved Resolution No. 15-xxx delegating to the St. Petersburg City Council the authority to establish a redevelopment trust fund for the South St. Petersburg CRA, pursuant to Sec. 163.387 of the Community Redevelopment Act of 1969, FS, as amended (Exhibit 2);

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the authority to establish a redevelopment trust fund for the South St. Petersburg CRA, which is conferred upon Pinellas County through the Community Redevelopment Act of 1969 (Chapter 163, Part III, FS, as amended), and delegated by Pinellas County Board of County Commissioners in Resolution No. 15-xxx (Exhibit 2) to the City of St. Petersburg City Council at the BCC's June 2, 2015, meeting is hereby accepted.

This resolution shall become effective immediately upon its adoption.

Passed by St. Petersburg City Council in regular session on the 11th day of June, 2015.

APPROVED AS TO FORM AND CONTENT:



City Attorney (Designee)

APPROVED BY:



Dave Goodwin, Director
Planning and Economic Development
Department

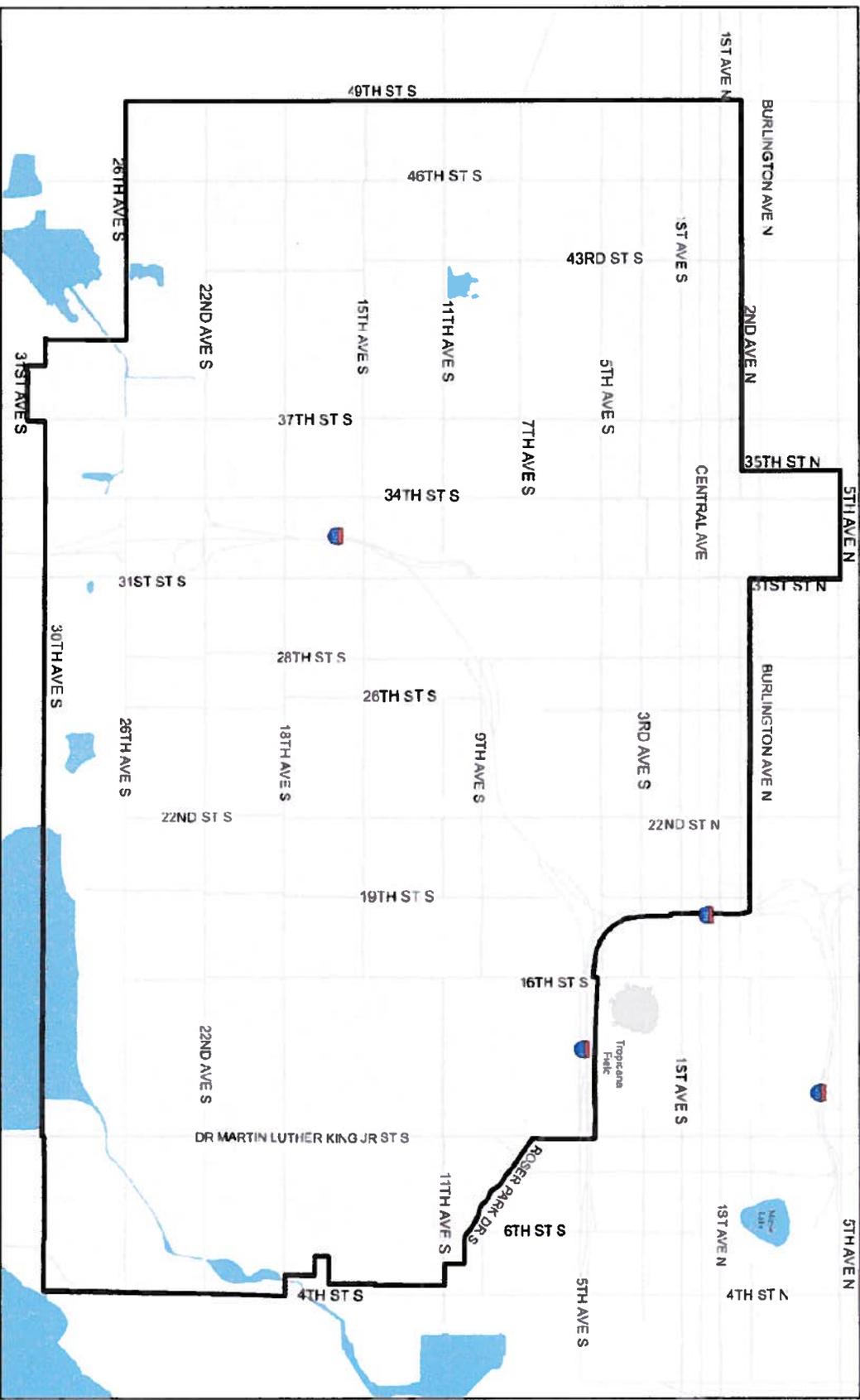
Exhibit 1

**Map and Legal Description of the Tax Increment Financing District
South St. Petersburg Community Redevelopment Area**

Map 1-1

Boundary for CRA and Tax Increment Financing District

South St. Petersburg Community Redevelopment Area



Legal Description for the South St. Petersburg CRA

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Exhibit 2

**Pinellas County BCC Resolution Delegating Authority to Establish a
Redevelopment Trust Fund
South St. Petersburg Community Redevelopment Area**

RESOLUTION NO. _____

RESOLUTION APPROVING THE SOUTH ST. PETERBURG COMMUNITY REDEVELOPMENT PLAN FOR THE CITY OF ST. PETERSBURG PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969, CHAPTER 163, PART III, FLORIDA STATUTES; DELEGATING SPECIFIC REDEVELOPMENT POWERS TO THE CITY OF ST. PETERSBURG; PROVIDING FOR AMENDMENTS THAT MAY ARISE AT THE PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Petersburg, Florida, by its Resolution No. 2013-247, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida, declared an area of the City to be a slum or blighted area (the “Southside St. Petersburg Community Redevelopment Area”); and

WHEREAS, the City Council of the City of St. Petersburg, in Resolution No. 2013-247, requested that the Board delegate to the City Council all authority and powers conferred upon Pinellas County through the Community Redevelopment Act for the Southside St. Petersburg Community Redevelopment Area (CRA) and that the Board establish two tax increment financing districts and two redevelopment trust funds within the Southside St. Petersburg CRA; and

WHEREAS, the Board adopted Resolution No. 13-186 on October 8, 2013, which approved the *Blight Study to Establish the Southside St. Petersburg Community Redevelopment Area*, defined the boundaries of the Southside St. Petersburg CRA, and determined that conditions in the Southside St. Petersburg CRA meet two of the blight criteria described in Sec. 163.340(8) of the Florida Statutes; and

WHEREAS, in Resolution No. 13-186, the Board reserved delegation of any redevelopment powers to the City Council until the execution of an Interlocal Agreement between the City and County that would define the governance structure for the community redevelopment agency for the Southside St. Petersburg CRA and to address other subjects as determined appropriate; and

WHEREAS, the Board and the City Council took action on October 8, 2013 and on October 3, 2013, respectively, to extend the deadline for Board action on the City’s request for delegation of redevelopment powers to January 31, 2014, which deadline was later extended by mutual consent to June 6, 2014; and

WHEREAS, the City Council approved the Interlocal Agreement on May 15, 2014 in Resolution No. 2014-207, and the Board approved the Interlocal Agreement on May 20, 2014; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, on June 3, 2014 by Resolution No. 14-43, delegated to the City Commission of the City of St. Petersburg, Florida, the power to declare itself a community redevelopment agency and the power and authority to conduct certain redevelopment activities as defined in Chapter 163, Part III, Florida Statutes (the "Act"); and

WHEREAS, the County Administrator received a letter, dated, February 20, 2015, from the Mayor of St. Petersburg requesting that the Board of County Commissioners take action on the South St. Petersburg Community Redevelopment Plan on June 2, 2015; and

WHEREAS, the Board of County Commissioners of Pinellas County, at their May 5, 2015 meeting, authorized County staff to continue working with the City of St. Petersburg to complete the South St. Petersburg Community Redevelopment Plan for Board consideration for approval on June 2nd; and

WHEREAS, the City Commission of the City of St. Petersburg, Florida, on May 21, 2015, in Resolution No. ____, approved and adopted the South St. Petersburg Community Redevelopment Plan pursuant to the Act, a copy of which plan been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida.

NOW, THEREFORE, IN REGULAR SESSION DULY ASSEMBLED ON THIS 2nd DAY OF JUNE, 2015, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

- I. That the South St. Petersburg Community Redevelopment Plan is hereby approved, which effectuates the following actions:
 - A. Sunsets and supersedes the four existing community redevelopment areas and community redevelopment plans within the South St. Petersburg Community Redevelopment Area (CRA), i.e. the 16th Street South CRA and Redevelopment Plan, the Dome Industrial Park CRA and Redevelopment Plan, the Dome Industrial Park Pilot Project CRA and Redevelopment Plan, and the Tangerine Avenue CRA and Redevelopment Plan.
 - B. Renames the Southside St. Petersburg CRA as the South St. Petersburg CRA.
 - C. Recognizes the City's amended request to establish one tax increment financing (TIF) district and redevelopment trust fund encompassing the entire South St. Petersburg CRA rather than to establish two TIF districts and trust funds as set forth in City Resolution 2013-247.

- II. That, in the case of any amendments to the South St. Petersburg Community Redevelopment Plan adopted by the City Commission of the City of St. Petersburg, Florida, the City shall submit said amendments to the Pinellas County Board of County Commissioners for consideration and approval.
- III. That, in addition to the powers specifically delegated in Pinellas County Resolution 14-43 and in accordance with Section 163.358, Florida Statutes, the City of St. Petersburg is hereby delegated all redevelopment power enumerated in Chapter 163, Part III, of the Florida Statutes within the South St. Petersburg Community Redevelopment Area including, but not limited to, the following: all powers listed in Sections 163.350, 163.353, 163.370, 163.380, 163.387, 163.395 and 163.400 of the Florida Statutes, subject to the provisions of Section IV below.
- IV. That delegation of authority contained herein is subject to the Board of County Commissioners of Pinellas County retaining authority to:
 - A. Require annual progress reports to be prepared by the City, with a due date of March 31st of each reporting year beginning in 2017. The reports shall describe the progress of the redevelopment plan relative to benchmarks and performance measures established by the Community Redevelopment Agency and detail expenditures from Pinellas County's account within the proposed South St. Petersburg Redevelopment Trust Fund.
 - B. Review and approve the issuance of any bonds or other indebtedness that pledges tax increment revenues.
 - C. Review and approve any future amendments to the South St. Petersburg Community Redevelopment Plan.
 - D. Review and comment on future programs and procedures that involve the use of County TIF funds.
 - E. Review and approve the creation, duration, operational basis and debt service structure of the redevelopment trust fund prior to its implementation including any related tax increment financing. The approval may require the City to seek additional funding sources for the redevelopment plans, programs, and projects that will be in addition to any tax increment financing.

V. This Resolution shall become effective immediately upon its adoption.

Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____ and upon roll call the vote was:

AYES:

NAYES:

ABSENT AND NOT VOTING:

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 11, 2015

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

SUBJECT: APPROVING A TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG ("CITY") AND THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO PROVIDE FOR FDOT ANNUAL REIMBURSEMENT OF EXPENSES ASSOCIATED WITH THE CITY'S OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS AND TRAFFIC SIGNAL SYSTEMS SERVING STATE ROUTES WITHIN THE CITY LIMITS; AND PROVIDING AN EFFECTIVE DATE.

EXPLANATION: FDOT has a program for reimbursement of expenses associated with the operation and maintenance of traffic signals and traffic signal systems serving state routes.

The terms and conditions of this Traffic Signal Maintenance and Compensation Agreement ("Agreement") require the City to continue maintenance and operation of its Traffic Signal System with FDOT reimbursement of related expenses, on an annual basis. Annual reimbursement of expenses for FY14/15 will be \$169,269.16; for FY15/16 will be \$307,800.00; for FY16/17 will be \$453,913.00; and for subsequent years will increase based on the CPI.

Administration has determined that the City will recognize significant benefits from the reimbursement we would receive if we enter into this Agreement.

RECOMMENDATION: Administration recommends approval of a Traffic Signal Maintenance and Compensation Agreement between the City of St. Petersburg ("City") and the Florida Department of Transportation ("FDOT") to provide for FDOT annual reimbursement of related expenses associated with the City's operation and maintenance of traffic signals and traffic signal systems serving state routes within the City limits.

COST/FUNDING/ASSESSMENT INFORMATION: Revenue received from FDOT will be deposited into the Stormwater, Pavement and Traffic Signals Fund 0001 400 1281, and will be used to offset the operating and maintenance costs.

ATTACHMENT: Resolution

APPROVALS:

Administration: *Michael P. ...*

Budget: DAVID C. FULLER 5-29-15

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG ("CITY") AND THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO PROVIDE FOR FDOT ANNUAL REIMBURSEMENT OF EXPENSES ASSOCIATED WITH THE CITY'S OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS AND TRAFFIC SIGNAL SYSTEMS SERVING STATE ROUTES WITHIN THE CITY LIMITS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation has initiated a program for reimbursement to local governments of expenses associated with the operation and maintenance of traffic signals and traffic signal systems serving state routes; and

WHEREAS, the City will continue maintenance and operation of its traffic signal systems serving state routes with FDOT reimbursement of related expenses on an annual basis,

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 this Traffic Signal Maintenance and Compensation Agreement with Florida Department of Transportation, which is subject to the City's annual appropriations in accordance with Florida law.

This resolution shall become effective immediately upon its adoption.

Adopted at a regular session of the City Council held on the 11th day of June, 2015.

APPROVALS:

Administration:

Michael J. Curran

Legal:

00232815

Sharon Michnowicz