

COUNCIL MEETING

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

CITY OF ST. PETERSBURG

September 17, 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 by Whit Blanton, the new MPO/PPC Executive Director, and potential discussion of the CSX line accommodating commuter transportation. \(Councilmember Kennedy\)](#)

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

F. Reports

1. Status update on the City's "Sunshine City" promotional campaign. (Oral) (Deputy Mayor K. Tomalin)
2. Homeless Leadership Board. (Oral) (Vice-Chair Foster)
3. [First Amendment to Lease and Development Agreement-TLM Investment Group I, LLC \(TACRA Phase IIIB\)](#)
4. [Awarding a contract to Bayside Building Services Inc., in the amount of \\$109,760 for the Coliseum Window Restoration Project. \(Engineering Project No.13217-019, Oracle Project Nos. 14129 and No.14662\)](#)
5. [Resolution revising and restating City Council Resolution No. 2015-65 amending the eligible persons or entities that may apply for waivers under the Code Lien Release Process to exclude certain persons or entities; deleting the Code Lien Waiver Agreement attached to Resolution 2015-65; approving the attached revised Code Lien Waiver](#)

Agreement (“Revised Agreement”) to accomplish this revised and restated process; authorizing the Mayor or his designee to execute revised agreements, and to release Code Liens in accordance with said revised agreements and this revised and restated process.

G. Legal

1. An Attorney-Client Session, to be heard at 4:30 p.m., or soon thereafter, pursuant to Florida Statute 286.011(8), in conjunction with the lawsuit styled Brenda McKnight v. City of St. Petersburg, Sixth Judicial Circuit, Case No. 15-003386-CI.

H. Council Committee Reports

1. Budget, Finance & Taxation Committee. (08/27/15)
 - (a) Resolution authorizing the issuance of not to exceed \$33,000,000 City of St. Petersburg, Florida Public Utility Revenue Bonds, Series 2015, to be applied to acquire, construct and erect additions, improvements and extensions to its Public Utility System, and for certain other purposes more fully described herein; providing for the payment of such proposed Bonds from the Net Revenues of its Public Utility System on Parity with certain Bonds heretofore issued by the City; making other covenants and agreements in connection therewith; authorizing a competitive bid and approving the form of the Official Notice of Sale and Summary Notice of Sale pertaining to such Bonds; making certain provisions and delegating certain responsibilities with respect to the notice, bidding and sale of the Bonds; approving the form of the Preliminary Official Statement, Disclosure Dissemination Agent Agreement, and Bond Registrar and Paying Agent Agreement; authorizing the execution and delivery of a Final Official Statement, Disclosure Dissemination Agent Agreement, and Bond Registrar and Paying Agent Agreement; appointing a Paying Agent and Bond Registrar; and providing certain other matters in connection therewith.
2. Budget, Finance & Taxation Committee. (09/10/15)
3. Public Services & Infrastructure Committee. (09/10/15)
4. Committee of the Whole. (09/10/15)
5. Committee of the Whole. (09/17/15)

I. New Business

1. Referring to the Budget Finance & Taxation Committee removal of the Park Features on the Uplands of the Pier from the Weeki Wachee Project List. (Councilmember Kennedy)
2. Referring to the Budget Finance & Taxation Committee to add to the Weeki Wachee Project List the installation of 3 - 5 exercise zones at a cost of approximately \$65,000 to \$75,000 per zone at various parks throughout the City, as well as Shade Shelters if needed at a cost of approximately \$20,000 to \$25,000 per zone. (Councilmember Kennedy)
3. Referring to the Public Services & Infrastructure Committee regarding the trimming of bushes & hedges at vacant houses. Currently, the City will mow the grass on overgrown lawns, however, not trim bushes & hedges. (Councilmember Newton)

4. [Referring to the Budget Finance & Taxation Committee to remove the Rubber Track Project for Gibbs High School from the Weeki Wachee Project List. \(Councilmember Newton\)](#)

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 1554.](#)
2. [Confirming the preliminary assessment for Building Securing Number 1203.](#)
3. [Confirming the preliminary assessment for Building Demolition Number 430.](#)
4. [Utility Rates for FY 2016:](#)
 - (a) Ordinance 193-H relating to utility rates and charges; amending Chapter 27, Subsections 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), and Subsections 27-284 (a) and 27-284 (d) of the St. Petersburg City Code; amending base charges and volume charges for water service; amending wholesale water service charges for the City of Gulfport; amending base and volume charges for irrigation only accounts; amending reclaimed water rates and charges; amending base and volume charges for wastewater service; amending wastewater service charges for wholesale customers; providing for severability of provisions; providing an explanation of words struck through and underlined; and establishing a date to begin calculating new rates for billing purposes.
 - (b) Sanitation Rate Study.
 - (c) Stormwater Rate Recommendation.

Second Reading and Second Public Hearing - 6:30 P.M.

*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.*

5. [Fiscal Year 2016 Budget and Millage Rate:](#)
 - (a) Resolution adopting a final millage rate for the Fiscal Year ending September 30, 2016.
 - (b) Ordinance 196-H making appropriations for the Fiscal Year ending September 30, 2016; making appropriations for the payment of the operating expenses of the City of St. Petersburg, Florida, including its utilities, and for the payment of principal and interest of revenue bonds, and other obligations of the City of St. Petersburg, Florida;

making appropriations for the Capital Improvement Program of the City of St. Petersburg, Florida; making appropriations for the dependent special districts of the City; and adopting this appropriation ordinance as the budget for the City for Fiscal Year ending September 30, 2016; and providing for related matters.

- (c) Resolution adopting the recommended multi-year Capital Improvement Program for the City of St. Petersburg, Florida.

Public Hearings - Continued

- 6. [Amending St. Petersburg City Code, Chapter 16, Section 16.30.070, Land Development Regulations \(“LDRs”\) pertaining to the Historic Preservation Ordinance. \(City File LDR 2014-07\)](#)
 - (a) Ordinance 157-H amending Section 12-6(8), Section 16.30.070, and Section 16.70, Chapter 16 (Land Development Regulations), St. Petersburg City Code. [Executive action only]
- 7. [Ordinance 1073-V approving the vacation of a 20-foot east-west alley in the block bounded by Central Avenue and 1st Avenue South between 60th Street South and 61st Street South. \(City File 15-33000013\)](#)
- 8. [Ordinance 194-H amending St. Petersburg City Code, Chapter 16, Land Development Regulations \(LDRs\) pertaining to nonconforming lots. \(City File LDR-2015-04\)](#)
- 9. [Ordinance 195-H amending St. Petersburg City Code, Chapter 16, Land Development Regulations \(LDRs\) pertaining to tree protection and landscaping requirements. \(City File LDR-2015-05\)](#)
- 10. [Ordinance 197-H of the City of St. Petersburg, Florida, relating to Code Enforcement; Amending Chapter 9 of the City Code to clarify the powers of the Code Enforcement Board to certify, assess, and reduce liens on properties which are found to be in violation of City Code; adding posting of notices as a means of service; and adding criteria for vehicle, vessel, and equipment violation notices.](#)

K. Open Forum

L. Adjournment

- 1. On Thursday, September 17, 2015, in City Council Chambers at 4:30 p.m. or as soon thereafter as the same may be heard, an attorney-client session, pursuant to Florida Statute 286.011(8), will be held in conjunction with the lawsuit styled Brenda McKnight v. City of St. Petersburg, Sixth Judicial Circuit, Case No. 15-003386-CI. Any or all of the following persons will be attending: Mayor Rick Kriseman, Charles Gerdes, Chair, Amy Foster, Vice Chair, James Kennedy, Bill Dudley, Darden Rice, Steve Kornell, Karl Nurse, Wengay “Newt” Newton, Jacqueline Kovilaritch, City Attorney, Jeannine Williams, Chief Assistant City Attorney, and Joseph P. Patner, Assistant City Attorney. The session will commence in City Council Chambers, 175 Fifth Street North, St. Petersburg, Florida. The open City Council meeting will begin at 3:00 p.m. During the public meeting, the session will be closed at 4:30 p.m. or as soon thereafter as the closed session may be heard, and only those persons described above together with a certified court reporter will be allowed to be present. The subject matter of the meeting shall be confined to settlement negotiations and/or strategy related to litigation expenditures. At

the conclusion of the closed session the meeting will be re-opened to the public and the closed session will be terminated.

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda A
September 17, 2015

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

(Procurement)

1. [Albert Whitted Airport, Runway 7/25 and South Connector Taxiways Rehabilitation Project:](#)
 - (a) Awarding a contract to O-A-K/Florida, Inc. dba Owen-Ames-Kimball Company in the amount of \$2,427,133.08 for the construction of SPG-Albert Whitted Airport, Runway 7/25 and South Connector Taxiways Rehabilitation - (Airport Runway 7/25 Rehab Project, 14169) (Engineering Project No. 14065-113).
 - (b) Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-05-AID/AWA to the Architect/Engineering agreement between the City of St. Petersburg, Florida and American Infrastructure Development, Inc., in the lump sum amount of \$92,602 for bidding and construction support phase services related to rehabilitating Runway 7/25 and south connector Taxiways A1, A2, A3, A4 and B. (Engineering Project No. 14065-113; Oracle Project No. 14169)
2. [Approving the purchase of replacement trucks from Alan Jay Ford Lincoln, Mercury Inc. \(Alan Jay Ford\) and vans from Duval Ford, LLC d/b/a Duval Ford \(Duval Ford\) for the Fleet Management Department at a total cost of \\$770,957.80.](#)
3. [Approving the purchase of replacement Ford trucks for the Fleet Management Department from Duval Ford, LLC d/b/a Duval Ford at a total cost of \\$660,197.](#)

(Public Works)

4. [Biosolids and Waste to Energy Project:](#)
 - (a) Approving a resolution approving a First Amendment to the Construction Manager at Risk Agreement (“CMAR”) with the Haskell Company to authorize the use of competitive bidding during the pre-construction phase to develop the Guaranteed Maximum Price and to include additional pre-construction phase services associated with the Biosolids to Energy Project for State Revolving Fund Assistance and for the Southwest Water Reclamation Facility Gas Generator and Electrical Improvements Project, in an amount not to exceed \$106,856; an additional appropriation is needed to fund this Amendment No. 1 to the CMAR Agreement and additional Engineering project management costs related to this project in the amount of \$25,144. The total appropriation of \$132,000 will cover this Amendment No. 1 to the CMAR Agreement and the Engineering costs; approving a supplemental appropriation in the amount of \$132,000 which includes the CMAR Agreement costs as well as additional engineering

project management costs in the amount of \$25,144, from the unappropriated balance of the Water Resources Capital Project Fund (4003) to the WRF SW Biosolids CMAR FY15 Project (14855); and to cover the total CMAR Agreement and Engineering costs.

- (b) Authorizing the Mayor or his designee to execute Amendment No. 1 to the Architect/Engineering Agreement (“A/E”) with Brown and Caldwell dated April 18, 2013, for additional professional engineering design services in the amount of \$194,371 for the new Biosolids and Waste to Energy Project, for a total amount not to exceed \$3,115,509. (Engineering Project No. 13057-111, Oracle No. 13830)

CONSENT



AGENDA

COUNCIL MEETING

CITY OF ST. PETERSBURG

Consent Agenda B September 17, 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 replacement trucks and vans from Alan Jay Chevrolet-Cadillac, Inc. for the Fleet Management Department at a total cost of \\$451,449.30.](#)
2. [Renewing a blanket purchase agreement with BLD Services, LLC for Sanitary \(SAN\) Sewer Lateral Lining FY 2015 for the Water Resources Department at an estimated annual cost of \\$450,000.](#)
3. [Renewing a blanket purchase agreement with Apollo Construction & Engineering Services, Inc. for plumbing services and repairs at an estimated annual cost of \\$150,000.](#)
4. [Approving the purchase of replacement SUVs and a van for the Fleet Management Department from Duval Ford, LLC d/b/a Duval Ford at a total cost of \\$144,854.75.](#)
5. [Approving the purchase of a replacement aerial truck from Altec Industries, Inc. for the Fleet Management Department at a total cost of \\$123,933.](#)
6. Awarding a contract to Bayside Building Services Inc., in the amount of \$109,760 for the Coliseum Window Restoration Project. (Engineering Project No.13217-019, Oracle Project Nos. 14129 and No.14662) [Moved to Reports as F-4]
7. [Accepting a proposal from Parkmobile, LLC to provide Pay by Phone Parking Services for the Transportation and Parking Management Department.](#)
8. [Awarding three-year blanket purchase agreements to Arbor Source Professional Tree Care, LLC, Blades of Green, Inc., Evergreen Tree Service, Inc., and Yutzy Tree Services, Inc. for city facility and right-of-way tree services at an estimated annual cost of \\$220,000.](#)

(City Development)

9. [Authorizing the Mayor or his designee to execute a Lease Agreement with The Garden Club of St. Petersburg, Inc., a Florida not-for-profit corporation, for the use of City-owned real property located at 500 Sunset Drive South, St. Petersburg, within Coconut Park for a period of three \(3\) years, at an aggregate rent of \\$36.00; and to waive the reserve for replacement requirement. \(Requires affirmative vote of at least six \(6\) members of City Council.\)](#)

10. [Approving a transfer of \\$150,000 from the unappropriated balance of the Intown West Tax Increment District to the General Capital Improvement Fund; and authorizing a supplemental appropriation in the amount of \\$150,000 from the increase in the unappropriated balance of the General Capital Improvement Fund, resulting from the above transfer, to the Central Ave Improvement Project providing that this resolution shall supersede Resolution 2015-336 and that the prior transfer is nullified.](#)

(

(Public Works)

11. [Authorizing the Mayor to execute Amendment No. 2 To The Interlocal Agreement Between Pinellas County And The City Of St. Petersburg For The Maintenance Of Regulatory Zone Signage: Time Extension And Other Modifications, and all other documents necessary to effectuate this resolution.](#)

(Appointments)

12. [Confirming the appointment of Gary G. Cornwell as a regular member to the Investment Oversight Committee to serve an unexpired two-year term ending March 31, 2017.](#)
13. [Confirming the reappointment of Joseph Griner III, and the appointment of Robert Schumaker as regular members to the Development Review Commission to serve a three-year term ending September 30, 2018 and confirming the appointments of Patricia Castellano and Melissa Rutland as alternate members to the Development Review Commission to serve an unexpired three-year term ending September 30, 2016.](#)

(Miscellaneous)

14. Resolution revising and restating City Council Resolution No. 2015-65 amending the eligible persons or entities that may apply for waivers under the Code Lien Release Process to exclude certain persons or entities; deleting the Code Lien Waiver Agreement attached to Resolution 2015-65; approving the attached revised Code Lien Waiver Agreement (“Revised Agreement”) to accomplish this revised and restated process; authorizing the Mayor or his designee to execute revised agreements, and to release Code Liens in accordance with said revised agreements and this revised and restated process. [Moved to Reports as F-5]
15. [Accepting a bid from Rossman Enterprises, Inc., dba Clean Air Concepts, to furnish and install vehicle exhaust removal systems for the Fire and Rescue Department at a total cost of \\$422,906.64.](#)
16. [Requesting reappointment of Jo Anne Malone as a regular member, realtor category, to the Code Enforcement Board to fill an unexpired three-year term ending December 31, 2015.](#)
17. [Ratifying the proposed amendments to the labor agreement between the City of St. Petersburg and the Suncoast Police Benevolent Association \(PBA\) for the Sergeants and Lieutenants bargaining unit covering the job classifications within that unit effective October 1, 2014, through September 30, 2016.](#)
18. [Ratifying the proposed amendments to the labor agreement between the City of St. Petersburg and the Suncoast Police Benevolent Association \(PBA\) for the Police Officers](#)

and Technicians bargaining unit covering the job classifications within that unit effective October 1, 2014, through September 30, 2016.

19. Resolution requesting an appropriation from General Revenue Sources to complete the design and construction of the I-175 – 4TH Street South access ramp in St. Petersburg, Florida; and urging the Florida Legislature to support and pass legislation for funding.
20. Resolution supporting and endorsing the request of Pinellas Suncoast Transit Authority (“PSTA”) for funding for Central Avenue Bus Rapid Transit project in St. Petersburg.

MEETING AGENDA

CITY OF ST. PETERSBURG

Note: An abbreviated listing of upcoming City Council meetings.

Budget, Finance & Taxation Committee

Thursday, September 10, 2015, 8:00 a.m., Room 100

Public Services & Infrastructure Committee

Thursday, September 10, 2015, 9:15 a.m., Room 100

Committee of the Whole - Grand Prix Contract

Thursday, September 10, 2015, 10:30 a.m., Room 100

CRA/ Agenda Review and Administrative Update (for 9/17)

Thursday, September 10, 2015, 1:30 p.m., Room 100

City Council Meeting

Thursday, September 10, 2015, 3:00 p.m., Council Chamber

Committee of the Whole - Purchase of property adjacent to Boyd Hill

Thursday, September 17, 2015, 10:00 a.m., Room 100

Co-Sponsored Events Subcommittee

Thursday, September 17, 2015, 11:00 a.m., Room 100

Energy, Natural Resources & Sustainability Committee

Thursday, September 17, 2015, 1:00 p.m., Room 10

CITY OF ST. PETERSBURG
Board and Commission Vacancies



Civil Service Board
1 Alternate Member
(Term expires 6/30/17)

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

June 23, 2015

TO: The Mayor and Members of City Council

SUBJECT:

Presentation by Whit Blanton, the new MPO/PPC Executive Director

PRESENTER:

Jim Kennedy
City Council

SCHEDULE FOR COUNCIL ON:

September 17, 2015

CITY COUNCIL AGENDA AWARDS & PRESENTATION

REVISED

September 8, 2015

TO: The Mayor and Members of City Council

SUBJECT: Presentation by Whit Blanton, the new MPO/PPC Executive Director, and potential discussion of the CSX line accommodating commuter transportation

PRESENTER:

Jim Kennedy
City Council

SCHEDULE FOR COUNCIL ON:

September 17, 2015

ST. PETERSBURG CITY COUNCIL

Meeting of September 17, 2015

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

SUBJECT: First Amendment to Lease and Development Agreement-TLM Investment Group I, LLC (TACRA Phase IIIB)

BACKGROUND: On March 13, 2003, the City Council of the City of St. Petersburg by approval of Resolution No. 2003-138, directed City Administration to prepare a redevelopment plan for the Tangerine Avenue Community Redevelopment Area ("TACRA"). During this process, residents identified several basic services as being underserved in the community, particularly the absence of a grocery store, full-service post office, and financial services in the core Midtown area. The TACRA plan, adopted by City Council on September 4, 2003, set forth a redevelopment strategy that identified commercial and mixed-use concepts that would revitalize the target area.

The assemblage of Phase I of TACRA, at the northeast corner of 22nd Street South and 18th Avenue South, resulted in its disposition via a long-term lease with Queensboro I, LLC via assignment from Urban Development Solutions, Inc. ("UDS") for the development of a community shopping center which opened on November 5, 2005 with a Sweetbay supermarket, as its primary anchor and supplemented by seven (7) other community-oriented retail stores. Subsequently, in 2013, the anchor supermarket was repurposed to become a Walmart Neighborhood Market.

Phase II, located in the southwest corner of TACRA, was sold to SunTrust Bank in August 2006 and eventually disposed of by SunTrust Bank in 2011 which resulted in a Dollar General store being developed on the site later that year.

Phase III, located in the southeast corner of TACRA, fulfilled the community desire to have a financial institution in the area as a result of an unsolicited offer from GTE Federal Credit Union ("GTEFCU") on April 27, 2009 to acquire the westerly portion of the TACRA Phase III ("Phase IIIA") property lying south of 18th Avenue South between 22nd Street South and the vacated portion of Union Street South, for nominal consideration.

The easterly portion of TACRA Phase III, hereinafter referred to as "Phase IIIB", is the subject of the December 12, 2014 Lease and Development Agreement ("Lease") with TLM Investment Group I, LLC, a Florida limited liability company ("TLM"), that was authorized via City Council Resolution No. 2014-546.

PRESENT SITUATION: On June 1, 2015, TLM exercised its right under the Lease to extend its due diligence period and further requested an amendment to the Lease that would (1) modify the rent payment, (2) amend the construction schedule, and (3) amend the due diligence period.

TLM indicated that there was a signed letter-of-intent by a national brand as the primary sub-tenant prior to TLM entering into the Lease with the City. However, this primary sub-tenant did not ultimately approve the location and withdrew its letter-of-intent after site visits were made during its investigative period due to economic conditions and its perceived risk of the neighborhood. The withdrawal of the national brand primary sub-tenant resulted in significant changes to the financing options available to TLM as reflected by the fact that prospective lenders are attributing no equity value to the ground lease and are now requiring 20% equity investment on the approximately \$2 million construction costs. This has affected TLM's overall investment strategy including incentives that TLM is having to make to the prospective initial tenants. TLM has expended considerable resources and consulting fees during its due diligence period to develop plans and secure an acceptable primary sub-tenant that meets the requirements of the Lease. Presently, TLM is negotiating with a local convenience store operator with pizza and chicken franchises, a Shell-branded gas station and a regional retail store.

The resulting incentives that TLM has had to concede to solidify its sub-tenants, coupled with a significant increase in capital requirements now being required by prospective lenders, has caused TLM to request an amendment to not have rent commence until after the first (2) two years of the Lease term, and provide for reduced rent for Years 3, 4, and 5. After Year 5, there would be stepped increases in rent to offset the reduced rent for Years 3 through 5. The negotiated First Amendment to the Lease would modify the Lease as follows:

(1) The contract rent in the Lease was \$2,500 per month, plus applicable sales tax, which would begin in the first month following the issuance of a certificate of occupancy. This would be changed to the Rent being scheduled in the following manner:

1. Zero Dollars from Commencement Date to the second (2nd) anniversary of the Commencement Date; then,
2. Twelve Thousand Dollars (\$12,000) annually, payable in equal monthly installments beginning on the second (2nd) anniversary of the Commencement Date; then,
3. Thirty-Four Thousand Dollars (\$34,000) annually, payable in equal monthly installments beginning on the fifth (5th) anniversary of the Commencement Date; then,
4. Forty Thousand Dollars (\$40,000) annually, payable in equal monthly installment beginning on the sixth (6th) anniversary of the Commencement Date; then,
5. Thirty-One Thousand Dollars (\$31,000) annually, payable in equal monthly installments beginning on the eleventh (11th) anniversary of the Commencement Date through the remainder of the Term, plus a CPI adjustment as set forth in the Lease.

(2) The Lease provided for a start of construction within ninety (90) days after the Commencement Date of the Lease. This would be amended to not later than March 31, 2016, and that the center would be open for business not later than December 31, 2016.

(3) The Lease provided for a due diligence period and the Tenant's right to extend. However, due to the current circumstances of the withdrawal of the primary sub-tenant, the Tenant has requested the right to extend the due diligence period to December 31, 2015.

SUMMARY: After review of the market conditions, a review of the City's alternatives and the history of the Tangerine Avenue developments and proposals, the TLM request appears to be reasonable considering the following:

- The predominate negative item of the proposed modification appears to be that the City would not receive approximately \$60,000 in rent during the first two (2) years after completion as the reduced rents in Years 3, 4, and 5 are made up for by the increased rents in Years 6-11.
- On the positive side, the development will have more certainty of occurring within a year without the need to restart the developer selection process.
- The development will bring temporary construction jobs and permanent jobs upon completion in 2016.
- The development will bring needed services to the community by the end of 2016.
- Real Estate taxes will commence on the property (responsibility of the developer) even during the period of abated rent.

It is also worth revisiting the prior agreement and alternative proposal the City has had on the subject site.

- There was a previous agreement in 2012 with UDS to acquire the site under a 30-year mortgage with no amortization or payments required, with UDS having the right to pay off the mortgage at any time after 7 years, and the principal being at 50% (effective cash to City after 7 years, if paid off, of ±\$370,000). UDS non-performed on this agreement and it expired.
- The alternative proposal considered from DEPG St. Petersburg Associates, LLC ("DEPG"), when the TLM proposal was considered in 2014, provided for a 29-month period from signing a development agreement to start of construction. The proposal offered minimal deposits that would all be credited towards its total purchase price of \$300,000.

After analyzing the alternatives, the proposed amendment to the Lease still provides a reasonable economic outcome for the City as the rent payments over the first twelve (12) years of the thirty (30) year Lease period, will generate an amount greater than the purchase price offered in the DEPG proposal without considering full term Lease income. Further, the project is projected to be completed within approximately 24 months of the original council approval, which is less than the start of construction time under the DEPG proposal (29 months).

TLM has presented a reasonable proposal for the City to consider with limited risk. Administration has reviewed the proposal and recommends approval of the First Amendment as it will assist with helping solve the developer's financing/lender challenges and keep the

project moving forward instead of starting over and looking for a new developer that would delay the development further, or have less beneficial financial terms to the City.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his designee, to execute a First Amendment to the Lease and Development Agreement with TLM Investment Group I, LLC, a Florida limited liability company, for City-owned property known as Lot 2, Block 1, TACRA PHASE III REPLAT, that would (1) modify the lease payment, (2) amend the construction schedule and (3) extend the due diligence period to December 31, 2015; and to execute all documents to effectuate same; and providing and effective date.

ATTACHMENT: Resolution

Legal: 00244419.doc V. 1

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A FIRST AMENDMENT TO THE LEASE AND DEVELOPMENT AGREEMENT WITH TLM INVESTMENT GROUP I, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOR CITY-OWNED PROPERTY KNOWN AS LOT 2, BLOCK 1, TACRA PHASE III REPLAT, THAT WOULD (1) MODIFY THE LEASE PAYMENT, (2) AMEND THE CONSTRUCTION SCHEDULE AND (3) EXTEND THE DUE DILIGENCE PERIOD TO DECEMBER 31, 2015; AND TO EXECUTE ALL DOCUMENTS TO EFFECTUATE SAME; AND PROVIDING AND EFFECTIVE DATE.

WHEREAS, on December 12, 2014, the City entered into a Lease and Development Agreement ("Lease") with TLM Investment Group I, LLC, a Florida limited liability company ("TLM") for the disposition of City-owned property known as Lot 2, Block 1, TACRA PHASE III REPLAT, hereinafter referred to as "Phase IIIB", which was authorized via City Council Resolution No. 2014-546; and

WHEREAS, on June 1, 2015, TLM exercised its right under the Lease to extend its due diligence period and further requested an amendment to the Lease that would (1) modify the rent payment, (2) amend the construction schedule, and (3) extend the due diligence period; and

WHEREAS, TLM indicated that there was a signed letter-of-intent by a national brand as the primary sub-tenant prior to TLM entering into the Lease with the City; however, this primary sub-tenant did not ultimately approve the location and withdrew its letter-of-intent during its investigative period due to economic conditions and its perceived risk of the neighborhood; and

WHEREAS, the withdrawal of the national brand primary sub-tenant resulted in significant changes to the financing options available to TLM as reflected by the fact that prospective lenders are attributing no equity value to the ground lease and are now requiring 20% equity investment on the approximately \$2 million construction costs; and

WHEREAS, TLM has expended considerable resources and consulting fees during its due diligence period to develop plans and secure an acceptable primary sub-tenant that meets the requirements of the Lease; and

WHEREAS, the resulting incentives that TLM has had to concede to solidify its sub-tenants, coupled with a significant increase in capital requirements now being required by prospective lenders, has caused TLM to request this amendment; and

WHEREAS, the negotiated First Amendment to the Lease would modify the Lease as follows:

(1) The contract rent in the Lease was \$2,500 per month, plus applicable sales tax, which would begin in the first month following the issuance of a certificate of occupancy. This would be changed to the Rent being scheduled in the following manner:

1. Zero Dollars from Commencement Date to the second (2nd) anniversary of the Commencement Date; then,
2. Twelve Thousand Dollars (\$12,000) annually, payable in equal monthly installments beginning on the second (2nd) anniversary of the Commencement Date; then,
3. Thirty-Four Thousand Dollars (\$34,000) annually, payable in equal monthly installments beginning on the fifth (5th) anniversary of the Commencement Date; then,
4. Forty Thousand Dollars (\$40,000) annually, payable in equal monthly installments beginning on the sixth (6th) anniversary of the Commencement Date; then,
5. Thirty-One Thousand Dollars (\$31,000) annually, payable in equal monthly installments beginning on the eleventh (11th) anniversary of the Commencement Date through the remainder of the Term, plus a CPI adjustment as set forth in the Lease.

(2) The Lease provided for a start of construction within ninety (90) days after the Commencement Date of the Lease. This would be amended to not later than March 31, 2016, and that the center would be open for business not later than December 31, 2016.

(3) The Lease provided for a due diligence period and the Tenant's right to extend. However, due to the current circumstances of the withdrawal of the primary sub-tenant, the Tenant has requested the right to extend the due diligence period to December 31, 2015.

; and

WHEREAS, after review of the market conditions, a review of the City's alternatives and the history of the Tangerine Avenue developments and proposals, the TLM request appears to be reasonable considering the following:

- The predominate negative item of the proposed modification appears to be that the City would not receive approximately \$60,000 in rent during the first two (2) years after completion as the reduced rents in Years 3, 4, and 5 are made up for by the increased rents in Years 6-11.
- On the positive side, the development would have more certainty of occurring within a year without the need to restart the developer selection process.
- The development will bring temporary construction jobs and permanent jobs upon completion in 2016.

- The development will bring needed services to the community in 2016.
- Real Estate taxes will commence on the property (responsibility of the developer) even during the period of abated rent; and

WHEREAS, the City had a previous agreement in 2012 with Urban Development Solutions, Inc. ("UDS") to acquire the site under a 30-year mortgage with no amortization or payments required, with UDS having the right to pay off the mortgage at any time after 7 years, with the principal being at 50% (effective cash to City after 7 years, if paid off, of ±\$370,000); and

WHEREAS, when the TLM proposal was considered in 2014, the City also considered an alternative proposal from DEPG St. Petersburg Associates, LLC ("DEPG") providing for a 29-month period from signing a development agreement to start of construction, which offered minimal deposits that would all be credited towards its total purchase price of \$300,000; and

WHEREAS, after analyzing the alternatives, the proposed amendment to the Lease provides a reasonable economic outcome for the City as the projected rent payments over the first (12) twelve years of the thirty (30) year Lease period will generate an amount greater than the purchase price offered in the DEPG proposal originally considered; and

WHEREAS, the project is projected to be completed within approximately 24 months of the original council approval; and

WHEREAS, TLM has presented a reasonable proposal for the City to consider with limited risk and Administration has reviewed the proposal and recommends approval of the First Amendment as it will assist with helping solve the developer's financing/lender challenges and keeps the project moving forward instead of starting over and looking for a new developer that would delay the development further, or have less beneficial financial terms to 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 execute a First Amendment to the Lease and Development Agreement with TLM Investment Group I, LLC, a Florida limited liability company, for City-owned property known as Lot 2, Block 1, TACRA PHASE III REPLAT, that would (1) modify the lease payment, (2) amend the construction schedule and (3) extend the due diligence period to December 31, 2015; and to execute all documents to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

Legal: 00244419.doc V. 1

APPROVED BY:

Bruce Grimes, Director

Real Estate & Property Management

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 17, 2015

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

Subject: Awarding a contract to Bayside Building Services Inc., in the amount of \$109,760 for the Coliseum Window Restoration Project (Engineering Project No.13217-019, Oracle Project Nos. 14129 and No.14662); and providing and effective date.

Explanation: The work consists of furnishing all labor, materials, tools, equipment and services necessary to repair and restore the existing Coliseum wood windows on the southern and western facades, in accordance with the Federal Department of the Interior Historic Preservation Standards. The intent of this project is to restore the existing wood frame windows and reuse as much of the existing glass and wood as possible. The work will include removal of rotted and damaged wood, replacement of wood with same specie as existing, replacement of all window glazing, reusing or replacing of damaged glass panes with glass of the same kind as existing, stripping all the coats of old paint and repainting the windows with high quality long lasting paint products.

Replica 1926 wood windows for the Coliseum were installed in 1992 under a State Historic Preservation grant. The design of the 1992 windows was based on historic photographs and information available to best match the original 1926 windows which were removed from the site at an undetermined date. The base bid includes restoration of all of the windows, and a deduct alternate was bid to restore the two elevations that have the greatest amount of damage, the South Elevation (front) and West Elevation (facing parking lot), due to limited funding.

The South Elevation consists of six (6) distinct window types and a total of sixteen (16) windows. This includes the large glass arch window over the front entrance which measures over seventeen (17) feet in height and width, and will be restored in place using a lift from the sidewalk. The West Elevation consists of six (6) window types and a total of eleven (11) windows. All restoration work will be performed during non-event hours and the facility will not be out of operation during the course of the work.

The contractor will begin work approximately ten calendar days from written Notice to Proceed and is scheduled to complete the work within 35 consecutive calendar days thereafter. Bids were opened on July 21, 2015 and are tabulated as follows:

<u>Bidder</u>	<u>Base Bid and Bid</u> <u>Alternate Total</u>
Bayside Building Services, Inc.	\$109,760
Hodge Management, LLC	\$135,952

Recommendation: Administration recommends awarding this contract Bayside Building Services Inc. in the amount of \$109,760. Bayside Building Services Inc. has met the specifications, terms and conditions of IFB No. 5781 dated June 15, 2015. Bayside Building Services has satisfactorily completed similar work for the City of St. Petersburg, and is a City certified SBE. The principals of Bayside Building Services Inc. include Keith Begin, President.

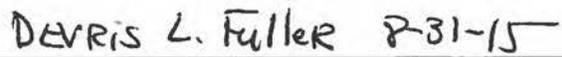
Cost/Funding/Assessment Information: Funds are available in the Coliseum Improvements FY14 & FY15 Projects in the Recreation and Culture Capital Improvement Fund (3029); Oracle Nos. 14129 and 14662.

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF AN AGREEMENT TO BAYSIDE BUILDING SERVICES INC. FOR THE COLISEUM WINDOW RESTORATION PROJECT (ORACLE PROJECT NOS. 14129 AND 14662) IN AN AMOUNT NOT TO EXCEED \$109,760; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received two proposals for the Coliseum Window Restoration Project (Oracle Project Nos. 14129 and 14662) pursuant to IFB No. 5781 dated June 15, 2015; and

WHEREAS, Bayside Building Services, Inc. has met the specifications, terms and conditions of IFB No. 5781; and

WHEREAS, the Administration recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the proposal and award of an agreement to Bayside Building Services Inc. for the Coliseum Window Restoration Project (Oracle Nos. 14129 and 14662) in an amount not to exceed \$109,760 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)

A RESOLUTION REVISING AND RESTATING CITY COUNCIL RESOLUTION NO. 2015-65 AMENDING THE ELIGIBLE PERSONS OR ENTITIES THAT MAY APPLY FOR WAIVERS UNDER THE CODE LIEN RELEASE PROCESS TO EXCLUDE CERTAIN PERSONS OR ENTITIES; DELETING THE CODE LIEN WAIVER AGREEMENT ATTACHED TO RESOLUTION 2015-65; APPROVING THE ATTACHED REVISED CODE LIEN WAIVER AGREEMENT ("REVISED AGREEMENT") TO ACCOMPLISH THIS REVISED AND RESTATED PROCESS; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE REVISED AGREEMENTS, AND TO RELEASE CODE LIENS IN ACCORDANCE WITH SAID REVISED AGREEMENTS AND THIS REVISED AND RESTATED PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after a detailed discussion with the Public Service and Infrastructure Committee ("PSI") in 2011, staff identified a process that could be implemented which would authorize Administration, specifically the Codes Compliance Assistance Department ("Codes Compliance"), to enter into a Code Lien Waiver Agreement ("Agreement") for release of Code Enforcement Board Liens ("City Code Liens") with the potential new owner ("Applicant") of a property within St. Petersburg that has existing City Code Liens ("Property"), under certain conditions and subject to specific terms ("Process"); and

WHEREAS, the purpose of the Process is to encourage private investment to improve blighted properties within St. Petersburg that have existing City Code Liens; and

WHEREAS, the intended outcome of the Process is to create certainty for prospective real property purchasers that existing City Code Liens will be released upon the purchase and rehabilitation of a Property, after the Property is brought into full compliance with City Code; and

WHEREAS, the Administration recommended that the Process be expanded to add owners of real property subject to City Code Liens, who were not owners of the Property when the Code violations giving rise to the City Code Liens, to the eligible persons or entities that may apply for waivers under the Process; and

WHEREAS, the addition of this category of eligible applicants further encouraged private investment to improve blighted properties within St. Petersburg that have existing City Code Liens; and

WHEREAS, a form of the Agreement to be used by the Administration with details of the specific Property circumstances added for each use was approved in Resolution 2012-82; and

WHEREAS, a revised Agreement was approved to encompass the additional eligible applicants in Resolution 2015-65; and

WHEREAS, the Applicant will remit a non-refundable fee to offset a portion of the administrative costs related to the Agreement; and

WHEREAS, upon entering into an Agreement, the Applicant who is not an owner of the Property must affirm that Applicant is not 1) a current or prior owner of the Property; 2) an agent or other representative of a current or prior owner of the Property; 3) related to a current or prior owner of the Property; or 4) an officer, director, employee, or agent of an entity that is a current or prior owner of the Property; and

WHEREAS, upon entering into an Agreement, the Applicant who is the owner of the Property must affirm that Applicant was not an owner of the Property when the citation for code violations giving rise to the City Code Liens was issued; and

WHEREAS, upon entering into an Agreement, the Applicant who is the owner of the Property must affirm that the Applicant does not currently own any other properties in the City of St. Petersburg that have City Code Enforcement liens recorded against the property; and

WHEREAS, the Agreement requires certain actions that must be completed on a timely basis by the Applicant including, but not limited to, completing the purchase of the Property; delivering to the City a non-refundable fee of two hundred fifty dollars (\$250.00); securing all required permits for the Work ("Commencement Date"); and engaging properly licensed professionals to complete the Work; and

WHEREAS, the Applicant must assure that the Work is completed in a workmanlike manner not later than ninety (90) days after the Commencement Date of the Agreement; and

WHEREAS, upon the completion of the Work and final inspections by the Codes Department, the City Code Liens shall be released provided that the Applicant does not own any other properties within the City of St. Petersburg on which there are active code violations or City Code Enforcement Liens; and

WHEREAS, if the Applicant owns other properties within the City of St. Petersburg on which there are code liens or active code violations the Applicant must correct the code violations or enter into a Revised Code Lien Waiver Agreement for those other properties prior to the release of the liens from the property that is the subject of the current Revised Code Lien Waiver Agreement; and

WHEREAS, failure to complete the Work in a timely and workmanlike manner shall terminate the Agreement and no City Code Liens will be released.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that City Council Resolution No. 2015-65 is revised and restated to amend the eligible persons or entities that may apply for waivers under the code lien release process to exclude certain persons or entities; and

BE IT FURTHER RESOLVED that the Code Lien Waiver Agreement attached to Resolution 2015-65 is deleted, and the attached revised Code Lien Waiver Agreement ("Revised Agreement") to accomplish this revised and restated Process is approved; and

BE IT FURTHER RESOLVED that the Mayor, or his designee, is authorized to execute Revised Agreements; and to release City Code Liens in accordance with said Revised Agreements and this revised and restated Process.

This Resolution shall become effective immediately upon its adoption.

Approvals:

Legal: _____ Administration: _____

Budget: _____

REVISED CODE LIEN WAIVER AGREEMENT

THIS REVISED CODE LIEN WAIVER AGREEMENT ("**Agreement**") made and entered into _____, 20____ by and between the City of St. Petersburg, Florida, a municipal corporation, ("**City**"), and _____ ("**Applicant**") (collectively "**Parties**").
whose mailing address is _____
for the property located at _____
whose Parcel ID Number is _____
 ("**Property**"). ("Applicant" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)

R E C I T A L S

WHEREAS, various City Code Enforcement liens have been recorded against the Property;
and

WHEREAS, Applicant has entered into a valid and enforceable Contract for Purchase of the Property, a copy of which is attached hereto as **Exhibit "A"**, and made a part hereof by reference; or Applicant is the owner of the Property, a copy of the conveyance of the Property to Applicant is attached hereto as **Exhibit "A"**; and

WHEREAS, City has provided Applicant with a list of City Code violations set forth in **Exhibit "B"**, attached hereto and made a part hereof by reference; and

WHEREAS, it is Applicant's intention to timely correct the City Code violations in Exhibit "B"; and

WHEREAS, Applicant does not own any other properties within the City of St. Petersburg that have active code cases or recorded City Code Enforcement liens on the property; and

WHEREAS, if Applicant does own properties in the City of St. Petersburg with active codes cases or recorded City Code Enforcement liens, Applicant has entered into or will enter into a Revised Code Lien Waiver Agreement with the City for all properties within the City of St. Petersburg that Applicant owns prior to the release of any liens pursuant to this Agreement; and

WHEREAS, it is the City's intention that upon satisfactory correction of the City Code violations in Exhibit "B" in accordance with this Agreement, the City will release the liens associated with those City Code violations.

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

1. The above Recitals are true and correct and are incorporated herein.
2. ___ Applicant affirms that Applicant is not a current or prior owner of the Property, an agent or other representative of a current or prior owner of the Property, related to the a current or prior owner of the Property, or an officer, director or employee, or agent of an entity that is a current or prior owner of the Property; or

___ Applicant affirms that Applicant is the owner of the Property but was not the owner of the Property when the citation(s) for code violations giving rise to the City Code Liens set forth in Exhibit "B" was (were) issued,
3. Applicant affirms that Applicant does not currently own any other properties in the City of St. Petersburg that have City Code Enforcement liens recorded against the property. If Applicant does own any other properties in the City of St. Petersburg that have City Code Enforcement liens recorded against the property Applicant affirms that Applicant has entered into or will enter into a Revised Code Lien Waiver Agreement for all other properties with code enforcement liens prior to the release of any liens pursuant to this Agreement
4. The effective date of this Agreement shall be the date the last of the Parties signs this Agreement ("**Effective Date**").
5. If the Applicant is the owner of the Property, the Applicant shall have not more than ninety (90) days after the Commitment Date to secure all required permits for the Work. This period may be extended by the Director of City's Codes Compliance Assistance Department, or his designee ("**Codes Director**") for good cause shown.
6. The term of this Agreement ("**Term**") shall commence on the date that all required permits have been issued ("**Commencement Date**") and expire ninety (90) days thereafter or upon the Completion Date, as hereinafter defined, whichever first occurs.
7. Applicant has delivered to the City a non-refundable fee of two hundred fifty dollars (\$250.00).
8. The intention of this Agreement is for the exclusive release of City Code Liens from the Property if all terms and conditions set forth herein are met. This Agreement shall not affect other City liens, including but not limited to Special Assessment Liens, and Utility Liens.
9. The City's Codes Compliance Assistance Department ("**Codes Department**") shall inspect the Property not later than ten (10) business days after the Effective Date and set forth existing City Code violations in Exhibit "C", which shall be attached hereto and made a part hereof ("**Work**"). Applicant has agreed to complete the Work, in accordance with this Agreement, subject to the Applicant's successful purchase of the Property. Applicant shall have five (5) business days to review the Work. On or before the fifth (5th) day, Applicant shall accept the Work and sign and date Exhibit "C" ("**Commitment Date**"). If Applicant fails to sign Exhibit "C" within the five (5) day period, then this Agreement shall, at the option of the City, terminate.

10. If the Applicant is not the owner of the Property at the time of execution of this Agreement, Applicant shall have not more than ninety (90) days after the Commitment Date, to close on the property and secure all required permits for the Work. This period may be extended by the Director of City's Codes Compliance Assistance Department, or his designee ("**Codes Director**") for good cause shown.
11. If the Applicant is the owner of the Property, the Applicant shall have not more than ninety (90) days after the Commitment Date to secure all required permits for the Work. This period may be extended by the Codes Director for good cause shown.
12. Applicant, if required by law, shall ensure that a properly licensed contractor or subcontractor completes the Work. Applicant shall execute contracts on a timely basis with a licensed contractor(s) who will do the Work. Applicant shall deliver copies of any contracts to the City that shall be filed with the Codes Department.
13. Applicant shall assure that all required inspections, are scheduled in proper order for the various phases of the Work as necessary. Applicant shall be responsible for assuring that the Work is completed so as to have any required final inspections completed and a certificate of occupancy or certificate of completion (if required) issued not later than ninety (90) days after the Commencement Date ("**Completion Date**"). The Completion Date supersedes and replaces all other dates stipulated by the actions of other City agencies, boards, committees, or commissions.
14. During the Term of this Agreement, Applicant shall ensure that the structure is properly secured at all times when unattended and that the vegetation on the Property is maintained in accordance with the City Code and that all trash and debris are properly stored in an approved and adequately sized receptacle and removed from the Property on a routine basis.
15. The Completion Date may be extended for up to ninety (90) calendar days by the City, provided the Applicant demonstrates that delays were caused by acts of God or material suppliers' failure to deliver goods, or provides proof of other valid and extenuating circumstances as determined by the Codes Director that will adversely affect the Applicant's ability to meet the Completion Date. A performance bond may be required in the sole discretion of the City for an extension of the Completion Date.
16. All disputes under this Agreement shall be resolved by the Codes Director, whose decision shall be final.
17. Applicant shall ensure the Codes Director or his designee access to the Property for all required inspections and compliance.
18. **TIME IS OF THE ESSENCE IN THIS AGREEMENT.** Unless otherwise stated in this Agreement, time periods herein shall include Saturdays, Sundays, and state and national legal holidays, and any time period provided for herein shall end at 5:00 p.m. local time.

19. In the event that Applicant fails to fulfill any of the terms or conditions of this Agreement in a timely manner, Applicant may be deemed in default of the Agreement, and the Codes Director may terminate this Agreement. If the Agreement is terminated for the Applicant's failure to comply with its terms, then no City Code Liens will be released.
20. Upon the completion of the Work and all final inspections by the appropriate City departments, all City Code Liens set forth in Exhibit "B" shall be released provided that the Applicant does not own any other properties within the City of St. Petersburg on which there are active code violations or City Code Enforcement Liens. If the Applicant owns other properties within the City of St. Petersburg on which there are code liens or active code violations the Applicant must correct the code violations or enter into a Revised Code Lien Waiver Agreement for those other properties prior to the release of the liens from the Property.
21. This Agreement is not assignable.
22. For the purposes of this Agreement any required written permission, consent, approval or agreement ("**Approval**") by the City means the Approval of the Mayor or his designee unless otherwise set forth herein and such approval shall be in addition to any and all permits and other licenses required by law or this Agreement. For the 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 designee, unless otherwise set forth herein.
23. This Agreement shall be governed by and be interpreted in accordance with the laws of the State of Florida. Venue for state court actions shall be in Pinellas County, St. Petersburg Division. Venue for federal court actions shall be in the Middle District of Florida, Tampa Division, unless a division is created in St. Petersburg, or Pinellas County, in which case the action shall be brought in that division. Each party waives any defense of improper or inconvenient venue as to either court and consents to personal jurisdiction in either court.
24. This Agreement constitutes the entire agreement between the parties, and no change will be valid unless made by supplemental written agreement executed by the parties hereto.
25. All notices, requests, demands, or other communications hereunder shall be in writing and shall be deemed to have been served as of the delivery date appearing upon the return receipt if sent by certified mail, postage prepaid with return receipt requested, at the address listed below, or upon the actual date of delivery, if hand delivered to the address below. Either party may change the below-listed address at which it receives written notices by providing notice of such change to the other party in accordance with this paragraph.

City of St. Petersburg
Todd Yost, Director Codes Compliance Assistance
P.O. Box 2842
St. Petersburg, Florida 33731
727.893.7373

Todd.Yost@stpete.org

Applicant 1

Name: _____

Mailing Address: _____

City/State/Zip: _____

Phone: () _____

Email: _____

Applicant 2

Name: _____

Mailing Address: _____

City/State/Zip: _____

Phone: () _____

Email: _____

IN WITNESS WHEREOF, the Parties to this Agreement have executed this document on the date and year first above written.

APPLICANT 1

Sign: _____

Print: _____

APPLICANT 2

Sign: _____

Print: _____

CITY OF ST. PETERSBURG, FLORIDA

Todd Yost, Director
Codes Compliance Assistance Department

Attest:

Chandrasaha Srinivasa, City Clerk

Approved for Form and Content:

City Attorney (Designee)

By: _____

Assistant City Attorney

Legal: 00211496.doc v. 2

AS TO APPLICANT 1

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____
20____, by _____

Personally Known _____

Provided _____ as identification.

Notary Public - State of _____

Notary Signature

My Commission Expires

AS TO APPLICANT 2

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____
20____, by _____

Personally Known _____

Provided _____ as identification.

Notary Public - State of _____

Notary Signature

My Commission Expires

EXHIBIT "A" follows this page
(Contract for Sale or Conveyance Document to Applicant)

EXHIBIT "B" follows this page
(City Code Violations)

EXHIBIT "C" follows this page
(City Inspection Work Sheet)

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

COMMITTEE REPORT

**Meeting of August 27, 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

1. Minutes from July 16, 2015 BF&T Meeting- Approved unanimously

D. New/Deferred Business

1. August 27, 2015

a. Water Resources Utility Rate (Cornwell)

Dr. Gary Cornwell, City Administrator, presented the committee with three reports recommending rates associated with water, wastewater, reclaimed water, sanitation services and storm water. These items are scheduled to come before City Council as a First Reading on September 3rd, and then to be considered for final adoption at a Public Hearing to be scheduled for September 17th.

Dr. Cornwell reported that administration recommends a 3.75% increase for water, wastewater, and reclaimed water and no increase proposed for storm water or sanitation services in either residential or commercial services. Dr. Cornwell stated last year a 4.75% overall increase in FY16 was anticipated to help meet projected costs and service demands. However, based on the revenue sufficiency analysis, the rate study recommends, an overall increase of 3.75% for retail water, wastewater and reclaimed water customers in FY16. He mentioned the last sanitation rate increase was in 2009 and since then, there has been no proposed increase. Dr. Cornwell stated the \$2.95 recycling fee, which was effective this month for customers is not included in the sanitation rates, as it is billed as a separate component. He also stated without a proposed increase, the recommended rates will continue to be competitive with other cities in the greater St. Petersburg area.

Additionally, Dr. Cornwell noted the Sanitation Department provides a number of additional services in comparison to other communities such as, special service collections, rodent control, graffiti and snipe sign removal, and brush collection with no increases to the sanitation fund.

Dr. Cornwell introduced Andy Burnham, Senior Vice President of Burton & Associates who provided the committee with details of the process utilized to conduct the utility rate study. Mr. Burnham mentioned that the overall impact to a single-family customer using 4,000 gallons, the proposed increase will actually be 3.75%

adjustment which equals to \$2.11 per month. He also mentioned that reclaimed water customers will see an additional monthly increase of \$.74.

After some discussion, a motion was made and approved to recommend proposed rate increases for water to 3.5%, wastewater to 4.5%, reclaimed to 4%, and wholesale to remain the same. Motion passed unanimously.

b. Debt Issuance Report - Water Resources Utility Rate (Fritz)

Anne Fritz, Finance Director, presented to the committee a debt issuance report for the 2016 CIP projects for Water Resources along with a resolution for approval authorizing the issuance of not to exceed \$33,000,000 for Series 2015 Public Utility Revenue Bonds.

A motion was made and approved for the resolution. Motion passed unanimously.

E. Continued Business

F. Upcoming Meetings Agenda Tentative Issues

1. September 10, 2015

a. Sick Leave Benefits for Part-time Employees (Guella)

b. Discussion for use of Tourist Development Tax Follow-Up (Zeoli)

G. New Business Item Referrals

H. Adjournment – The meeting adjourned at approximately 9:26 a.m.

RESOLUTION NO. 2015-____

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$33,000,000 CITY OF ST. PETERSBURG, FLORIDA PUBLIC UTILITY REVENUE BONDS, SERIES 2015, TO BE APPLIED TO ACQUIRE, CONSTRUCT AND ERECT ADDITIONS, IMPROVEMENTS AND EXTENSIONS TO ITS PUBLIC UTILITY SYSTEM, AND FOR CERTAIN OTHER PURPOSES MORE FULLY DESCRIBED HEREIN; PROVIDING FOR THE PAYMENT OF SUCH PROPOSED BONDS FROM THE NET REVENUES OF ITS PUBLIC UTILITY SYSTEM ON PARITY WITH CERTAIN BONDS HERETOFORE ISSUED BY THE CITY; MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AUTHORIZING A COMPETITIVE BID AND APPROVING THE FORM OF THE OFFICIAL NOTICE OF SALE AND SUMMARY NOTICE OF SALE PERTAINING TO SUCH BONDS; MAKING CERTAIN PROVISIONS AND DELEGATING CERTAIN RESPONSIBILITIES WITH RESPECT TO THE NOTICE, BIDDING AND SALE OF THE BONDS; APPROVING THE FORM OF THE PRELIMINARY OFFICIAL STATEMENT, DISCLOSURE DISSEMINATION AGENT AGREEMENT, AND BOND REGISTRAR AND PAYING AGENT AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT, DISCLOSURE DISSEMINATION AGENT AGREEMENT, AND BOND REGISTRAR AND PAYING AGENT AGREEMENT; APPOINTING A PAYING AGENT AND BOND REGISTRAR; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Chapter 166, Part II, Florida Statutes, Chapter 159, Part I, Florida Statutes, the municipal charter of the City of St. Petersburg, Florida (the "Issuer") and other applicable provisions of law.

SECTION 2. DEFINITIONS. All capitalized undefined terms shall have the same meaning as set forth in the Bond Resolution, as hereinafter defined. In addition, the following terms, unless the context otherwise requires, shall have the meanings specified in this Section.

Words importing the singular number shall include the plural number in each case and vice versa, and words importing persons shall include firms and corporations.

"Bond Registrar" shall mean U.S. Bank National Association, Orlando, Florida in connection with the 2015 Bonds.

"Bond Resolution" shall mean Resolution No. 99-227 adopted by the City Council of the Issuer on April 22, 1999, as amended and supplemented from time to time, as particularly amended by Resolution No. 2005-559 adopted by the City Council of the Issuer on October 20, 2005, and Resolution No. 2008-256 adopted by the City Council of the Issuer on May 15, 2008, as particularly prospectively amended by Resolution No. 2013-400 adopted by the City Council of the Issuer on October 3, 2013, and as particularly supplemented hereby.

"2015 Bonds" shall mean the City of St. Petersburg, Florida Public Utility Revenue Bonds, Series 2015, herein authorized to be issued.

"Certificate of Mayor and Finance Director" shall mean the certificate, the form of which is attached hereto as Exhibit B.

"City Attorney" shall mean the City Attorney or any Assistant City Attorney.

"City Clerk" shall mean the City Clerk or any Deputy City Clerk of the Issuer.

"Finance Director" shall mean the Finance Director of the Issuer, or her designee.

"Financial Advisor" shall mean Public Financial Management, Inc., or such other firm appointed by the Issuer.

"Interest Payment Dates" shall mean for the 2015 Bonds, April 1 and October 1 of each year, commencing April 1, 2016 or such other date as determined in the Official Notice of Sale described herein.

"Mayor" shall mean the Mayor of the Issuer, or his designee. The Mayor is authorized, but is not bound, to designate the City Administrator and/or the Finance Director to execute certificates, agreements and all other documents in connection with the issuance of the 2015 Bonds.

"Original Purchaser" shall be the winning bidder on the sale of the 2015 Bonds pursuant to the conditions set forth in Section 19 hereof.

"Parity Bonds" shall mean the Issuer's outstanding Public Utility Refunding Revenue Bonds, Series 2006, the Issuer's outstanding Public Utility Revenue Bonds, Series 2009A, the Issuer's outstanding Public Utility Refunding Revenue Bonds, Series 2009B, the Issuer's outstanding Taxable Public Utility Revenue Bonds, Series 2010A (Federally Taxable-Build America Bonds-Direct Subsidy), the Issuer's outstanding Taxable Public Utility Revenue Bonds,

Series 2010B (Federally Taxable-Recovery Zone Economic Development Bonds-Direct Subsidy), the Issuer's outstanding Public Utility Revenue Bonds, Series 2013A, the Issuer's outstanding Public Utility Refunding Revenue Bonds, Series 2013B, the Issuer's outstanding Public Utility Revenue Bonds, Series 2013C, the Issuer's outstanding Public Utility Revenue Bonds, Series 2014A, the Issuer's outstanding Public Utility Refunding Revenue Bonds, Series 2014B and any Additional Parity Obligations hereafter issued under the Bond Resolution.

"Parity System" shall mean the Parity electronic competitive bidding system.

"Paying Agent" shall mean U.S. Bank National Association.

"2015 Project" shall mean the acquisition, construction and erection of improvements to the System to be acquired, constructed and erected in accordance with plans on file at the offices of the Issuer, as such plans may be modified from time to time.

"Record Date" for the 2015 Bonds shall mean the 15th day of the month immediately preceding an Interest Payment Date for the 2015 Bonds.

SECTION 3. FINDINGS. It is hereby ascertained, determined and declared that:

A. The Issuer deems it necessary and in its best interest to acquire, construct and erect the 2015 Project.

B. The principal of and interest on the 2015 Bonds and the Parity Bonds and all required Debt Service Fund and other payments shall be payable solely from the Net Revenues of the System as more particularly described in the Bond Resolution. The Issuer shall never be required to levy ad valorem taxes on any real property therein to pay the principal of and interest on the 2015 Bonds and the Parity Bonds or to make any other payments specified herein. The 2015 Bonds and the Parity Bonds shall not constitute a lien upon any property owned by or located within the boundaries of the Issuer.

C. The estimated Net Revenues of the System will be sufficient to pay all principal of and interest on the 2015 Bonds and the Parity Bonds, as the same become due, and to make all required Debt Service Fund, reserve or other payments required by the Bond Resolution.

D. In an effort to encourage a significant number of bidders for the 2015 Bonds to participate and in order to take advantage of technological developments in the electronic sale of bonds, the competitive sale of the 2015 Bonds shall be conducted via the Parity System or such other system of electronic bid submittal under the direction of the Financial Advisor.

E. Because the Issuer desires to sell the 2015 Bonds at the most advantageous time, the Issuer hereby delegates to the Mayor the authority to award the sale of the 2015 Bonds to the lowest bidder in accordance with the Official Notice of Sale based upon the parameters set forth herein.

F. It is hereby ascertained, determined and declared that it is in the best interest of the Issuer to provide for the sale by competitive bid of the 2015 Bonds, maturing and bearing interest, having such redemption features and such other terms as set forth herein and in the Summary Notice of Sale and Official Notice of Sale attached hereto as Exhibit A, and the bid proposal of the lowest bidder or bidders selected on a subsequent date pursuant to the terms hereof.

SECTION 4. AUTHORIZATION OF ACQUISITION, CONSTRUCTION AND ERECTION OF 2015 PROJECT. The acquisition, construction and erection of the 2015 Project pursuant to certain plans on file or to be on file at the offices of the Issuer is hereby authorized. The cost of such 2015 Project, in addition to the items set forth in such plans and specifications, may include, but need not be limited to, the acquisition of any lands, rights of ways or interest therein or any other properties deemed necessary or convenient therefor; engineering, legal and financing expenses; expenses for estimates of costs; expenses for plans, specifications and surveys; the fees of fiscal agents, financial advisors or consultants; municipal bond insurance, if any; the creation and establishment of reasonable reserves for debt service; the discount on the sale of the 2015 Bonds, if applicable; reimbursement of moneys on the 2015 Project in anticipation of the sale of the 2015 Bonds, if any; and such other costs and expenses as may be necessary or incidental to the financing herein authorized and the construction, erection and acquisition of the 2015 Project and the placing of same in operation.

Notwithstanding the foregoing, the proceeds of the 2015 Bonds may not be used for the acquisition and construction of capital projects other than those described in the definition of 2015 Project, unless prior thereto the Issuer shall have received an opinion of nationally recognized bond counsel to the effect that such use will not adversely affect the validity of the 2015 Bonds or the exclusion of interest on the 2015 Bonds from the gross income of the holders thereof for purposes of federal income taxation.

SECTION 5. THIS RESOLUTION TO CONSTITUTE CONTRACT. In consideration of the acceptance of the 2015 Bonds authorized to be issued hereunder by those who shall hold the same from time to time, the Bond Resolution, including this Resolution, shall be deemed to be and shall constitute a contract between the Issuer and such holders. The covenants and agreements herein set forth to be performed by the Issuer shall be for the equal benefit, protection and security of the legal holders of any and all of the 2015 Bonds and the Parity Bonds, all of which shall be of equal rank and without preference, priority or distinction of any of the 2015 Bonds or the Parity Bonds over any other thereof, except as expressly provided therein and herein.

SECTION 6. AUTHORIZATION OF 2015 BONDS. Subject and pursuant to the provisions hereof, obligations of the Issuer to be known as "Public Utility Revenue Bonds, Series 2015," herein defined as the "2015 Bonds," are authorized to be issued in the aggregate amount of not exceeding \$33,000,000. Notwithstanding anything herein to the contrary, the 2015 Bonds

may be issued in one or more series on the same or different dates and in such event shall bear such other designation as may be set forth in the Certificate of Mayor and Finance Director.

Notwithstanding anything herein to the contrary, the delegation of authority expressed herein expires on the first anniversary of the adoption hereof, and the series designation and account names relating to any of the 2015 Bonds can be changed to reflect the calendar year of issue as evidenced by the Certificate of Mayor and Finance Director.

SECTION 7. DESCRIPTION OF 2015 BONDS. The 2015 Bonds shall be issued as Current Interest Bonds; shall be numbered from R-1, upward or in such other manner agreed between the Issuer and the Bond Registrar; shall be in the denomination of \$5,000 each or integral multiples thereof; shall bear interest at a fixed rate of interest not exceeding the maximum rate fixed by applicable law, such interest to be payable on the Interest Payment Dates or any such other date or dates as may be set forth in the Certificate of Mayor and Finance Director.

The 2015 Bonds shall be dated the date of their delivery or such other date as may be set forth in the Certificate of Mayor and Finance Director pursuant to the authority delegated pursuant to Section 19 hereof; shall consist of such amounts of Serial Bonds and/or Term Bonds; maturing in such amounts or Amortization Installments and in such years with a final maturity of not later than October 1, 2045, shall be payable at the designated corporate trust office of the Paying Agent; all as shall be provided herein, in the Official Notice of Sale and/or in the Certificate of Mayor and Finance Director pursuant to the authority delegated pursuant to Section 19 hereof.

The 2015 Bonds shall be issued in fully registered form without coupons; shall be payable in lawful money of the United States of America; and shall bear interest from their date, payable by mail to the Registered Owners at their addresses as they appear on the registration books of the Issuer maintained by the Bond Registrar; provided, however, that in the case of a Registered Owner of \$1,000,000 or more in aggregate principal amount of Bonds, upon written request of such Registered Owner to the Bond Registrar ten (10) days prior to the Record Date for such Interest Payment Date, such interest shall be paid on the Interest Payment Date in immediately available funds by wire transfer, at the expense of such Registered Owner.

SECTION 8. EXECUTION AND AUTHENTICATION OF 2015 BONDS. The 2015 Bonds shall be executed in the name of the Issuer by its Mayor and attested by its City Clerk, and the corporate seal of the Issuer or a facsimile thereof shall be affixed thereto or reproduced thereon. The facsimile signatures of the Mayor and the City Clerk may be imprinted or reproduced on the 2015 Bonds. The City Attorney of the Issuer shall indicate his or her approval of the form and correctness of the 2015 Bonds by affixing his or her manual or facsimile signature thereon. The certificate of authentication of the Bond Registrar shall appear on the 2015 Bonds, and no 2015 Bonds shall be valid or obligatory for any purpose or be entitled to any security or benefit under the Bond Resolution unless such certificate shall have been duly executed on such 2015 Bonds. The authorized signature for the Bond Registrar shall be either

manual or in facsimile; provided, however, that at least one of the signatures, which can be the authorized signature for the Bond Registrar, appearing on the Bonds, shall at all times be a manual signature. In case any one or more of the officers of the Issuer who shall have signed or sealed any of the 2015 Bonds shall cease to be such officer or officers of the Issuer before the 2015 Bonds so signed and sealed shall have been actually sold and delivered, such 2015 Bonds may nevertheless be sold and delivered as if the persons who signed or sealed such 2015 Bonds had not ceased to hold such offices. Any 2015 Bonds may be signed and sealed on behalf of the Issuer by such person who at the actual time of the execution of such 2015 Bonds shall hold the proper office, although at the date of such execution of the 2015 Bonds such person may not have held such office or may not have been so authorized.

SECTION 9. NEGOTIABILITY. The 2015 Bonds issued hereunder shall be and shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Florida, and each successive holder, in accepting any of the 2015 Bonds, shall be conclusively deemed to have agreed that such 2015 Bonds shall be and shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Florida.

SECTION 10. REGISTRATION. All 2015 Bonds presented for transfer, exchange, redemption or payment (if so required by the Issuer or the Bond Registrar) shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and with guaranty of signature satisfactory to the Issuer or the Bond Registrar, duly executed by the Registered Owner or by his duly authorized attorney.

Upon surrender to the Bond Registrar for transfer or exchange of any 2015 Bond accompanied by an assignment or written authorization for exchange, whichever is applicable, duly executed by the Registered Owner or his attorney duly authorized in writing, the Bond Registrar shall deliver in the name of the Registered Owner or the transferee or transferees, as the case may be, a new fully registered 2015 Bond or Bonds of authorized denominations and of the same maturity and interest rate for the aggregate principal amount which the Registered Owner is entitled to receive.

The Issuer and the Bond Registrar may charge the Registered Owner a sum sufficient to reimburse them for any expenses incurred in making any exchange or transfer after the first such exchange or transfer following the delivery of the 2015 Bonds. The Bond Registrar or the Issuer may also require payment from the Registered Owner or his transferee, as the case may be, of a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in relation thereto. Such charges and expenses shall be paid before any such new 2015 Bond shall be delivered.

Interest on the 2015 Bonds shall be paid to the Registered Owners whose names appear on the books of the Bond Registrar on the Record Date.

New 2015 Bonds delivered upon any transfer or exchange shall be valid obligations of the Issuer, evidencing the same debt as the Bonds surrendered, shall be secured by the Bond

Resolution, and shall be entitled to all of the security and benefits hereof to the same extent as the 2015 Bonds surrendered.

The Issuer and the Bond Registrar may treat the Registered Owner of any 2015 Bond as the absolute owner thereof for all purposes, whether or not such 2015 Bond shall be overdue, and shall not be bound by any notice to the contrary. The person in whose name any 2015 Bond is registered may be deemed the Registered Owner thereof by the Issuer and the Bond Registrar, and any notice to the contrary shall not be binding upon the Issuer or the Bond Registrar.

Notwithstanding the foregoing provisions of this Section, the Issuer reserves the right, on or prior to the delivery of the 2015 Bonds, to amend or modify the foregoing provisions relating to registration of the 2015 Bonds in order to comply with all applicable laws, rules, and regulations of the United States and/or the State of Florida relating thereto.

SECTION 11. DISPOSITION OF 2015 BONDS PAID OR REPLACED. Whenever any 2015 Bond shall be delivered to the Bond Registrar for cancellation, upon payment of the principal amount thereof, or for replacement, transfer or exchange, such 2015 Bond shall be canceled and destroyed by the Bond Registrar, and counterparts of a certificate of destruction evidencing such destruction shall be furnished to the Issuer.

SECTION 12. BONDS MUTILATED, DESTROYED, STOLEN OR LOST. In case any 2015 Bond shall become mutilated or be destroyed, stolen or lost, the Issuer may in its discretion issue and deliver a new 2015 Bond of like tenor as the 2015 Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated 2015 Bond upon surrender and cancellation of such mutilated 2015 Bond, or in lieu of and substitution for the 2015 Bond destroyed, stolen or lost, and upon the Registered Owner furnishing the Issuer proof of his ownership thereof and satisfactory indemnity and complying with such other reasonable regulations and conditions as the Issuer may prescribe and paying such expenses as the Issuer may incur. All 2015 Bonds so surrendered shall be canceled by the Issuer. If any of the 2015 Bonds shall have matured or be about to mature, instead of issuing a substitute 2015 Bond, the Issuer may pay the same, upon being indemnified as aforesaid, and if such 2015 Bond be lost, stolen or destroyed, without surrender thereof.

Any such duplicate 2015 Bonds issued pursuant to this Section shall constitute original, additional contractual obligations on the part of the Issuer whether or not the lost, stolen or destroyed 2015 Bonds be at any time found by anyone, and such duplicate 2015 Bonds shall be entitled to equal and proportionate benefits and rights as to lien on and source and security for payment from the funds, as hereinafter pledged, to the same extent as all other 2015 Bonds issued hereunder.

SECTION 13. BOOK ENTRY SYSTEM. The Issuer has previously executed a blanket letter of representation dated September 18, 1997 (the "Letter of Representation") with The Depository Trust Company ("DTC"). It is intended that the 2015 Bonds be registered so as to

participate in a global book-entry system with DTC as set forth herein and in such Letter of Representation. The 2015 Bonds shall be initially issued in the form of a single fully registered 2015 Bond of each maturity. Upon initial issuance, the ownership of such 2015 Bonds shall be registered by the Bond Registrar and Paying Agent in the name of Cede & Co., as nominee for DTC. With respect to 2015 Bonds registered by the Bond Registrar and Paying Agent in the name of Cede & Co., as nominee of DTC, the Issuer and the Bond Registrar and Paying Agent shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds 2015 Bonds from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a "Depository Participant") or to any person on behalf of whom such a Depository Participant holds an interest in the 2015 Bonds (each such person being herein referred to as an "Indirect Participant"). Without limiting the immediately preceding sentence, the Issuer and the Bond Registrar and Paying Agent shall have no responsibility or obligation with respect to (a) the accuracy of the records of DTC, Cede & Co., or any Depository Participant with respect to the ownership interest in the 2015 Bonds, (b) the delivery to any Depository Participant or any Indirect Participant or any other person, other than a registered owner of a 2015 Bond as shown in the Bond register, of any notice with respect to the 2015 Bonds, including any notice of redemption, if applicable, or (c) the payment to any Depository Participant or Indirect Participant or any other person, other than a registered owner of a 2015 Bond as shown in the 2015 Bond register, of any amount with respect to principal of, premium, if any, or interest on, if applicable, the 2015 Bonds. No person other than a registered owner of a 2015 Bond as shown in the 2015 Bond register shall receive a 2015 Bond certificate with respect to any 2015 Bond. Upon delivery by DTC to the Bond Registrar and Paying Agent of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions hereof with respect to the payment of interest by the mailing of checks or drafts to the registered owners of 2015 Bonds appearing as registered owners in the registration books maintained by the Bond Registrar and Paying Agent at the close of business on a regular record date, the name "Cede & Co." in this resolution shall refer to such new nominee of DTC.

In the event that (a) the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the Letter of Representation, (b) the agreement among the Issuer, the Bond Registrar and Paying Agent and DTC evidenced by the Letter of Representation shall be terminated for any reason or (c) the Issuer determines that it is in the best interests of the beneficial owners of the 2015 Bonds that they be able to obtain certificated 2015 Bonds, the Issuer shall notify DTC of the availability through DTC of 2015 Bond certificates and the 2015 Bonds shall no longer be restricted to being registered in the 2015 Bond register in the name of Cede & Co., as nominee of DTC, but only in accordance with the Letter of Representation. At that time, the Issuer may determine that the 2015 Bonds shall be registered in the name of and deposited with a successor depository operating a universal book-entry system, as may be acceptable to the Issuer, or such depository's agent or designee, and if the Issuer does not select such alternate universal book-entry system, then the 2015 Bonds may be registered in whatever name or names registered owners of 2015 Bonds transferring or changing 2015 Bonds designate, in accordance with the provisions hereof. Notwithstanding

any other provision of the Bond Resolution to the contrary, so long as any 2015 Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on, if applicable, such 2015 Bond and all notices with respect to such 2015 Bond shall be made and given, respectively, in the manner provided in the Letter of Representation.

As long as any 2015 Bonds are outstanding in book-entry form, the provisions of the Bond Resolution inconsistent with such system of book-entry registration shall not be applicable to such 2015 Bonds, and the Issuer covenants to cause adequate records to be kept with respect to the ownership of any 2015 Bonds issued in book-entry form or the beneficial ownership of 2015 Bonds issued in the name of a nominee.

SECTION 14. PROVISIONS FOR REDEMPTION. The 2015 Bonds may be subject to redemption as set forth herein, in the Official Notice of Sale and/or in the Certificate of Mayor and Finance Director.

At least 30 days prior to the expected redemption date, notice of such redemption shall be filed with the Paying Agent and shall be mailed, postage prepaid to all Registered Owners of 2015 Bonds to be redeemed at their addresses as they appear on the registration books. Interest shall cease to accrue on any 2015 Bonds duly called for prior redemption, after the redemption date, if payment thereof has been duly provided. The privilege of transfer or exchange of any of the 2015 Bonds selected for redemption is suspended for a 15 day period preceding the date of selection of the 2015 Bonds to be redeemed. Nothing in the Bond Resolution shall be deemed to require the Issuer to have deposited moneys with the Paying Agent prior to providing such notice of expected redemption.

Any notice of optional redemption given pursuant to this Section 14 may state that is conditional upon receipt by the Paying Agent of moneys sufficient to pay the redemption price, plus interest accrued to the redemption date, or upon the satisfaction of any other condition, and that it may be rescinded upon the occurrence of any such condition, and any conditional notice so given may be rescinded at any time before payment of such redemption price and accrued interest if any such condition so specified is not satisfied. Notice of such rescission shall be given by the Paying Agent to affected Registered Owners of 2015 Bonds as promptly as practicable upon the failure of such condition or the occurrence of such other event.

SECTION 15. FORM OF BONDS. The text of the 2015 Bonds and the certificate of authentication shall be in substantially the following form, with such omissions, insertions and variations as may be necessary and desirable and authorized and permitted by the Bond Resolution, this Resolution or by any subsequent resolution adopted prior to the issuance thereof:

No. R-_____

\$_____

CITY OF ST. PETERSBURG
PUBLIC UTILITY REVENUE BOND, SERIES 2015

MATURITY DATE: INTEREST RATE: DATED DATE: CUSIP:

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

KNOW ALL MEN BY THESE PRESENTS that the City of St. Petersburg, Florida (hereinafter called "Issuer"), for value received, hereby promises to pay to the order of the Registered Owner identified above, or registered assigns, as herein provided, on the Maturity Date identified above, upon the presentation and surrender hereof at the principal corporate trust office of U.S. Bank National Association, in the City of Orlando, Florida (the "Paying Agent"), from the special funds hereinafter mentioned, the Principal Amount identified above in any coin or currency of the United States of America which on the date of payment thereof is legal tender for the payment of public and private debts, and to pay, solely from said sources, to the Registered Owner hereof by check mailed to the Registered Owner at his address as it appears on the Bond registration books of the Issuer, at the Interest Rate per annum identified above, interest on said principal sum on each April 1 and October 1, commencing April 1, 2016, from the interest payment date next preceding the date of registration and authentication of this Bond, unless this Bond is registered and authenticated as of an interest payment date, in which case it shall bear interest from said interest payment date, or unless this Bond is registered and authenticated prior to the first interest payment date, in which event such Bond shall bear interest from the Dated Date; provided, however, that if at the time of authentication interest is in default, this Bond shall bear interest from the date to which interest shall have been paid.

This Bond is one of an authorized issue of bonds issued in an aggregate principal amount of \$_____ (the "Bonds"), issued primarily to finance a portion of the costs of the acquisition, construction and erection of improvements to the System to be acquired, constructed and erected in accordance with plans on file at the offices of the Issuer, as such plans may be modified from time to time, under the authority of and in full compliance with the Constitution of the State of Florida, including particularly Chapter 166, Part II, Florida Statutes, Chapter 159, Part I, Florida Statutes, the municipal Charter of the Issuer, and other applicable provisions of law, and by Resolution No. 99-237 duly adopted by the City Council of the Issuer on April 22, 1999, as amended and supplemented from time to time, as particularly amended by Resolution No. 2005-559 adopted by the City Council of the Issuer on October 20, 2005, and Resolution No. 2008-256 adopted by the City Council of the Issuer on May 15, 2008, as particularly prospectively amended by Resolution No. 2013-400 adopted by the City Council of the Issuer on October 3, 2013, and as particularly supplemented by Resolution No. 2015-____ duly adopted by the City Council of the Issuer on September 17, 2015 (hereinafter collectively

called "Resolution"), and is subject to all the terms and conditions of such Resolution. All capitalized undefined terms used herein shall have the meaning set forth in the Resolution.

This Bond is payable solely from and secured by a prior lien upon and pledge of the Net Revenues on parity with the Issuer's outstanding Public Utility Refunding Revenue Bonds, Series 2006, the Issuer's outstanding Public Utility Revenue Bonds, Series 2009A, the Issuer's outstanding Public Utility Refunding Revenue Bonds, Series 2009B, the Issuer's outstanding Taxable Public Utility Revenue Bonds, Series 2010A (Federally Taxable-Build America Bonds-Direct Subsidy) the Issuer's outstanding Taxable Public Utility Revenue Bonds, Series 2010B (Federally Taxable-Recovery Zone Economic Development Bonds-Direct Subsidy), the Issuer's outstanding Public Utility Revenue Bonds, Series 2013A, the Issuer's outstanding Public Utility Refunding Revenue Bonds, Series 2013B, the Issuer's outstanding Public Utility Revenue Bonds, Series 2013C, the Issuer's outstanding Public Utility Revenue Bonds, Series 2014A and the Issuer's outstanding Public Utility Refunding Revenue Bonds, Series 2014B and any Additional Parity Obligations hereafter issued under the Bond Resolution (collectively, the "Parity Bonds"), all in the manner and to the extent provided in the Resolution.

This Bond does not constitute an indebtedness of the Issuer within the meaning of any constitutional, statutory or charter provision or limitation, and it is expressly agreed by the Registered Owner of this Bond that such Registered Owner shall never have the right to require or compel the exercise of the ad valorem taxing power of the Issuer for the payment of the principal of and interest on this Bond or the making of any sinking fund, reserve or other payments specified in the Resolution.

It is further agreed between the Issuer and the Registered Owner of this Bond that this Bond and the indebtedness evidenced thereby shall not constitute a lien upon the System, or any part thereof, or on any other property of or in the Issuer, but shall constitute a lien only on the Net Revenues derived from the operation of the System, all in the manner provided in the Resolution.

The Issuer in the Resolution has covenanted and agreed with the Registered Owners of the bonds of this issue to fix, establish, revise from time to time whenever necessary, maintain and collect such fees, rates, rentals and other charges for the use of the products, services and facilities of the System which will always provide Adjusted Net Revenues in each year of not less than 115% of all Bond Service Requirements becoming due in such year on the outstanding Parity Bonds; and that such rates, fees, rentals and other charges will not be reduced so as to be insufficient to provide Gross Revenues for such purposes. The Issuer has entered into certain further covenants with the Registered Owners of the Bonds of this issue for the terms of which reference is made to the Resolution.

This Bond may be transferred only upon the registration books kept by the Bond Registrar upon surrender hereof at the principal office of the Bond Registrar with an assignment duly executed by the registered owner or his duly authorized attorney, but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the Resolution,

and upon surrender and cancellation of this Bond. Upon any such transfer, there shall be executed and the Bond Registrar shall deliver, a new fully registered bond or bonds, payable to the transferee, in authorized denominations and in the same aggregate principal amount, series, maturity and interest rate as this Bond.

In like manner, subject to and upon the payment of such charges, if any, the registered owner of this Bond may surrender the same (together with a written authorization for exchange satisfactory to the Bond Registrar duly executed by the registered owner or his duly authorized attorney) in exchange for an equal aggregate principal amount of fully registered bonds in authorized denominations and of the same series, maturity and interest rate as this Bond.

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

This Bond is and has all the qualities and incidents of a negotiable instrument under the laws of the State of Florida.

BY ACCEPTANCE HEREOF, THE REGISTERED OWNER IS CONCLUSIVELY DEEMED TO HAVE CONSENTED TO AND APPROVED THE PROVISIONS IN THE RESOLUTION, INCLUDING WITHOUT LIMITATION THE PROSPECTIVE AMENDMENTS INCLUDED IN SECTION 22 OF RESOLUTION NO. 2013-400 ADOPTED BY THE CITY COUNCIL OF THE ISSUER ON OCTOBER 3, 2013, AND THE REGISTERED OWNER SHALL HAVE NO RIGHT TO OBJECT TO SUCH AMENDMENTS. SUCH AMENDMENTS MAY BECOME EFFECTIVE, AMONG OTHER CONDITIONS, AFTER RECEIVING THE REQUISITE CONSENT OF THE HOLDERS OF AT LEAST 51% OUTSTANDING BONDS ISSUED PURSUANT TO THE RESOLUTION. REFERENCE IS MADE TO THE RESOLUTION AND THE OFFICIAL STATEMENT FOR THE BONDS FOR A DESCRIPTION OF SUCH PROSPECTIVE AMENDMENTS.

(Insert redemption provisions)

Notice of such redemption shall be given in the manner provided in the Resolution.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the certificate of authentication hereon shall have been duly executed by the Bond Registrar.

IN WITNESS WHEREOF, the City of St. Petersburg, Florida, has issued this Bond and has caused the same to be executed by its Mayor and attested by its City Clerk, either manually or with their facsimile signatures, and the corporate seal of the Issuer, or a facsimile thereof to be impressed, imprinted or otherwise reproduced hereon, all as of the Dated Date set forth above.

CITY OF ST. PETERSBURG, FLORIDA

(SEAL)

Richard D. Kriseman, Mayor

ATTESTED:

Chan Srinivasa, City Clerk

APPROVED AS TO FORM AND CORRECTNESS

Mark A. Winn, Assistant City Attorney

CERTIFICATE OF AUTHENTICATION OF BOND REGISTRAR

This Bond is one of the bonds of the issue described in the Resolution.

as Bond Registrar

By: _____
Authorized Signature

Date of Authentication

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

TEN COM -	as tenants in common	UNIF GIF MIN ACT -	
TEN ENT -	as tenants by the entireties		(Cust.)
JT TEN -	as joint tenants with right of survivorship and not as tenants in common	Custodian for	(Minor)
		under Uniform Gifts to Minors Act of	(State)

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

ASSIGNMENT

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

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE the within bond and does hereby irrevocably constitute and appoint _____ as his agent to transfer the bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature guaranteed:

(Bank, Trust company or Firm)

(Authorized Officer)

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

SECTION 16. APPLICATION OF 2015 BOND PROCEEDS. The proceeds, including any accrued interest received from the sale of any or all of the 2015 Bonds, shall be applied by the Issuer as follows:

A. Accrued interest, if any, shall be deposited in the Interest Account in the Debt Service Fund, herein created, and shall be used only for the purpose of paying interest becoming due on the 2015 Bonds.

B. To the extent not reimbursed therefor by the Original Purchaser of the 2015 Bonds, the Issuer shall pay all costs and expenses in connection with the preparation, issuance and sale of the 2015 Bonds.

C. To the extent not provided by other funds of the Issuer deposited into, or a surety bond or bonds credited to, the Reserve Account, the Issuer shall deposit to the Reserve Account a sum which, is equal to the Reserve Account Requirement upon issuance of the 2015 Bonds.

D. The remaining proceeds of the 2015 Bonds shall be deposited into the "City of St. Petersburg, Florida Public Utility Revenue Bonds, Series 2015, Construction and Acquisition Fund," which is hereby created and established (the "2015 Construction and Acquisition Fund"), and which may be used for the purposes set forth in the Bond Resolution, including the cost of any capitalized interest on the Series 2015 Bonds. Such 2015 Construction and Acquisition Fund shall constitute a trust fund for the holders of Bonds and shall be used together with certain other legally available moneys by the Issuer solely to acquire, construct and erect the 2015 Project, including any allowable reimbursement to the Issuer of moneys spent on the 2015 Project in anticipation of the sale of the 2015 Bonds. The Issuer agrees and covenants to commence and proceed with due diligence to complete the construction, erection and acquisition of the 2015 Project. Money on deposit in the 2015 Construction and Acquisition Fund may be invested and reinvested in Investment Securities which mature not later than the date on which the money on deposit therein will be needed for purposes of such funds. All income on such investments shall remain in such Fund. Upon completion of the 2015 Project, remaining amounts on deposit in such Fund may be transferred into the Operating Fund.

SECTION 17. SPECIAL OBLIGATIONS OF ISSUER. The 2015 Bonds shall not be or constitute general obligations or indebtedness of the Issuer as "bonds" within the meaning of the Constitution of Florida, but shall be payable solely from and secured by a lien upon and a pledge of the Net Revenues on parity with the Parity Bonds in the manner and to the extent provided in the Bond Resolution. No Registered Owners shall ever have the right to compel the exercise of the ad valorem taxing power of the Issuer or taxation in any form of any real property therein to pay such principal and interest from any other funds of the Issuer, except in the manner provided in the Bond Resolution.

Pursuant to the Bond Resolution, the payment of the principal of and interest on the 2015 Bonds and the Parity Bonds is secured, equally and ratably, by an irrevocable lien on the

Net Revenues, prior and superior to all other liens or encumbrances on such Net Revenues, and the Issuer has irrevocably pledged such Net Revenues to the payment of the principal of and interest on the 2015 Bonds and the Parity Bonds and for all other required payments.

The Issuer covenants and agrees that all funds and accounts created and maintained pursuant to the Bond Resolution and all moneys on deposit therein shall be trust funds in the hands of the Issuer and shall be used and applied only in the manner and for the purposes expressly provided for in the Bond Resolution. Furthermore, the Issuer may, at its option, establish separate accounts or subaccounts in the various funds and accounts created hereunder in order to keep a separate accounting of moneys related to various components of the System.

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

SECTION 18. COVENANTS OF THE ISSUER. All covenants of the Issuer set forth in Section 18 of the Bond Resolution are reaffirmed and apply equally to the holders of the 2015 Bonds and the Parity Bonds.

SECTION 19. SUMMARY NOTICE OF SALE AND OFFICIAL NOTICE OF SALE; DELEGATED AWARD.

(1) The Issuer hereby approves the forms of each of the Summary Notice of Sale and the Official Notice of Sale attached hereto as Exhibit A, each made a part hereof as if set forth herein in their entirety, subject to such modifications, amendments, changes and filling of blanks therein as shall be approved by the Mayor. The Issuer hereby authorizes the newspaper publication of the Summary Notice of Sale pursuant to the requirements of law, and the distribution of the Official Notice of Sale based on the advice of the Financial Advisor.

(2) In addition to other items described herein, the Issuer hereby delegates to the Mayor and the Finance Director of the Issuer the authority to determine the interest rates, the prices and yields and the delivery date for the 2015 Bonds, and all other details of the 2015 Bonds, and to take such further action as shall be required for carrying out the purposes of the Bond Resolution all with respect to the 2015 Bonds.

(3) Subject to full satisfaction of the conditions set forth in Section 7 and in this subparagraph (3) of this Section 19, the Issuer hereby authorizes a delegated award of the 2015 Bonds to the successful bidders in accordance with the terms of the Official Notice of Sale and the bid of the successful bidders, with such changes, amendments, modifications, omissions and additions thereto as shall be approved by the Mayor in accordance with the provisions of the Official Notice of Sale. The bid of the successful bidder to purchase the 2015 Bonds shall not be accepted by the Issuer until such time as the Issuer is in receipt of a properly delivered bid to purchase such 2015 Bonds by the successful bidder, as adjusted as permitted in the applicable Official Notice of Sale, said offer to provide for, among other things, (i) the issuance of not

exceeding \$33,000,000 aggregate principal amount of 2015 Bonds, (ii) a true interest cost rate of not more than 5.25%, (iii) a final maturity of the 2015 Bonds not being later than October 1, 2045, (iv) a purchase price (defined to mean original principal amount of the 2015 Bonds plus any original issue premium less any original issue discount less underwriting discount) in excess of 98% of the aggregate principal amount of the 2015 Bonds plus accrued interest, if any, and (v) a completed truth-in-bonding statement in compliance with Section 218.385, Florida Statutes relating to the 2015 Bonds. The award of the 2015 Bonds to the lowest bidder and establishment of the final pricing terms and conditions shall be evidenced by the delivery of a Certificate of Mayor and Finance Director to the City Clerk, the form of which is attached hereto as Exhibit B.

SECTION 20. APPROVAL OF PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT. The Issuer hereby approves the form and content of the Preliminary Official Statement for the 2015 Bonds which is attached hereto as Exhibit C. The Finance Director of the Issuer is hereby authorized to execute on behalf of the Issuer, the final Official Statement relating to the 2015 Bonds with such changes, insertions, omissions and filling of blanks in the Preliminary Official Statement as may be approved by the Finance Director, execution thereof to be conclusive evidence of such approval. Such Preliminary Official Statement and final Official Statement are hereby authorized to be used and distributed in connection with the marketing and sale of the 2015 Bonds. The Finance Director is authorized to deem final the Preliminary Official Statement for purposes of Rule 15c2-12 (the "Rule") of the Securities and Exchange Commission. The Finance Director is authorized to deliver a certificate to the Original Purchaser of the 2015 Bonds indicating compliance with such Rule.

SECTION 21. CONTINUING DISCLOSURE. The Issuer hereby covenants and agrees that, in order to assist the Original Purchaser in complying with the continuing disclosure requirements of the Rule with respect to the 2015 Bonds, it will comply with and carry out all of the provisions of the Disclosure Dissemination Agent Agreement (the "Continuing Disclosure Agreement") between the Issuer and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent, prior to the time the Issuer delivers the 2015 Bonds to the Original Purchaser, as may be amended from time to time in accordance with the terms thereof. The form of the Continuing Disclosure Agreement, attached hereto as Exhibit D is hereby approved and ratified, all of the provisions of which, when executed and delivered by the Issuer as authorized herein shall be deemed to be a part of this instrument as fully and to the same extent as if incorporated verbatim herein. Notwithstanding any other provision of the Bond Resolution, failure of the Issuer to comply with such Continuing Disclosure Agreement shall not be considered an event of default under the Bond Resolution. However, the Continuing Disclosure Agreement shall be enforceable by the 2015 Bondholders in the event that the Issuer fails to cure a breach thereunder within a reasonable time after written notice from a 2015 Bondholder to the Issuer that a breach exists. Any rights of the 2015 Bondholders to enforce the provisions of this covenant shall be on behalf of all 2015 Bondholders and shall be limited to a right to obtain specific performance of the Issuer's obligations thereunder.

The Continuing Disclosure Agreement shall be executed in the name of the Issuer by the Mayor and attested by the City Clerk, the official seal of the Issuer to be imprinted thereon, and shall be approved as to form and correctness by the City Attorney, with such additional changes and insertions therein as are subsequently approved, and such execution and delivery shall be conclusive evidence of the approval thereof by such officers.

SECTION 22. MEMBERS OF THE CITY COUNCIL NOT LIABLE. No covenant, stipulation, obligation or agreement contained in this Resolution shall be deemed to be a covenant, stipulation, obligation or agreement of any present or future member, agent or employee of the Issuer in his or her individual capacity, and neither the members of the City Council nor any person executing the 2015 Bonds shall be liable personally on the 2015 Bonds or this Resolution or shall be subject to any personal liability or accountability by reason of the issuance or the execution of the 2015 Bonds or this Resolution.

SECTION 23. NO THIRD-PARTY BENEFICIARIES. Except as otherwise expressly provided in this Resolution, nothing herein expressed or implied is intended or shall be construed to confer upon any person, firm or corporation other than the parties hereto and the 2015 Bondholders issued under and secured by the Bond Resolution, any right, remedy or claim, legal or equitable, under and by reason of this Resolution, or any provisions thereof, all provisions thereof being intended to be and being for the sole and exclusive benefit of the parties thereto and the 2015 Bondholders from time to time of the 2015 Bonds issued under the Bond Resolution.

SECTION 24. APPOINTMENT OF PAYING AGENT AND BOND REGISTRAR. U.S. Bank National Association is hereby appointed Paying Agent and Bond Registrar with respect to the 2015 Bonds. The Bond Registrar and Paying Agent Agreement shall be executed in the name of the Issuer by the Mayor and attested by the City Clerk, the official seal of the Issuer to be imprinted thereon, and shall be approved as to form and correctness by the City Attorney, with such additional changes and insertions therein as are subsequently approved, and such execution and delivery shall be conclusive evidence of the approval thereof by such officers in substantially the form attached hereto as Exhibit E.

SECTION 25. GENERAL AUTHORITY. The members of the City Council of the Issuer, the Mayor, the Finance Director and the Issuer's officers, attorneys and other agents and employees are hereby authorized to perform all acts and things required of them by this Resolution or desirable or consistent with the requirements hereof for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the 2015 Bonds, and the Bond Resolution including this Resolution, and they are hereby authorized to execute and deliver all documents which shall be required by Bond Counsel or the Original Purchasers to effectuate the sale of the 2015 Bonds. All action taken to date by the officers, attorneys and other agents and employees of the Issuer in furtherance of the issuance of the 2015 Bonds is hereby approved, confirmed and ratified.

SECTION 26. SEVERABILITY. If any one or more of the covenants, agreements or provisions of the Bond Resolution including this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions of the Bond Resolution including this Resolution or of the 2015 Bonds issued thereunder.

SECTION 27. SUPERCEDED. This Resolution supersedes all prior actions of City Council inconsistent herewith. All resolutions or portions thereof in conflict with the provisions of this Resolution are hereby superseded to the extent of any such conflict.

[Remainder of page intentionally left blank]

SECTION 28. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:

City Attorney (Designee)

EXHIBIT A

**FORM OF OFFICIAL NOTICE OF SALE
AND SUMMARY NOTICE OF SALE**

CITY OF ST. PETERSBURG, FLORIDA

\$ _____ *

PUBLIC UTILITY REVENUE BONDS, SERIES 2015

OFFICIAL NOTICE OF SALE

The Public Utility Revenue Bonds, Series 2015 (the “2015 Bonds”) are being offered for sale in accordance with this Official Notice of Sale. Notice is hereby given that bids will be received by the City of St. Petersburg, Florida (the “City”) for the purchase of the 2015 Bonds via the Parity Electronic Bid Submission System (“Parity”) in the manner described below. Bids for the 2015 Bonds will be received until ____ a.m. eastern time, on _____, _____, 2015 or on such other date and/or time as may be established by the Finance Director of the City or her designee, no less than ten (10) days after the date of publication of the summary notice of sale and communicated by Thomson Municipal Market Monitor not less than twenty (20) hours prior to the time bids are to be received. To the extent any instructions or directions set forth on Parity conflict with this Official Notice of Sale, the terms of this Official Notice of Sale shall control. For further information about Parity, and to subscribe in advance of the bid, potential bidders may contact Parity at (212) 849-5021. The use of Parity shall be at the bidder’s risk and expense, and the City shall have no liability with respect thereto.

_____, 2015

* Preliminary, subject to adjustment as provided herein

OFFICIAL NOTICE OF SALE

CITY OF ST. PETERSBURG, FLORIDA

\$_____*

PUBLIC UTILITY REVENUE BONDS, SERIES 2015

The Public Utility Revenue Bonds, Series 2015 (the "2015 Bonds") is being offered for sale in accordance with this Official Notice of Sale. Notice is hereby given that bids will be received by the City of St. Petersburg, Florida (the "City") for the purchase of the 2015 Bonds via the Parity Electronic Bid Submission System ("Parity") in the manner described below. Bids for the 2015 Bonds will be received until _____ a.m. eastern time, on _____, _____, 2015 or on such other date and/or time as may be established by the Director of Finance of the City or her designee, no less than ten (10) days after the date of publication of the summary notice of sale and communicated by Thomson Municipal Market Monitor not less than twenty (20) hours prior to the time bids are to be received. To the extent any instructions or directions set forth on Parity conflict with this Official Notice of Sale, the terms of this Official Notice of Sale shall control. For further information about Parity, and to subscribe in advance of the bid, potential bidders may contact Parity at (212) 849-5021. The use of Parity shall be at the bidder's risk and expense, and the City shall have no liability with respect thereto. Only bids submitted through Parity will be considered. No telephone, telefax, telegraph, mail, courier delivery or personal delivery bids will be accepted.

BOND DETAILS

The description of the 2015 Bonds, the purpose thereof and the security therefore, as set forth in this Official Notice of Sale, is subject in its entirety to the disclosure made in the Preliminary Official Statement. See "Disclosure Information" herein.

The 2015 Bonds will be initially issued in the form of a single fully registered 2015 Bond for each maturity of each series. Upon initial issuance, the ownership of each such 2015 Bond will be registered in the registration books kept by the Bond Registrar, in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). The 2015 Bonds are to be issued as fully registered bonds in denominations of \$5,000 or integral multiples thereof. Interest on the 2015 Bonds shall be payable by check or draft mailed to the Registered Owners at their addresses as they appear on the registration books of the City maintained by the Bond Registrar; however, in the case of a Registered Owner of \$1,000,000 or more in aggregate principal amount of 2015 Bonds, upon written request of such Registered Owner to the Bond Registrar ten (10) days prior to the Record Date relating to such Interest Payment Date, such interest shall be paid on the Interest Payment Date in immediately available funds by wire transfer, at the expense of the Registered Owner.

* Preliminary, subject to adjustment as provided herein

The 2015 Bonds will be dated their date of delivery (expected to be _____, 2015) or such other date as may be communicated by Thomson Municipal Market Monitor not less than 20 hours prior to the time bids are to be received, and shall bear interest from such date and shall be payable semiannually commencing on April 1, 2016, and on each October 1 and April 1 thereafter until maturity at the rate or rates specified in such proposals as may be accepted. The proposed schedule of maturities and amounts are as follows:

**MATURITY SCHEDULE
FOR
THE 2014A BONDS**

Maturity <u>(Oct 1)</u>	Principal <u>Amount*</u>	Maturity <u>(Oct 1)</u>	Principal <u>Amount*</u>
2016		2031**	
2017		2032**	
2018		2033**	
2019		2034**	
2020		2035**	
2021		2036**	
2022		2037**	
2023		2038**	
2024		2039**	
2025		2040**	
2026**		2041**	
2027**		2042**	
2028**		2043**	
2029**		2044**	
2030**		2045**	

* Preliminary; subject to adjustment as provided herein
 ** Subject to Term Bond Option as described herein

(NOTE: The City reserves the right to modify the maturity schedule shown above prior to the time bids are received. Any such modification will be communicated through the Thomson Municipal Market Monitor (See, "Adjustment of Principal Amounts" below.))

PAYING AGENT AND REGISTRAR

The Paying Agent and Registrar for the 2015 Bonds will be _____.

ADJUSTMENT OF PRINCIPAL AMOUNTS

The schedule of maturities set forth above (the "Initial Maturity Schedules") represents an estimate of the principal amount and maturities of the 2015 Bonds that will be sold. The City reserves the right to change the Initial Maturity Schedules by

announcing any such change not later than 4:00 p.m., Eastern Time, on the date immediately preceding the date set for receipt of bids, through Thomson Municipal Market Monitor. If no such change is announced, the Initial Maturity Schedule will be deemed the schedule of maturities for the Official Bid Form.

Furthermore, if after final computation of the bids, the City determines in its sole discretion that the funds necessary to accomplish the purpose of the 2015 Bonds is more or less than the proceeds of the sale of all of the 2015 Bonds, the City reserves the right to increase or decrease the aggregate principal amount, by no more than 15% of the principal amounts for the 2015 Bonds stated on the cover of the Preliminary Official Statement and reserves the right to increase or decrease the principal amount by no more than 15% within a given maturity of the 2015 Bonds (to be rounded to the nearest \$5,000), or by such other amount as approved by the winning bidder.

In the event of any such adjustment, no rebidding or recalculation of the bids submitted will be required or permitted; and the 2015 Bonds, as adjusted, will bear interest at the same rate and must have the same initial reoffering yield as specified immediately after award of the 2015 Bonds of that maturity. However, the award will be made to the bidder whose bid produces the lowest true interest cost rate, calculated as specified herein, solely on the basis of the 2015 Bonds, without taking into account any adjustment in the amount of 2015 Bonds pursuant to this paragraph.

REDEMPTION PROVISIONS

The 2015 Bonds that mature on or before October 1, 20__ are not subject to redemption prior to their maturities.

The 2015 Bonds that mature on or after October 1, 20__, are subject to redemption beginning October 1, 20__ in whole or in part at any time, in any order of maturities at the option of the City, at a redemption price equal to the principal amount thereof plus accrued interest to the redemption date.

TERM BOND OPTION

Any bidder may, at its option, specify that the maturities of the 2015 Bonds maturing after October 1, 202_ will consist of term bonds which are subject to mandatory sinking fund redemption in consecutive years immediately preceding the maturity thereof (each a "Term Bond") as designated in the bid of such bidder. In the event that the bid of the successful bidder specifies that any maturity of the 2015 Bonds will be a Term Bond, such Term Bond will be subject to mandatory sinking fund redemption on October 1, in each applicable year, in the principal amount for such year as set forth hereinbefore under the heading "BOND DETAILS," at a redemption price equal to the principal amount thereof to be redeemed together with accrued interest thereon to the redemption date, without premium.

AUTHORITY AND PURPOSE

The 2015 Bonds are being issued pursuant to Resolution No. 99-227 duly adopted by the City Council of the City on April 22, 1999, as amended and supplemented from time to time, and as particularly amended by Resolution No. 2005-559 duly adopted by the City Council of the City on October 20, 2005, and Resolution No. 2008-256 duly adopted by the City Council of the City on May 15, 2008 (the "Master Resolution") and as particularly prospectively amended by Resolution No. 2013-400 duly adopted by the City Council of the City on October 3, 2013 (the "2013 Resolution") and as supplemented by Resolution No. 2015-___ duly adopted by the City Council of the City on _____, 2015 (the "2015 Resolution" and collectively with the Master Resolution and the 2013 Resolution, the "Bond Resolution") and the Constitution and laws of the State of Florida, Chapter 166, Part II, Florida Statutes, Chapter 159, Part I, Florida Statutes, the municipal Charter of the City, and other applicable provisions of law (collectively, the "Act").

The proceeds of the 2015 Bonds are being used to (i) acquire, construct and erect the 2015 Project, (ii) to make a deposit into the Reserve Account and (iii) to pay certain costs of issuance of the 2015 Bonds.

SECURITY

The 2015 Bonds and the interest thereon are payable from an irrevocable first lien on the Net Revenues of the City's Public Utility Refunding Revenue Bonds, Series 2006 outstanding as of October 1, 2015 in the aggregate principal amount of \$49,880,000, the City's Public Utility Revenue Bonds, Series 2009A outstanding as of October 1, 2015 in the aggregate principal amount of \$49,670,000, the City's Public Utility Refunding Revenue Bonds, Series 2009B outstanding as of October 1, 2015 in the aggregate principal amount of \$8,880,000, the City's Taxable Public Utility Revenue Bonds, Series 2010A (Federally Taxable – Build America Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$28,160,000, the City's Taxable Public Utility Revenue Bonds, Series 2010B (Federally Taxable – Recovery Zone Economic Development Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$19,695,000, the City's Public Utility Revenue Bonds, Series 2013A outstanding as of October 1, 2015 in the aggregate principal amount of \$40,760,000, the City's Public Utility Refunding Revenue Bonds, Series 2013B outstanding as of October 1, 2015 in the aggregate principal amount of \$42,685,000, the City's Public Utility Revenue Bonds, Series 2013C outstanding as of October 1, 2015 in the aggregate principal amount of \$24,995,000, the City's Public Utility Revenue Bonds, Series 2014A outstanding as of October 1, 2015 in the aggregate principal amount of \$34,245,000 and the City's Public Utility Refunding Revenue Bonds, Series 2014B outstanding as of October 1, 2015 in the aggregate principal amount of \$43,230,000.

The 2015 Bonds shall not be or constitute general obligations or indebtedness of the City as "bonds" within the meaning of the constitution of Florida, but shall be payable solely from and secured by a lien upon and pledge of the Net Revenues as provided in the Resolution. No registered owners shall ever

have the right to compel the exercise of the ad valorem taxing power of the City or taxation in any form of any real property therein to pay such principal and interest from any other funds of the City except from the Net Revenues of the System.

RESERVE ACCOUNT AND RATINGS

From proceeds of the 2015 Bonds, the City will deposit into the Reserve Account an amount equal to \$_____ in addition to cash or investments in the amount of \$_____ already on deposit. Following such deposit, cash and/or Investment Securities in an amount equal to \$_____ will be on deposit in the Reserve Account.

Moody's Investors Service, Inc. ("Moody's") and Fitch Ratings ("Fitch") have assigned their municipal bond ratings of "___" (___ outlook) and "___" (___ outlook), respectively, to the 2015 Bonds.

TERMS OF BID AND BASIS OF AWARD

Proposals must be unconditional and for the purchase of all of the 2015 Bonds. The reoffering price for the 2015 Bonds may not be less than 98% of the principal amount of the 2015 Bonds for any single maturity thereof. The aggregate purchase price, inclusive of original issue discount ("OID"), original issue premium ("OIP") and underwriter's discount may not be equal to or less than 98% of the principal amount of the 2015 Bonds. The true interest cost for the 2015 Bonds may not exceed 5.00%.

The 2015 Bonds shall bear interest expressed in multiples of one-eighth (1/8) or one-twentieth (1/20) of one (1) per centum. The use of split or supplemental interest coupons will not be considered and a zero rate or blank rate will not be permitted. All 2015 Bonds maturing on the same date shall bear the same rate of interest.

The 2015 Bonds will be awarded to the bidder offering to purchase the 2015 Bonds at the lowest annual interest cost computed on a True Interest Cost basis (the "TIC"). The annual TIC will be determined by doubling the semi-annual interest rate necessary to discount the semi-annual debt service payments on the 2015 Bonds back to the Net Bond Proceeds (defined as the par amount of the 2015 Bonds, plus any OIP, less any OID and underwriter's discount on the 2015 Bonds calculated on a 30/360 day count basis to the Closing Date, as defined below). The TIC must be calculated to four (4) decimal places.

THE CITY RESERVES THE RIGHT TO REJECT ALL BIDS OR ANY BID NOT CONFORMING TO THIS OFFICIAL NOTICE OF SALE. THE CITY ALSO RESERVES THE RIGHT TO WAIVE, IF PERMITTED BY LAW, ANY IRREGULARITY OR INFORMALITY IN ANY PROPOSAL. THE CITY SHALL NOT REJECT ANY CONFORMING BID, UNLESS ALL CONFORMING BIDS ARE REJECTED. IN ADDITION, THE CITY RESERVES THE RIGHT TO AWARD ONE, BOTH OR NEITHER

SERIES OF BONDS TO THE SAME OR DIFFERENT BIDDERS AT ITS SOLE DISCRETION.

GOOD FAITH DEPOSIT

If the City selects a winning bid, then the successful bidder must submit a "Good Faith Deposit" (the "Deposit") to the City in the form of a wire transfer in the amount of \$_____ for 2015 Bonds not later than 1:00 p.m., Eastern Time on the business day following the award. The Deposit of the successful bidder will be collected and the proceeds thereof retained by the City to be applied as partial payment for the 2015 Bonds and no interest will be allowed or paid upon the amount thereof, but in the event the successful bidder shall fail to comply with the terms of the bid, the proceeds thereof will be retained as and for full liquidated damages.

STANDARD FILINGS, CHARGES AND CLOSING DOCUMENTS

The winning bidder will be required to make the standard filings and maintain the appropriate records routinely required pursuant to MSRB Rules G-8, G-11 and G-36. The winning bidder will be required to pay the standard MSRB charge for the 2015 Bonds purchased. The winning bidder will also be required to execute certain closing documents required by Florida law or required by bond counsel in connection with the delivery of its tax opinion. See "Disclosure; Amendments to Notice of Sale; Notification Obligations of Purchaser" herein.

CUSIP NUMBERS

It is anticipated that CUSIP identification numbers will be printed on the 2015 Bonds, but neither the failure to print such number on any 2015 Bonds nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the 2015 Bonds in accordance with their agreement to purchase the 2015 Bonds. All expenses in relation to the printing of CUSIP numbers on the 2015 Bonds shall be paid for by the City; provided, however, that it shall be the responsibility of the successful bidder to timely obtain and pay for the assignment of such CUSIP numbers.

DELIVERY OF THE 2015 BONDS

The City will pay the cost of preparing the 2015 Bonds. The successful bidder is responsible for DTC eligibility and related DTC costs. Delivery of and payment for the 2015 Bonds will be made on a date specified by the City via DTC Fast. Delivery of and payment for the 2015 Bonds will be made on or about _____, 2015 through the facilities of DTC in New York, New York, or such other time and place mutually acceptable to the successful bidder and the City. Payment of the full purchase price, less the Deposit, shall be made to the City at the closing, in Federal Reserve Funds of the United States of America, without cost to the City.

The legal opinion of Bryant Miller Olive P.A. ("Bond Counsel") will be furnished without charge to the successful bidder at the time of delivery of the 2015 Bonds. For a further discussion of the content of that opinion and the proposed form of the approving opinion, see the Preliminary Official Statement for the 2015 Bonds.

There will also be furnished at the time of delivery of the 2015 Bonds, a certificate or certificates of the City (which may be included in a consolidated closing certificate) relating to the accuracy and completeness of the Official Statement; and stating, among other things, that there is no litigation of any nature pending or, to the knowledge of the City, threatened, at the time of delivery of the 2015 Bonds, (a) to restrain or enjoin the issuance of the 2015 Bonds or (b) affecting or contesting the validity of the 2015 Bonds, and (c) that the Preliminary Official Statement has been deemed by the City to be a "final official statement" for purposes of SEC Rule 15c2-12(b)(3) and (4).

The successful bidder will be responsible for the clearance or exemption with respect to the status of the 2015 Bonds for sale under the securities or "Blue Sky" laws of the several states and the preparation of any surveys or memoranda in connection with such sale.

DISCLOSURE; AMENDMENTS TO NOTICE OF SALE; NOTIFICATION OBLIGATIONS OF PURCHASER

This Official Notice of Sale is not intended as a disclosure document and bidders are required to obtain and carefully review the entire Preliminary Official Statement (including all appendices thereto) before submitting a bid.

This Official Notice of Sale may be amended from time to time after its initial publication by publication of amendments thereto not less than 20 hours prior to the bid date and time via Thomson Municipal Market Monitor. Each bidder will be charged with the responsibility of obtaining any such amendments and complying with the terms thereof.

Prior to delivery of the 2015 Bonds to the successful bidder, the successful bidder shall file with the City a statement as described in Section 218.38(1)(c)2, Florida Statutes, containing the underwriting spread, and the amount of any fee,

bonus or gratuity paid in connection with the 2015 Bonds to any person not regularly employed by the successful bidder. This statement shall be filed with the City even if no such management fee or underwriting spread has been charged by the successful bidder or no such fee, bonus or gratuity has been paid by the successful bidder, and such filing shall be a condition precedent to the delivery of the 2015 Bonds by the City to the successful bidder.

The successful bidder, by submitting its bid, agrees to furnish to the City and Bond Counsel, a certificate verifying information as to the bona fide initial offering prices of the 2015 Bonds to the public and sales of the 2015 Bonds appropriate for determination of the issue price of, and the yield on, the 2015 Bonds under the Internal Revenue Code of 1986, as amended, and such other documentation as and at the time requested by Bond Counsel.

The successful bidder shall also verify its winning bid in writing to the City by executing a printed copy of its winning bid as reported on Parity.

Each bidder is required to provide a Truth in Bonding Statement pursuant to Section 218.385, Florida Statutes, and to disclose the payment of any "finder's fee" pursuant to Section 218.386, Florida Statutes, prior to the award of the 2015 Bonds, as set forth in Exhibit A.

OFFICIAL STATEMENT

The City shall furnish at its expense within seven (7) business days after the 2015 Bonds have been awarded to the successful bidder, or at least three (3) business days before closing, whichever is earlier, up to 150 copies of the final Official Statement, which, in the judgment of the financial advisor to the City will permit the successful bidder to comply with applicable SEC and MSRB rules. The successful bidder may arrange for additional copies of the final Official Statement at its expense.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of bondholders to provide certain financial information and operating data relating to the System and the 2015 Bonds in each year (the "Annual Report"), and to provide notices of the occurrence of certain enumerated material events. Such covenant shall only apply so long as the 2015 Bonds remain outstanding under the Bond Resolution. The covenant shall also cease upon the termination of the continuing disclosure requirements of Securities and Exchange Commission Rule 15c2-12(b)(5) (the "Rule") by legislative, judicial or administrative action. The Annual Report will be filed by the City as required with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System ("EMMA").

DISCLOSURE INFORMATION

Copies of the Preliminary Official Statement, as supplemented and amended by this Official Notice of Sale, “deemed final” (except for permitted omissions) by the City in accordance with the Rule can be obtained from the financial advisor to the City, Public Financial Management Inc., 300 South Orange Avenue, Suite 1170, Orlando, Florida 32801 (407) 406-5760 before a bid is submitted. The City's Preliminary Official Statement and Official Notice of Sale are also available for viewing in electronic format at <http://www.munios.com>.

CITY OF ST. PETERSBURG, FLORIDA

By: /s/Anne A. Fritz
Finance Director

EXHIBIT A

**2015 BONDS
TRUTH-IN-BONDING STATEMENT
AND DISCLOSURE**

In compliance with Section 218.385, Florida Statutes, as amended, the undersigned bidder submits the following Truth-In-Bonding Statement with respect to the 2015 Bonds (NOTE: For information purposes only and not a part of the bid):

The City is proposing to issue \$_____ of debt or obligation for the purpose of financing the costs of the acquisition, construction and erection of improvements to the Public Utility System. This debt or obligation is expected to be repaid over a period of approximately __ years. At a true interest cost of ____%, total interest paid over the life of the debt or obligation will be \$_____.

The source of repayment or security for this proposal is the Net Revenues of the City's Public Utility System in the manner and to the extent described in the Preliminary Official Statement and Official Notice of Sale. Authorizing this debt or obligation will result in _____ of such Net Revenues not being available for other services or purposes of the City each year for __ years.

In compliance with Section 218.386, Florida Statutes, the undersigned, on behalf of itself and all other members of the underwriting group, if any, hereby certifies that neither it nor any member of the underwriting group have paid any "finder's fees" as defined in Section 218.386, Florida Statutes, any bonus, fee or gratuity in connection with the sale of the 2015 Bonds, except as provided below:

Bidder's Name: _____

By: _____

Title: _____

Date: _____

SUMMARY NOTICE OF SALE

City of St. Petersburg, Florida

\$ _____ *

Public Utility Revenue Bonds, Series 2015

Bids for the above captioned bonds (the “2015 Bonds”) will be received by the City of St. Petersburg, Florida (the “City”), via the Parity Electronic Bid Submission System (“Parity”). Bids for the 2015 Bonds will be received until __: __ a.m. eastern time, on _____, _____, 2015 or on such other date and/or time as may be established by the Finance Director of the City or her designee no less than ten (10) days after the date of publication of this notice and communicated by Thomson Municipal Market Monitor not less than twenty (20) hours prior to the time bids are to be received (the “Bid Dates”).

Such bids are to be opened in public at said times and place on said day for the purchase of the 2015 Bonds. The 2015 Bonds are being issued to (i) acquire, construct and erect the 2015 Project (ii) make a deposit into the Reserve Account in such amount that at least takes into account the difference between the amounts on deposit in the Reserve Account and the Reserve Account Requirement for the Outstanding Bonds and (iii) pay certain costs of issuance of the 2015 Bonds.

The approving opinion of Bryant Miller Olive P.A., Tampa, Florida, Bond Counsel, will be furnished to the successful bidder at the expense of the City.

Electronic copies of the Preliminary Official Statement and the Official Notice of Sale relating to the 2015 Bonds will be available at the website address <http://www.munios.com>. All of such documents should be read in their entirety by prospective purchasers of the 2015 Bonds. Printed, bound copies of the Preliminary Official Statement will be available through the sale date from the City’s financial advisor, Public Financial Management, 300 South Orange Avenue, Suite 1170, Orlando, Florida 32801, telephone 407-406-5760.

City of St. Petersburg, Florida

Anne A. Fritz

Finance Director

Dated: _____, 2015

*Preliminary, subject to change.

EXHIBIT B

FORM OF CERTIFICATE OF MAYOR AND FINANCE DIRECTOR

CERTIFICATE OF MAYOR AND FINANCE DIRECTOR

In reference to the City of St. Petersburg, Florida Public Utility Revenue Bonds, Series 2015 (the "Series 2015 Bonds"), the undersigned hereby finds, determines and declares:

1. The City Council (the "City Council") of the City of St. Petersburg, Florida (the "City") adopted Resolution No. 99-227 on April 22, 1999 as amended and supplemented from time to time, as particularly amended by Resolution No. 2005-559 adopted by the City Council of the City on October 20, 2005, and Resolution No. 2008-256 adopted by the City Council of the City on May 15, 2008, as particularly prospectively amended by Resolution No. 2013-400 adopted by the City Council of the City on October 3, 2013, and as particularly supplemented by Resolution No. 2015-__ adopted by the City Council of the City on September 17, 2015 (collectively, the "Bond Resolution") which authorized the issuance of the Series 2015 Bonds for the primary purpose of financing the acquisition, construction and erection of the 2015 Project. All capitalized undefined terms used herein shall have the meanings ascribed thereto in Resolution No. 2015-__ adopted by the City Council of the City on September 17, 2015 (the "Authorizing Resolution").

2. Pursuant to the Authorizing Resolution, the undersigned Mayor is authorized by the City Council to take the actions required for the award and delivery of the Series 2015 Bonds as set forth in Section 19(3) of the Authorizing Resolution only in the event that they are in receipt of one or more properly delivered bids to purchase the Series 2015 Bonds, said offer to provide for, among other things, (i) the issuance of not exceeding \$33,000,000 aggregate principal amount of Series 2015 Bonds, (ii) a true interest cost rate of not more than 5.25%, (iii) a final maturity of the Series 2015 Bonds not being later than October 1, 2045, (iv) a purchase price (defined to mean original principal amount of the Series 2015 Bonds plus any original issue premium less any original issue discount less underwriting discount) in excess of 98% of the aggregate principal amount of the Series 2015 Bonds plus accrued interest, if any, (v) a completed truth-in-bonding statement in compliance with Section 218.385, Florida Statutes, which findings satisfy the requirements of the Authorizing Resolution.

3. The Series 2015 Bonds have been subjected to competitive bids based on lowest true interest cost in accordance the Authorizing Resolution and applicable law. Bids were solicited pursuant to the Official Notice of Sale. Qualifying bids for the Series 2015 Bonds, attached hereto as Composite Exhibit A, were received and were publicly opened. On the basis of the lowest true interest cost to the City, subject to receipt of the good faith deposit in accordance with the terms in the Official Notice of Sale, the Series 2015 Bonds are hereby awarded on an all-or-none basis to _____ (the "Original Purchaser") based on their proposed true interest cost of ____% as set forth on their bid and as verified by the City's Financial Advisor.

4. The Series 2015 Bonds are scheduled to be delivered to the Original Purchaser on _____, 2015.

5. Pursuant to the authority contained in the Authorizing Resolution the City has heretofore adjusted the final principal amounts and/or Amortization Installments from that which was set forth in the Official Notice of Sale. After making such permitted adjustments:

(a) The aggregate principal amount of the Series 2015 Bonds is \$_____.

(b) The purchase price of the Series 2015 Bonds is \$_____ (which equals the par amount of the Series 2015 Bonds of \$_____ less an underwriting discount of \$_____ plus/less a net original issue premium/discount of \$_____), bearing interest at the rates hereinafter set forth.

(c) The Series 2015 Bonds shall be dated as of the date of their delivery and shall mature on October 1 of the following years, shall bear interest payable on April 1 and October 1, commencing April 1, 2016, with such principal amounts and interest rates as follows:

\$_____ City of St. Petersburg, Florida
Public Utility Revenue Bonds, Series 2015

Maturity (October 1)*	Principal Amount	Interest Rate
	\$	%

* Serial Bonds unless otherwise noted

** Denotes Term Bonds

6. The Series 2015 Bonds that mature on or before October 1, _____ are not subject to redemption prior to their maturities. The Series 2015 Bonds that mature on or after October 1, _____, are subject to redemption beginning October 1, _____ in whole or in part at any time, in any order of maturities at the option of the City, at a redemption price equal to the principal amount thereof plus accrued interest to the redemption date.

7. The Series 2015 Bonds maturing on October 1, _____ are subject to mandatory redemption or purchase prior to their stated dates of maturity, in part by lot, in such manner as the City may deem appropriate, from Amortization Installments deposited by the City in the Bond Amortization Account, at the principal amount thereof, unless purchased pursuant to the operation of such Account, plus accrued interest to the redemption date, on October 1 of the years and in the principal amounts, both set forth below:

\$ _____ Series 2015 Term Bonds Due October 1, ____*
Amortization Installments

Mandatory Redemption Date (<u>October 1</u>)	<u>Amount</u>
*	\$

*Final maturity.

[Remainder of page intentionally left blank]

EXECUTED this ____ day of _____, 2015.

CITY OF ST. PETERSBURG, FLORIDA

By: _____

Name: Richard D. Kriseman

Title: Mayor

By: _____

Name: Anne A. Fritz

Title: Finance Director

COMPOSITE EXHIBIT A

QUALIFYING BIDS

EXHIBIT C

FORM OF PRELIMINARY OFFICIAL STATEMENT

PRELIMINARY OFFICIAL STATEMENT DATED _____, 2015

NEW ISSUE - FULL-BOOK ENTRY

Moody's: " " "
Fitch: " " "
(See "Ratings" herein)

In the opinion of Bond Counsel, assuming compliance by the City with certain covenants, under existing statutes, regulations, and judicial decisions, the interest on the 2015 Bonds will be excluded from gross income for federal income tax purposes of the holders thereof and will not be an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations. However, interest on the 2015 Bonds is taken into account in determining adjusted current earnings for purposes of computing the alternative minimum tax on corporations. See "TAX MATTERS" herein for a description of other tax consequences to holders of the 2015 Bonds.

CITY OF ST. PETERSBURG, FLORIDA

\$ _____ *
**PUBLIC UTILITY REVENUE BONDS,
SERIES 2015**

Dated: Date of Delivery

Due: As Shown on Next Page

The City of St. Petersburg, Florida (the "City") is issuing \$ _____ * of its Public Utility Revenue Bonds, Series 2015 (the "2015 Bonds"). The 2015 Bonds are being issued in fully registered form and, when initially issued, will be registered to Cede & Co. as nominee of The Depository Trust Company, New York, New York. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of bond certificates. Interest on the 2015 Bonds will be payable semi-annually beginning on April 1, 2016 and on each October 1 and April 1 thereafter.

The 2015 Bonds are subject to optional redemption and may be subject to mandatory redemption as described herein.

The proceeds of the 2015 Bonds are being used to (i) acquire, construct and erect the 2015 Project (as described herein – see "PURPOSE OF THE 2015 BONDS – The 2015 Project"), (ii) to make a deposit into the Reserve Account (see "SECURITY FOR THE BONDS – Reserve Account") and (iii) to pay certain costs of issuance of the 2015 Bonds.

The 2015 Bonds and the interest thereon are payable from an irrevocable first lien on the Net Revenues of the City's Public Utility Refunding Revenue Bonds, Series 2006 outstanding as of October 1, 2015 in the aggregate principal amount of \$49,880,000, the City's Public Utility Revenue Bonds, Series 2009A outstanding as of October 1, 2015 in the aggregate principal amount of \$49,670,000, the City's Public Utility Refunding Revenue Bonds, Series 2009B outstanding as of October 1, 2015 in the aggregate principal amount of \$8,880,000, the City's Taxable Public Utility Revenue Bonds, Series 2010A (Federally Taxable – Build America Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$28,160,000, the City's Taxable Public Utility Revenue Bonds, Series 2010B (Federally Taxable – Recovery Zone Economic Development Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$19,695,000, the City's Public Utility Revenue Bonds, Series 2013A outstanding as of October 1, 2015 in the aggregate principal amount of \$40,760,000, the City's Public Utility Refunding Revenue Bonds, Series 2013B outstanding as of October 1, 2015 in the aggregate principal amount of \$42,685,000, the City's Public Utility Revenue Bonds, Series 2013C outstanding as of October 1, 2015 in the aggregate principal amount of \$24,995,000, the City's Public Utility Revenue Bonds, Series 2014A outstanding as of October 1, 2015 in the aggregate principal amount of \$34,245,000 and the City's Public Utility Refunding Revenue Bonds, Series 2014B outstanding as of October 1, 2015 in the aggregate principal amount of \$43,230,000.

The 2015 Bonds are being issued pursuant to Resolution No. 99-227 duly adopted by the City Council of the City on April 22, 1999, as amended and supplemented from time to time, and as particularly amended by Resolution No. 2005-559 duly adopted by the City Council of the City on October 20, 2005, and Resolution No. 2008-256 duly adopted by the City Council of the City on May 15, 2008 (the "Master Resolution") and as particularly prospectively amended by Resolution No. 2013-400 duly adopted by the City Council of the City on October 3, 2013 (the "2013 Resolution") and as supplemented by Resolution No. 2015-___ duly adopted by the City Council of the City on _____, 2015 (the "2015 Resolution" and collectively with the Master Resolution and the 2013 Resolution, the "Bond Resolution") and the Constitution and laws of the State of Florida, Chapter 166, Part II, Florida Statutes, Chapter 159, Part I, Florida Statutes, the municipal Charter of the City, and other applicable provisions of law (collectively, the "Act").

The 2013 Resolution contains amendments to the Bond Resolution that will become effective only upon the receipt by the City of certain consents to such amendments, as described herein. The initial purchasers of the 2015 Bonds, along with the purchasers of the 2013C Bonds, the 2014A Bonds and the 2014B Bonds, shall be deemed to have consented to all of such amendments as a result of their purchase of the 2013C Bonds, the 2014A Bonds, the 2014B Bonds and the 2015 Bonds, respectively. See "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" herein and APPENDIX E – "Composite of Bond Resolution" attached hereto.

Neither the 2015 Bonds nor the interest thereon constitute a general indebtedness of the City within the meaning of any

This Preliminary Official Statement and any information contained herein are subject to completion and amendment. Under no circumstances may this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the 2015 Bonds in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of such jurisdiction.

constitutional, statutory or charter provision or limitation. No owner or owners of any 2015 Bonds shall ever have the right to compel the exercise of the ad valorem taxing power of the City, or taxation in any form on any real property therein, to pay the 2015 Bonds or the interest thereon.

This cover page contains certain information for quick reference only. It is not a summary of this issue. Investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.

The 2015 Bonds are offered for delivery when, as and if issued by the City and received by the Original Purchasers, subject to the approval of legality by Bryant Miller Olive P.A., Tampa, Florida, Bond Counsel. Certain legal matters will be passed upon for the City by Jacqueline M. Kovilaritch, Esq., City Attorney, or other designated Assistant City Attorney, and GrayRobinson, P.A., Tampa, Florida, Special Disclosure Counsel to the City. Public Financial Management, Inc., Orlando, Florida, is serving as Financial Advisor to the City. It is expected that the 2015 Bonds in definitive form will be available for delivery in New York, New York on or about _____, 2015.

ELECTRONIC BIDS FOR THE 2015 BONDS PURSUANT TO THE PROVISIONS OF THE OFFICIAL NOTICE OF SALE WILL BE RECEIVED BY THE CITY UNTIL ____ A.M., EASTERN TIME ON _____, _____, 2015, OR SUCH OTHER DATE AS DESCRIBED IN THE OFFICIAL NOTICE OF SALE THROUGH THE PARITY COMPETITIVE BIDDING SYSTEM.

Dated: _____, 2015

*Preliminary, subject to change.

CITY OF ST. PETERSBURG, FLORIDA

\$ _____ *
PUBLIC UTILITY REVENUE BONDS,
SERIES 2015

MATURITIES, AMOUNTS, INTEREST RATES, YIELDS, PRICES
AND INITIAL CUSIP NUMBERS

\$ _____ 2015 Serial Bonds

Maturity (October 1)*	Amounts*	Interest Rate	Yield	Price	Initial CUSIP Number***
2017					
2018					
2019					
2020					
2021					
2022					
2023					
2024					
2025					
2026**					
2027**					
2028**					
2029**					
2030**					
2031**					
2032**					
2033**					
2034**					
2035**					
2036**					
2037**					
2038**					
2039**					
2040**					
2041**					
2042**					
2043**					
2044**					
2045**					

* Preliminary, subject to adjustment as provided in the Official Notice of Sale.

** Subject to Term Bond Option as described in the "TERM BOND OPTION" in the Official Notice of Sale.

*** CUSIP is a registered trademark of the American Bankers Association. CUSIP data herein is provided by CUSIP Global Services, managed by Standards & Poor's Financial Services LLC on behalf of The American Bankers Association. This data is not intended to create a database and does not serve in any way as a substitute for the CUSIP Services. CUSIP numbers are included herein solely for the convenience of the purchasers of the 2015 Bonds. Neither the City nor the Original Purchasers shall be responsible for the selection or correctness of the CUSIP numbers set forth herein.

CITY OF ST. PETERSBURG, FLORIDA

ELECTED OFFICIALS

MAYOR

Richard D. Kriseman

CITY COUNCIL

District 1 – Charles Gerdes, Chair

District 2 – James R. Kennedy, Jr.

District 3 – William H. Dudley

District 4 – Darden Rice

District 5 – Steve Kornell

District 6 – Karl Nurse

District 7 – Wengay "Newt" Newton, Sr.

District 8 – Amy Foster, Vice Chair

APPOINTED OFFICIALS

Dr. Kanika Tomalin, Deputy Mayor

Kevin King, Chief of Staff

Gary Cornwell, City Administrator

Jacqueline M. Kovilaritch, City Attorney

Mark A. Winn, Assistant City Attorney

Anne A. Fritz, Finance Director

Chandrasasa Srinivasa, City Clerk

Michael J. Connors, Public Works Administrator

Steve Leavitt, Water Resources Director

BOND COUNSEL

Bryant Miller Olive P.A.

Tampa, Florida

SPECIAL DISCLOSURE COUNSEL

GrayRobinson, P.A.

Tampa, Florida

FINANCIAL ADVISOR

Public Financial Management, Inc.

Orlando, Florida

No dealer, broker, salesman or other person has been authorized to make any representation, other than as contained in this Official Statement, and if given or made, such other information or representations must not be relied upon. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the 2015 Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information contained in this Official Statement has been obtained from public documents, records and other sources considered to be reliable and, while not guaranteed as to completeness or accuracy, is believed to be correct. Any statements in this Official Statement involving estimates, assumptions and matters of opinion, whether or not so expressly stated, are intended as such and not as representations of fact, and the City expressly makes no representation that such estimates, assumptions and opinions will be realized or fulfilled. Any information, estimates, assumptions and matters of opinion contained in this Official Statement are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder, shall under any circumstances, create any implication that there has been no change in the affairs of the City since the date hereof.

IN CONNECTION WITH THE OFFERING OF THE 2015 BONDS, THE ORIGINAL PURCHASERS MAY OVER ALLOT OR EFFECT TRANSACTIONS THAT STABILIZE OR MAINTAIN THE MARKET PRICE OF SUCH 2015 BONDS AT THE LEVEL ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.

THE 2015 BONDS HAVE NOT BEEN REGISTERED WITH THE SECURITIES AND EXCHANGE COMMISSION UNDER THE SECURITIES ACT OF 1933, AS AMENDED, NOR HAS THE BOND RESOLUTION BEEN QUALIFIED UNDER THE TRUST INDENTURE ACT OF 1939, AS AMENDED, IN RELIANCE UPON EXEMPTIONS CONTAINED IN SUCH ACTS. THE REGISTRATION OR QUALIFICATION OF THE 2015 BONDS IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE SECURITIES LAWS OF THE STATES, IF ANY, IN WHICH THE 2015 BONDS HAVE BEEN REGISTERED OR QUALIFIED AND THE EXEMPTION FROM REGISTRATION OR QUALIFICATION IN CERTAIN OTHER STATES CANNOT BE REGARDED AS A RECOMMENDATION THEREOF. NEITHER THESE STATES NOR ANY OF THEIR AGENCIES HAVE PASSED UPON THE MERITS OF THE 2015 BONDS OR THE ACCURACY OR COMPLETENESS OF THIS OFFICIAL STATEMENT. ANY REPRESENTATION TO THE CONTRARY MAY BE A CRIMINAL OFFENSE.

This Preliminary Official Statement is in a form deemed final by the City for the purpose of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended, except for certain information permitted to be omitted under Rule 15c2-12(b)(1).

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APPENDICES

APPENDIX A	General Description of the City and Selected Statistics
APPENDIX B	General Purpose Financial Statements
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APPENDIX F	Form of Proposed Bond Counsel Opinion
APPENDIX G	Form of Disclosure Dissemination Agent Agreement
APPENDIX H	DTC Information

OFFICIAL STATEMENT

CITY OF ST. PETERSBURG, FLORIDA

\$ _____ *
PUBLIC UTILITY REVENUE BONDS,
SERIES 2015

INTRODUCTORY STATEMENT

The purpose of this Official Statement, which includes the cover page and the Appendices, is to provide information concerning the City of St. Petersburg, Florida (the "City") and the City's \$ _____ * Public Utility Revenue Bonds, Series 2015 (the "2015 Bonds"). Further information about the City is set forth in APPENDIX A – "General Description of the City and Selected Statistics" and about the City's Public Utility System in APPENDIX C – "Public Utilities System."

The 2015 Bonds are being issued pursuant to Resolution No. 99-227 duly adopted by the City Council of the City on April 22, 1999, as amended and supplemented from time to time, and as particularly amended by Resolution No. 2005-559 duly adopted by the City Council of the City on October 20, 2005 and Resolution No. 2008-256 duly adopted by the City Council of the City on May 15, 2008 (the "Master Resolution") and as particularly prospectively amended by Resolution No. 2013-400 duly adopted by the City Council of the City on October 3, 2013 (the "2013 Resolution") and as supplemented by Resolution No. 2015-____ duly adopted by the City Council of the City on _____, 2015 (the "2015 Resolution" and collectively with the Master Resolution and the 2013 Resolution, the "Bond Resolution") and the Constitution and laws of the State of Florida, Chapter 166, Part II, Florida Statutes, Chapter 159, Part I, Florida Statutes, the municipal Charter of the City, and other applicable provisions of law (collectively, the "Act").

The 2013 Resolution contains amendments to the Bond Resolution that will become effective only upon the receipt by the City of certain consents to such amendments, as described herein. The initial purchasers of the 2015 Bonds shall be deemed to have consented to all of such amendments as a result of their purchase of the 2015 Bonds. See "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" herein and APPENDIX E – "Composite of Bond Resolution" attached hereto.

The Bonds are being issued on a parity with the City's Public Utility Refunding Revenue Bonds, Series 2006 outstanding as of October 1, 2015 in the aggregate principal amount of \$49,880,000 (the "2006 Bonds"), the City's Public Utility Revenue Bonds, Series 2009A outstanding as of October 1, 2015 in the aggregate principal amount of \$49,670,000 (the "2009A Bonds"), the City's Public Utility Refunding Revenue Bonds, Series 2009B outstanding as of October 1, 2015 in the aggregate principal amount of \$8,880,000 (the "2009B Bonds"), the City's Taxable Public Utility Revenue Bonds, Series 2010A (Federally Taxable – Build America Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$28,160,000 (the "2010A Bonds"), the City's Taxable Public Utility Revenue Bonds, Series 2010B (Federally Taxable – Recovery Zone Economic Development Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$19,695,000 (the "2010B Bonds"), the City's Public Utility Revenue Bonds, Series 2013A outstanding as of October 1, 2015 in the aggregate principal amount of \$40,760,000 (the "2013A Bonds"), the City's Public Utility Refunding Revenue Bonds, Series 2013B outstanding as of October 1, 2015 in the aggregate principal amount of \$42,685,000 (the "2013B Bonds"), the City's Public Utility Revenue Bonds, Series 2013C currently outstanding as of October 1, 2015 in the aggregate principal amount of \$24,995,000 (the

* Preliminary, subject to change.

"2013C Bonds"), the City's Public Utility Revenue Bonds, Series 2014A outstanding as of October 1, 2015 in the aggregate principal amount of \$34,245,000 (the "2014A Bonds"), and the City's Public Utility Refunding Revenue Bonds, Series 2014B outstanding as of October 1, 2015 in the aggregate principal amount of \$43,230,000 (the "2014B Bonds").

Definitions of certain capitalized words and terms used herein are contained in the "Composite of the Bond Resolution" in APPENDIX E hereto.

The references, excerpts and summaries of all documents referred to herein do not purport to be complete statements of the provisions of such documents, and reference is directed to all such documents for full and complete statements of all matters of fact relating to the 2015 Bonds, the security for the payment of the 2015 Bonds, and the rights and obligations of holders thereof.

The information contained in this Official Statement involving matters of opinion or of estimates, whether or not so expressly stated, are set forth as such and not as representations of fact, and no representation is made that any of the estimates will be realized. Neither this Official Statement nor any statement which may have been made verbally or in writing is to be construed as a contract with the holders of the 2015 Bonds.

PURPOSE OF THE 2015 BONDS

The proceeds of the 2015 Bonds are being used to (i) acquire, construct and erect the 2015 Project (as described below), (ii) to make a deposit into the Reserve Account (see "SECURITY FOR THE BONDS – Reserve Account"), and (iii) to pay certain costs of issuance of the 2015 Bonds.

The 2015 Project

A portion of the proceeds from the issuance of the 2015 Bonds will be used to finance and/or reimburse the acquisition, construction and erection of the 2015 Project. The 2015 Project includes the following projects to the System (as defined herein and as described in APPENDIX C – "Public Utilities System"):

(i) Replacement of existing pipelines and facilities in the Water Treatment and Distribution System at an approximate cost of \$1,235,000;

(ii) Replacement and rehabilitation of the Wastewater Collection System at an approximate cost of \$7,950,000;

(iii) Rehabilitation of existing facilities and enhancement of reliability of treatment processes to Water Reclamation Facilities at an approximate cost of \$16,331,000;

(iv) Rehabilitation of Wastewater Lift Stations at an approximate cost of \$3,500,000; and

(v) The acquisition, construction and erection of improvements to the System to be acquired, constructed and erected in accordance with plans on file at the office of the City, as such plans may be modified from time to time.

DESCRIPTION OF THE 2015 BONDS

General

Principal of, and premium, if any, on the 2015 Bonds are payable at the designated corporate office of the Paying Agent, U.S. Bank National Association, Orlando, Florida, which is also acting as Bond Registrar. The 2015 Bonds will be initially issued in the form of a single fully registered 2015 Bond for each maturity of each series. Upon initial issuance, the ownership of each such 2015 Bond will be registered in the registration books kept by the Bond Registrar, in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). See APPENDIX H – "DTC Information." The 2015 Bonds will be dated the date of delivery, and will bear interest at the rates and mature in the amounts and at the times set forth on the inside cover page of this Official Statement. The 2015 Bonds are to be issued as fully registered bonds in denominations of \$5,000 or integral multiples thereof. Interest will be payable on April 1, 2016, and semiannually thereafter on October 1 and April 1 of each year. Interest on the 2015 Bonds shall be payable by check or draft mailed to the Registered Owners at their addresses as they appear on the registration books of the City maintained by the Bond Registrar; however, in the case of a Registered Owner of \$1,000,000 or more in aggregate principal amount of 2015 Bonds, upon written request of such Registered Owner to the Bond Registrar ten (10) days prior to the Record Date relating to such Interest Payment Date, such interest shall be paid on the Interest Payment Date in immediately available funds by wire transfer, at the expense of the Registered Owner.

With respect to 2015 Bonds registered in the name of Cede & Co., as nominee of DTC, neither the City nor the Paying Agent will have any responsibility or obligation to any DTC Participant or to any indirect DTC Participant. See APPENDIX H – "DTC Information" for the definition of "DTC Participant." Without limiting the immediately preceding sentence, neither the City, the Bond Registrar nor the Paying Agent will have any responsibility or obligation with respect to: (i) the accuracy of the records of DTC or any DTC Participant with respect to any ownership interest in the 2015 Bonds; (ii) the delivery to any DTC Participant or any other person other than a Registered Owner, as shown in the registration books kept by the Bond Registrar, of any notice with respect to the 2015 Bonds, including any notice of redemption; or (iii) the payment to any DTC Participant or any other person, other than a Registered Owner, as shown in the registration books kept by the Bond Registrar, of any amount with respect to principal of, premium, if any, or interest on the 2015 Bonds. The City, the Bond Registrar and the Paying Agent may treat and consider the person in whose name each 2015 Bond is registered in the registration books kept by the Bond Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal of, premium, if any, and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent will pay all principal of, premium, if any, and interest on the 2015 Bonds only to or upon the order of the respective Registered Owners, as shown in the registration books kept by the Bond Registrar, or their respective attorneys duly authorized in writing, as provided in the Bond Resolution, and all such payments will be valid and effectual to satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, and interest on the 2015 Bonds to the extent of the sums so paid. No person other than a Registered Owner, as shown in the registration books kept by the Bond Registrar, will receive a certificated Bond evidencing the obligation of the City to make payments of principal of, premium, if any, and interest on the 2015 Bonds pursuant to the provisions of the Bond Resolution.

Optional Redemption

The 2015 Bonds that mature on or before October 1, 20__ are not subject to redemption prior to their maturities. The 2015 Bonds that mature on or after October 1, 20__, are subject to redemption

beginning October 1, 20__ in whole or in part at any time, in any order of maturities at the option of the City, at a redemption price equal to the principal amount thereof plus accrued interest to the redemption date.

Mandatory Redemption

The 2015 Bonds maturing on October 1, 20__ are subject to mandatory redemption or purchase prior to their stated dates of maturity, in part by lot, in such manner as the City may deem appropriate, from Amortization Installments deposited by the City in the Bond Amortization Account, at the principal amount thereof, unless purchased pursuant to the operation of such Account, plus accrued interest to the redemption date, on October 1 of the years and in the principal amounts, both set forth below:

\$ _____ 2015 Term Bonds Due October 1, 20__ *
Amortization Installments

Mandatory Redemption Date (October 1)	Amount
---	--------

*

*Final Maturity.

Notice of Redemption

At least thirty (30) days prior to the expected redemption date, notice of such redemption shall be filed with the Paying Agent and shall be mailed, postage prepaid to all Registered Owners of the 2015 Bonds to be redeemed at their addresses as they appear on the registration books. Interest shall cease to accrue on any 2015 Bonds duly called for prior redemption, after the redemption date, if payment thereof has been duly provided. The privilege of transfer or exchange of any of the 2015 Bonds selected for redemption is suspended for a fifteen (15) day period preceding the date of selection of the 2015 Bonds to be redeemed. Nothing in the Bond Resolution shall be deemed to require the City to have deposited monies with the Paying Agent or any escrow holder prior to providing such notice of expected redemption.

Any notice of optional redemption given pursuant to the Bond Resolution may state that it is conditional upon receipt by the Paying Agent of moneys sufficient to pay the redemption price, plus interest accrued to the redemption date, or upon the satisfaction of any other condition, or that it may be rescinded upon the occurrence of any other event, and any conditional notice so given may be rescinded at any time before payment of such redemption price and accrued interest if any such condition so specified is not satisfied or if any such other event occurs. Notice of such rescission shall be given by the Paying Agent to affected Registered Owners of 2015 Bonds as promptly as practicable upon the failure of such condition or the occurrence of such other event.

PUBLIC UTILITIES SYSTEM

The Public Utilities System (the "System") includes the treatment, transmission and distribution of potable water; collection, transmission, treatment and effluent disposal of wastewater; storage, pumping, transmission and distribution of reclaimed water; and the collection, transmission and treatment of stormwater to customers within the City and adjacent areas. Also included in the System are the

existing properties and assets, real and personal, tangible and intangible, owned or operated by the City that are used or useful for the aforementioned purposes and all properties and assets constructed or acquired as additions, improvements and betterments to the System and extensions thereof. The System is further described in APPENDIX C hereto.

SECURITY FOR THE BONDS

Net Revenues of the System

The principal, interest, and other payments required for the 2006 Bonds, the 2009A Bonds, the 2009B Bonds, the 2010A Bonds, the 2010B Bonds, the 2013A Bonds, the 2013B Bonds, the 2013C Bonds, the 2014A Bonds, the 2014B Bonds, the 2015 Bonds and any Additional Parity Obligations hereafter issued (collectively the "Bonds") are secured by and payable solely from an irrevocable first lien upon and pledge of the Net Revenues of the System. Net Revenues of the System are the Gross Revenues of the System after deduction of the Cost of Operation and Maintenance. Gross Revenues include all income or earnings derived by the City from the operation of the System, including connection charges, cost recovery for shared treatment facilities, proceeds of the sale, condemnation and/or insurance on the System, and any income from the investment of moneys in the Operating Fund, the Debt Service Fund and the Improvement Fund. Gross Revenues shall also include any special assessments lawfully levied by the City upon users of the System, but shall not include any Impact Fees, federal or state grants, Contributions in Aid of Construction, or the proceeds, if any, from wellfields or property related thereto or property available for use as wellfields and in either case currently owned by the City and located in Pasco or Hillsborough County. Direct Subsidy Payments expected to be received from the United States Treasury Secretary with respect to the 2010A and 2010B Bonds are treated as Gross Revenues under the Bond Resolution and are therefore pledged as a source of security for the Bonds.* In addition, Gross Revenues shall not include any income from the investment of the Operating Reserve Funds. "Cost of Operation and Maintenance" of the System means the current expenses, paid or accrued, of operation, maintenance and repair of the System, as calculated in accordance with sound accounting practice, but shall not include "non-direct" administrative expenses allocated from non-utility system departments (but shall include the cost of billings and collections), payments in lieu of taxes, any reserve for renewals and replacements, extraordinary repairs or any allowance for depreciation. "Cost of Operation and Maintenance" shall also include amounts payable by the City to Tampa Bay Water, a Regional Water Supply Authority ("Tampa Bay Water") or any other supplier of water for the cost of purchased water or the right to receive water. See "Composite of the Bond Resolution" included as APPENDIX E hereto.

The City received a lump sum partial payment of \$93,400,000 pursuant to the sale of the City's water supply facilities to Tampa Bay Water on September 29, 1998. The \$93,400,000 proceeds from the sale of the water supply facilities were transferred to the Operating Reserve Fund pursuant to the Master Resolution. All investment earnings thereon, except as set forth in the next sentence, shall only be used for the purpose of purchasing water for use by the System. The City is restricted by provisions of the Master Resolution as to the use of amounts on deposit in the Operating Reserve Fund to acquire,

* Pursuant to the Sequestration Transparency Act of 2012 (P.L. 112-155) and as required by the Budget Control Act of 2011, the payments authorized for direct-pay bonds, such as the 2010A Bonds and the 2010B Bonds, issued under the Recovery and Reinvestment Act of 2009 are included in the sequestration to reduce the federal deficit by \$1.2 trillion. The Internal Revenue Service's Office of Tax Exempt Bonds has announced that the sequester reduction percentage for Direct Subsidy Payments on or after October 1, 2015 and before October 1, 2016 will be 6.7% of gross interest on 2010A Bonds and 2010B Bonds, estimated to equal approximately \$79,000 on the 2010A Bonds and the 2010B Bonds. The sequester reductions for Fiscal Years 2014 and 2015 were 7.3% and 7.2%, respectively. Payment of debt service on the 2010A Bonds and the 2010B Bonds is not contingent upon receipt by the City of the Direct Subsidy Payments and the City does not expect any such reduction in Direct Subsidy Payments will effect its ability to pay debt service on the 2010A Bonds and the 2010B Bonds.

construct and erect additional facilities for the production of water and the transmission thereof to the System. Amounts on deposit in the Operating Reserve Fund may not be used to pay the principal of or interest on the Bonds.

By Resolution No. 2008-256 adopted by the City Council on May 15, 2008, the Master Resolution was amended to provide that in addition to providing that moneys in the Operating Reserve Fund, including investment earnings thereon, may be used for the purpose of acquiring, constructing and erecting additional facilities for the production of water and the transmission thereof to the System, such moneys may also be used for making interfund loans for a public purpose, subject to approval by the City Council and the written consent of the Credit Facility Issuers. See "Composite of the Bond Resolution" included as APPENDIX E hereto.

The City Council adopted Resolution No. 2008-257 on May 15, 2008 approving an interfund loan of \$8,995,565 from the Operating Reserve Fund. The Credit Facility Issuers both provided their written consents. In connection with the City's issuance of its Excise Tax Refunding Revenue Bonds, Series 1993 (the "Excise Tax Bonds"), the City funded the "1993 Reserve Subaccount" therefore in an amount equal to \$8,995,565 through the purchase of a surety bond from Financial Guaranty Insurance Company ("FGIC"). FGIC has since been downgraded by the rating agencies. Accordingly, the City was required to replace such FGIC surety bond with cash or permitted investments or another surety bond, insurance policy or letter of credit. Based upon the advice of the City's Financial Advisor, the City determined that the most cost effective manner to satisfy such requirement was to replace the surety bond with sufficient cash to meet the "Reserve Requirement" for the Excise Tax Bonds. Accordingly, an interfund loan was made to the 1993 Reserve Account for the Excise Tax Bonds. The proceeds of such interfund loan (\$8,995,565) have been invested in Investment Obligations (as such term is defined in the Resolution for the Excise Tax Bonds). Accordingly, the interest rate on the interfund loan payable to the Operating Reserve Fund is equal to the investment return from the Investment Obligations. The maturity date of such interfund loan is October 1, 2015 and such loan will be repaid to the Operating Reserve Fund from the 1993 Reserve Fund for the Excise Tax Bonds which mature on October 1, 2015.

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Subordinate Lien State Loans

In 1998, the Florida Department of Environmental Protection (the "DEP") developed a State Revolving Fund ("SRF") Loan Program. The City has entered into six (6) State Revolving Fund Loan Agreements for wastewater facilities (the "SRF Agreements"), four (4) with the DEP and two (2) with the Florida Water Pollution Control Financing Corporation (the "Corporation"). The SRF Agreements constitute Subordinate Debt for purposes of the Bond Resolution. The City is required to make semi-annual principal and interest payments on the SRF Loans. There can be no assurance of further federal or state funding for this program.

Completed Loans

<u>Loan Approval Date</u>	<u>Issue Date</u>	<u>Loan Number</u>	<u>Original Loan Amount</u>	<u>Remaining Loan Amount</u>	<u>Interest Rate</u>	<u>Maturity</u>
Apr. 15, 1998	03/15/01	CS120521010	\$13,227,511	\$4,257,975 ⁽¹⁾	3.11-3.18%	09/15/20
May 4, 2000	09/15/03	CS120521020	3,587,494	1,624,003 ⁽²⁾	3.33%	11/15/22
Nov. 27, 2001	09/15/03	CS12052104P	445,776	211,064 ⁽¹⁾	3.05%	09/15/23
Nov. 8, 2001	09/05/04	CS120521030	5,851,730	2,783,515 ⁽¹⁾	2.93-3.05%	09/15/23
Dec. 5, 2003	01/15/04	WW52105L	4,519,117	2,233,112 ⁽³⁾	2.96%	01/15/24
May 18, 2011	05/15/14	WW520600	6,487,184	5,767,401 ⁽²⁾	2.67%	11/15/32
			<u>\$34,118,812</u>	<u>\$16,877,079</u>		

(1) As of September 15, 2015.

(2) As of May 15, 2015.

(3) As of July 15, 2015.

Under the SRF Agreements, the DEP and the Corporation have liens on what is referred to in the SRF Agreements as the "pledged revenues" (the "SRF Loan Pledged Revenues"), such lien being prior and superior to any other lien, pledge or assignment of the SRF Pledged Revenues but is inferior to the lien of the Bonds. For purposes of the SRF Loans, "Pledged Revenues" means the Gross Revenues from the operation of the System after the payment of the Cost of Operation and Maintenance and all annual payments in connection with the Bonds issued under the Bond Resolution.

Bonds Not a Debt of the City

The Bonds shall not be or constitute general obligations or indebtedness of the City as "bonds" within the meaning of the constitution of Florida, but shall be payable solely from and secured by a lien upon and pledge of the Net Revenues as provided in the Bond Resolution. No registered owners shall ever have the right to compel the exercise of the ad valorem taxing power of the City or taxation in any form of any real property therein to pay such principal and interest from any other funds of the City except from the Net Revenues of the System.

Reserve Account

A Reserve Account within the Debt Service Fund has been established by the Bond Resolution to secure the Bonds. Any withdrawals from the Reserve Account or any deficiencies in the Reserve Account shall be subsequently restored from the first moneys available in the Operating Fund, on a pro rata basis after all required current payments for Cost of Operation and Maintenance and all current applications and allocations to the other accounts in the Debt Service Fund, including all deficiencies for prior payments having been made in full. The City may deposit into the Reserve Account an amount such that not less than the Reserve Account Requirement (as defined in the "Composite of the Bond Resolution" in

APPENDIX E) shall be on deposit not later than sixty months after the date of issuance of a series of the Bonds or the date of any such withdrawal from the Reserve Account (assuming equal monthly payments for such sixty month period) or not later than such earlier date as shall be determined by the resolution authorizing such series of Bonds. For any series of Bonds, the City may provide that the difference between the amounts on deposit in the Reserve Account and the Reserve Account Requirement shall be an amount covered by obtaining bond insurance issued by a reputable and recognized municipal bond insurer, by a surety bond, by a letter of credit or any combination thereof or by such other form of credit enhancement as shall be approved by subsequent resolution of the City. Such resolution may also provide for the substitution of such credit enhancement. Moneys in the Reserve Account shall be used only for the purpose of the payment of Amortization Installments, principal of, or interest on the Bonds when the other moneys allocated to the other accounts in the Debt Service Fund are insufficient therefore, and for no other purpose. Investments in the Reserve Account shall be valued on September 30 of each year at their market value. See "Composite of the Bond Resolution – Disposition of Gross Revenues" included as APPENDIX E hereto.

From proceeds of the 2015 Bonds, the City will deposit into the Reserve Account an amount equal to \$ _____ in addition to cash or investments in the amount of \$ _____ already on deposit. Following such deposit, cash and/or Investment Securities in an amount equal to \$ _____ will be on deposit in the Reserve Account.

The City purchased a surety bond from Financial Security Assurance Inc. ("FSA") in 2003 (the "2003 Reserve Policy"). The principal amount of the 2003 Reserve Policy on deposit in the Reserve Account is currently \$2,980,499.80. The 2003 Reserve Policy will terminate on October 1, 2033. FSA was acquired by Assured Guaranty Corp. ("Assured") in July 2009. The insurer financial strength rating of Assured is "A3" (negative outlook) by Moody's Investors Services ("Moody's") and "AA" (stable outlook) by Standard & Poor's Ratings Services ("S&P").

The City purchased a surety bond from MBIA Insurance Corporation ("MBIA") in the amount of \$2,915,963.74 in connection with the issuance of the 2005 Bonds (the "2005 Reserve Policy") and deposited it into the Reserve Account. The 2005 Reserve Policy has a termination date of October 1, 2035 and, along with the 2003 Reserve Policy (which terminates on October 1, 2033), will secure the holders of the 2006 Bonds, the 2009A Bonds, the 2009B Bonds, the 2010A Bonds, the 2010B Bonds, the 2013A Bonds, the 2013B Bonds, the 2013C Bonds, the 2014A Bonds, the 2014B Bonds and the 2015 Bonds. The 2005 Reserve Policy is payable to the Paying Agent on any Interest Payment Date on which a deficiency exists which cannot be cured by funds available in the Debt Service Fund. Upon termination of the 2003 Reserve Policy, the 2005 Reserve Policy together with cash on deposit in the Reserve Account will not meet the Reserve Account Requirement for the Bonds. Accordingly, the City will be required to provide the difference between the amounts on deposit in the Reserve Account and the then Reserve Account Requirement (deficiency estimated to equal \$2,980,499.80 on October 1, 2033) by depositing sufficient money or a surety bond, a letter of credit or any combination thereof, or by such other form of credit enhancement as shall be approved by subsequent resolution of the City. Upon termination of the 2005 Reserve Policy and assuming the above deposit on October 1, 2033, the City will be required to provide the difference between the amounts on deposit in the Reserve Account and the Reserve Account Requirement (deficiency estimated to equal \$263,454.89) by depositing sufficient money or a surety bond, a letter of credit or any combination thereof, or by such other form of credit enhancement as shall be approved by subsequent resolution of the City.

MBIA, Inc., of which MBIA is a bond insurance subsidiary, has restructured its insurance subsidiaries to form a new U.S. public finance-only insurer, MBIA Insurance Corp. of Illinois, renamed National Public Finance Guarantee Corporation ("National"). The insurer financial strength of National is rated "A3" (negative outlook) by Moody's, "AA-" (stable outlook) by S&P and "AA+" (stable outlook) by

KBRA. The City is not required to replace the MBIA surety bond with cash or permitted investments or another surety bond as a result of any further downgrades of National.

As of the issuance of the 2015 Bonds, the Reserve Account Requirement shall equal \$_____ and shall be fully funded.

See "SECURITY FOR THE BONDS – Reserve Account." Also, see "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" and APPENDIX E – "Composite of Bond Resolution" for a description of springing amendments to the Bond Resolution including the ability of the City to create separate subaccounts in the Reserve Account to secure any series of Bonds issued in the future and the amendment to the definition of "Reserve Account Requirement" allowing for it to be set at \$0 as applicable to any such subaccounts if deemed advantageous to be determined upon issuance of such series.

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HISTORICAL SYSTEM REVENUES, EXPENSES AND BOND SERVICE COVERAGE

	Fiscal Years Ended September 30				
	(000's omitted)				
	<u>2010⁽¹⁾</u>	<u>2011⁽¹⁾</u>	<u>2012⁽¹⁾</u>	<u>2013⁽¹⁾</u>	<u>2014⁽¹⁾</u>
Gross Revenues	\$104,214 ⁽³⁾	\$110,235	\$116,214	\$117,231	\$120,820
<u>Less:</u>					
Cost of Operation & Maintenance ⁽²⁾	(77,131) ⁽⁴⁾	(79,970)	(79,347)	(82,257)	(81,212)
Net Revenue Available for Bond Service Requirement	\$27,083	\$30,265	\$36,867	\$34,974	\$39,608
Annual Bond Service Requirement on the Bonds	12,561	14,973 ⁽⁴⁾	17,156 ⁽⁴⁾	17,211 ⁽⁴⁾⁽⁵⁾	19,197 ⁽⁴⁾⁽⁵⁾
Maximum Bond Service Requirement on the Bonds	14,133	17,491	17,490	19,376	20,996
Bond Service Coverage					
Annual Basis ⁽⁵⁾	2.16x	2.02x	2.15x	2.03x	2.06x
Maximum Basis	1.92x	1.73x	2.11x	1.81x	1.89x
Bond Service Coverage Including Subordinate Debt Service:					
Annual Required Debt Service	\$14,504	\$16,916	\$19,099	\$19,394	\$21,564
Maximum Debt Service Requirement	16,076	19,433	19,433	21,273	22,849
Debt Service Coverage ⁽⁶⁾ :					
Annual Basis	1.87x	1.79x	1.93x	1.80x	1.84x
Maximum Basis	1.68x	1.56x	1.90x	1.64x	1.73x

- (1) Derived from audited financial statements included in the City's Annual Comprehensive Financial Reports for the Fiscal Years ended September 30, 2010 through 2014.
- (2) Gross expenses less depreciation, interest and general administrative costs.
- (3) Excludes loss on disposal of capital assets related to prior period adjustments.
- (4) Not reduced by Interest Subsidies received for the 2010A & 2010B Public Utility Revenue Bonds.
- (5) Does not include 2014A Public Utility Revenue Bonds nor the 2014B Public Utility Revenue Bonds as these were issued in October 2014.
- (6) 1.15x is required by the rate covenant in the Bond Resolution for the Senior Bonds.

Source: Department of Finance, City of St. Petersburg, Florida.

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FY 2016 UTILITY RATE STUDY

Burton & Associates (the "Rate Consultant") conducted a comprehensive Water, Wastewater, and Reclaimed Water Utility Rate Study (the "Study") for the City's System that consisted of a Revenue Sufficiency Analysis ("RSA") and Cost of Service Allocation. The Report is included as APPENDIX D and describes in detail the assumptions, procedures, and results of the Study, including the Rate Consultant's conclusions and recommendations.

Rate Consultant's Conclusions and Recommendations

Based upon the RSA presented in the Report and the results presented in the Report, the Rate Consultant reached the following conclusions and recommendations:

[TO COME]

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Projected System Revenues, Expenses and Bond Service Coverage⁽¹⁾

Fiscal Years Ended September 30
(000's omitted)

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Total Operating Revenues					
<u>Less:</u>					
Cost of Operation & Maintenance					
Net Operating Revenue					
Other Revenue Available For Debt Service					
Net Revenue Available For Debt Service					
Annual Bond Service Requirement on the Bonds					
Bond Service Coverage					
Annual Basis ⁽²⁾					
Bond Service Coverage Including Subordinate Debt Service:					
Annual Required Debt Service					
Debt Service Coverage					
Annual Basis					

(1) Derived from the "FY 2016 Utility Rate Study – Appendix A – Schedule 7" included in APPENDIX D hereto. Reference is made to Appendix A – Schedule 7 of the Report for the assumptions for the above table and the footnotes to Schedule 7. For actual debt service see "DEBT SERVICE REQUIREMENTS – Aggregate Debt Service."

(2) 1.15x is required by the rate covenant in the Bond Resolution for the Senior Bonds.

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BOND SERVICE REQUIREMENTS

Date (Oct. 1)	2015 Bonds			Total Debt Service
	Principal	Interest	Debt Service	
2016				
2017				
2018				
2019				
2020				
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				
2033				
2034				
2035				
2036				
2037				
2038				
2039				
2040				
2041				
2042				
2043				
2044				
2045				
Total				

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DEBT SERVICE REQUIREMENTS

Date (Oct. 1)	2006 Bonds Debt Service	2009A Bonds Debt Service	2009B Bonds Debt Service	2010A Bonds Debt Service ⁽¹⁾	2010B Bonds Debt Service ⁽¹⁾	2013A Bonds Debt Service	2013B Bonds Debt Service	2013C Bonds Debt Service	2014A Bonds and 2014B Bonds Debt Service	2015 Bonds Debt Service	Aggregate Debt Service ⁽¹⁾
2016	\$2,639,631.26	\$3,145,031.26	\$3,259,000.00	\$2,091,185.00	\$1,299,870.00	\$2,183,638.76	\$1,961,742.50	\$1,160,823.76	\$4,483,633.76		
2017	2,641,431.26	3,145,031.26	3,263,250.00	2,078,185.00	1,299,870.00	2,183,438.76	1,963,992.50	1,160,823.76	4,481,533.76		
2018	2,642,431.26	3,144,031.26	3,260,250.00	2,078,185.00	1,299,870.00	2,187,238.76	1,965,792.50	1,160,823.76	4,478,083.76		
2019	6,107,631.26	2,987,031.26	--	2,086,170.00	1,299,870.00	2,184,838.76	1,902,142.50	1,660,823.76	4,484,083.76		
2020	6,108,431.26	2,990,231.26	--	2,078,130.00	1,299,870.00	2,186,438.76	1,904,992.50	1,660,823.76	4,477,733.76		
2021	6,107,831.26	2,992,431.26	--	2,072,430.00	1,299,870.00	2,186,838.76	1,902,392.50	1,659,573.76	4,479,383.76		
2022	6,110,631.26	2,997,143.76	--	2,061,040.00	1,299,870.00	2,186,038.76	1,899,492.50	1,662,073.76	4,477,133.76		
2023	6,106,631.26	2,999,800.00	--	2,054,190.00	1,299,870.00	2,187,038.76	1,901,292.50	1,658,073.76	4,480,383.76		
2024	6,110,131.26	3,005,325.00	--	2,031,650.00	1,299,870.00	2,184,038.76	1,899,917.50	1,657,823.76	4,473,633.76		
2025	6,108,956.26	3,004,275.00	--	2,024,110.00	1,299,870.00	2,184,838.76	1,902,130.00	1,661,073.76	4,482,133.76		
2026	6,109,300.00	3,010,975.00	--	2,015,880.00	1,299,870.00	2,184,238.76	1,902,730.00	1,662,573.76	4,479,583.76		
2027	6,109,800.00	3,014,875.00	--	1,994,680.00	1,299,870.00	2,186,488.76	1,902,880.00	1,662,323.76	4,478,133.76		
2028	6,108,025.00	3,016,875.00	--	1,982,880.00	1,299,870.00	2,187,838.76	1,901,305.00	1,660,323.76	4,482,533.76		
2029	--	2,834,875.00	--	1,999,880.00	1,299,870.00	2,187,057.50	8,164,242.50	1,662,386.26	4,481,483.76		
2030	--	2,839,875.00	--	1,983,880.00	1,299,870.00	2,183,562.50	8,162,042.50	1,657,961.26	4,478,183.76		
2031	--	2,847,875.00	--	1,966,680.00	1,299,870.00	2,183,032.50	8,164,042.50	1,661,211.26	4,476,208.76		
2032	--	2,858,625.00	--	1,941,680.00	1,299,870.00	2,185,232.50	8,161,442.50	1,657,711.26	4,478,921.26		
2033	--	2,831,875.00	--	1,945,742.50	1,299,870.00	2,186,032.50	8,164,917.50	1,661,536.26	4,478,183.76		
2034	--	2,849,375.00	--	1,916,992.50	1,299,870.00	2,183,982.50	--	1,468,336.26	12,901,843.76		
2035	--	2,863,875.00	--	1,887,305.00	1,299,870.00	2,184,582.50	--	1,476,886.26	12,901,337.50		
2036	--	9,960,375.00	--	6,111,680.00	1,299,870.00	2,182,895.00	--	1,482,342.50	1,901,437.50		
2037	--	9,974,625.00	--	5,986,680.00	1,299,870.00	2,184,520.00	--	1,490,717.50	1,902,962.50		
2038	--	9,970,200.00	--	5,874,200.00	1,299,870.00	2,183,600.00	--	1,660,592.50	1,902,737.50		
2039	--	9,977,700.00	--	1,872,640.00	5,169,870.00	2,183,000.00	--	1,660,255.00	1,900,762.50		
2040	--	--	--	--	16,869,450.00	2,185,200.00	--	1,660,355.00	1,900,118.76		
2041	--	--	--	--	--	8,120,000.00	--	1,457,980.00	1,902,481.26		
2042	--	--	--	--	--	8,320,000.00	--	1,276,000.00	1,902,668.76		
2043	--	--	--	--	--	--	--	5,230,000.00	1,900,681.26		
2044	--	--	--	--	--	--	--	--	1,901,518.76		
2045	--	--	--	--	--	--	--	--	--		
Total	\$69,010,862.60	\$99,262,331.32	\$9,782,500.00	\$60,136,075.00	\$51,936,330.00	\$71,065,651.38	\$65,727,490.00	\$47,252,230.20	\$123,549,520.24		

(1) Not net of anticipated Direct Subsidy Payments.

ESTIMATED SOURCES AND USES OF FUNDS

The proceeds to be received from the sale of the 2015 Bonds are expected to be applied substantially as follows:

SOURCES

Principal Amount of 2015 Bonds	
Net Original Issue Premium [Discount]	
Total Sources	

USES

Deposit to the 2015 Construction and Acquisition Fund	
Deposit to Reserve Account	
Cost of Issuance ⁽¹⁾	
Total Uses	

(1) Includes the fees and expenses of Bond Counsel, Special Disclosure Counsel, Financial Advisor, Original Purchasers' Discount, printing, ratings, and other associated costs of issuance.

FLOW OF FUNDS

Operating Fund

The Bond Resolution requires that the entire Gross Revenues derived from the operation of the System shall upon receipt thereof be deposited in the Operating Fund. All Gross Revenues at any time remaining on deposit in the Operating Fund shall be disposed of on or before the 25th day of each month, only in the following manner and in the following order of priority:

1. **Cost of Operation and Maintenance.** Gross Revenues shall first be used to pay the Cost of Operation and Maintenance.

2. **Debt Service Fund.** Money remaining in the Operating Fund shall next be deposited into the Debt Service Fund, which fund and which accounts were created and established in the Bond Resolution on a parity with each other:
 - (a) **Interest Account.** Such sum as will be sufficient to pay one-sixth (1/6) of all interest becoming due on the Bonds on the next semiannual Interest Payment Date, together with any payments required to be made under Qualified Agreements (except as provided in the Bond Resolution); provided, however, if the period to elapse between Interest Payment Dates will be other than six months, the monthly deposits to the Interest Account will be adjusted as appropriate.

 - (b) **Principal Account.** Such sum as will be sufficient to pay one-sixth (1/6) of all principal maturing semiannually on the Serial Bonds on the next maturity date and one-twelfth (1/12) of all principal maturing annually on the Serial Bonds on the next maturity date;

provided, however, that if the period between delivery of any Bonds and the first principal maturity date or the period between the principal maturity dates will be other than 6 or 12 months the monthly deposits to pay principal shall be adjusted appropriately.

(c) Bond Amortization Account. If and to the extent required, a sum equal to one-twelfth (1/12) of the amount of any annual Amortization Installment for Term Bonds which shall become due and payable during the next succeeding Bond Year; provided, however, that such deposits shall be subject to adjustment, as appropriate, if the period between Amortization Installments is less than 12 months.

(d) Reserve Account. Money remaining in the Operating Fund shall next be applied to maintain in the Reserve Account in the Debt Service Fund a sum equal to the Reserve Account Requirement for the Bonds. See "SECURITY FOR THE BONDS – Reserve Account." Also, see "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" and APPENDIX E – "Composite of Bond Resolution" for a description of springing amendments to the Bond Resolution including the ability of the City to create separate subaccounts in the Reserve Account to secure any series of Bonds issued in the future and the amendment to the definition of "Reserve Account Requirement" allowing for it to be set at \$0 as applicable to any such subaccounts if deemed advantageous to be determined upon issuance of such series.

3. Operating Reserve Fund. The City shall next deposit into the Operating Reserve Fund such amount as shall be determined by annual budget of the City or as otherwise determined by the City. At any time and from time to time, the City may transfer for deposit into the Operating Reserve Fund to be applied solely for the payment of Cost of Operation and Maintenance. All investment earnings thereon, except as set forth below, shall only be used for the purpose of purchasing water for use by the System. Except as provided in the Bond Resolution, moneys in the Operating Reserve Fund, including investment earnings thereon, may only be used for the purpose of (i) acquiring, constructing and erecting additional facilities for the production of water and the transmission thereof to the water distribution system of the City, or (ii) making interfund loans for a public purpose, subject to approval by the City Council of the City and written consent of the Credit Facility Issuers. In no event shall moneys in the Operating Reserve Fund be used for the payment of principal of and interest on the Bonds.

4. Subordinated Debt Service Fund. The City shall next deposit such amount as is required to be paid as provided in the resolution or ordinance authorizing Subordinated Debt for principal, interest, mandatory redemption payments, if any, and debt service reserve payments, if any, on Subordinated Debt, but for no other purposes. Payments by the City under Qualified Agreements which represent termination payments thereunder shall constitute Subordinated Debt.

5. Improvement Fund. Monthly, the City shall next deposit into the Improvement Fund an amount equal to one-twelfth (1/12) of ten percent (10%) of the average of the Adjusted Net Revenues during the three immediately preceding Fiscal Years. Notwithstanding the foregoing, whenever the unappropriated balance in the Improvement Fund is equal to or greater than five percent (5%) of the average of the Adjusted Net Revenues during the three immediately preceding Fiscal Years, no further deposits shall be required to be made to such Improvement Fund. For purposes of this determination, investments in the Improvement Fund shall be valued at

fair value. Money on deposit in the Improvement Fund shall be used to supplement the Debt Service Fund, if necessary, in order to prevent a default in the payment of the principal of and interest on the Bonds. If not used or needed for such purpose, the money in the Improvement Fund shall next be used only for the purpose of paying the cost of extensions, enlargements or additions to, or the replacement of capital assets of, the System, and repairs thereto, or for the purchase or redemption of Bonds. The money on deposit in the Improvement Fund shall be withdrawn only upon the authorization of the Mayor or his designee. Notwithstanding the foregoing, any excess money in the Improvement Fund shall be deposited in the Operating Fund.

Any money remaining in the Operating Fund, after the above required payments have been made, may be transferred to the City as payments in lieu of taxes. Such transfers in any Fiscal Year shall not exceed fifteen percent (15%) of Gross Revenues of the System received by the City in such Fiscal Year.

The balance of any money remaining in the Operating Fund, after the above required payments have been made, may be used for any lawful purpose relating to the System (including payment of non-direct administrative expenses of the System).

The Operating Fund, the Debt Service Fund (including the Reserve Account and the Bond Amortization Account therein), the Improvement Fund, the Operating Reserve Fund and any other special funds established and created by the Bond Resolution shall constitute trust funds for the purpose provided therein for such funds. Notwithstanding the foregoing or any provision of the Bond Resolution to the contrary, moneys in the Operating Reserve Fund may not be used for the payment of the debt service on the Bonds. The moneys in all such funds shall be continuously secured in the same manner as municipal deposits are authorized to be secured by the laws of the State of Florida and the Code of Ordinances of the City.

Also, see "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" and APPENDIX E – "Composite of Bond Resolution" for a description of springing amendments to the Bond Resolution including the ability of the City to create separate subaccounts in the Reserve Account to secure any series of Bonds issued in the future and the amendment to the definition of "Reserve Account Requirement" allowing for it to be set at \$0 as applicable to any such subaccounts if deemed advantageous to be determined upon issuance of such series.

Investment of Moneys

Money on deposit in the Operating Fund, the Debt Service Fund (including the Reserve Account and the Bond Amortization Account therein), and the Improvement Fund may be invested and reinvested in Investment Securities which mature not later than the dates on which the money on deposit therein will be needed for the purpose of such funds. All income on such investments shall remain in the respective fund or account, except to the extent the Reserve Account Requirement shall be on deposit in the Reserve Account, investment earnings thereon shall be transferred to the Interest Account in the Debt Service Fund.

COVENANTS

Operation and Maintenance

The City will maintain the System and all parts thereof in good condition and will operate the same in an efficient and economical manner, making such expenditures for equipment and for renewals, repairs and replacements as may be proper for the economical operation and maintenance thereof.

Rate Covenant

The City has enacted a rate ordinance, and the City covenants to fix, establish, revise from time to time whenever necessary, maintain and collect always such fees, rates, rentals and other charges for the use of the products, services and facilities of the System which will always provide Adjusted Net Revenues in each year of not less than one hundred fifteen percent (115%) of all Bond Service Requirements becoming due in such year on the outstanding Bonds and on all outstanding Additional Parity Obligations. Such rates, fees, rentals or other charges shall not be reduced so as to be insufficient to provide Revenues for such purposes.

Books and Accounts; Audits

The City shall keep proper books, records and accounts separate and apart from all other records and accounts, showing correct and complete entries of all transactions of the System. The Registered Owners of any of the Bonds or any duly authorized agent or agents of such Registered Owners shall have the right at any and all reasonable times to inspect such books, records and accounts. The City shall, in compliance with the provisions of the laws of the State but not less than once a year, cause the books, records and accounts relating to the collection of the Gross Revenues to be properly audited by a firm of independent certified public accountants licensed in the State of Florida, in accordance with generally accepted accounting principles. Such audit report may be a part of the City's Comprehensive Annual Financial Report.

No Mortgage or Sale of System

The City shall not sell, mortgage, lease or otherwise dispose of or encumber the properties of the System; provided, however, that the City from time to time (i) may sell, lease or otherwise dispose of all the properties comprising the System if simultaneously with such sale or other disposition thereof, provision is made for the payment of cash and/or Federal Securities into the Debt Service Fund, the principal of and interest on which is sufficient to pay the principal of, applicable redemption premium and interest on all Bonds then outstanding in full in accordance with the requirements of the Bond Resolution and any supplemental resolution; (ii) may sell, lease or otherwise dispose of any portion of the properties of the System which shall have become unserviceable, inadequate, obsolete, worn-out, or unfit to be used in the operation of the System or no longer necessary, material to, useful or profitable in such operation; and (iii) may sell, lease or otherwise dispose of any part of the System provided that prior to such sale, lease or disposition: (a) a Qualified Independent Consultant shall make a finding in writing, adopted and confirmed by resolution of the City, determining that such sale, lease, exchange or other disposition will not materially restrict the City's ability to realize Adjusted Net Revenues in compliance with the requirements therefore as set forth in the Bond Resolution, and (b) the City shall declare by resolution that such sale, lease, exchange or other disposition will not materially restrict the City's ability to realize Adjusted Net Revenues in compliance with the requirements therefore as set forth in the Bond Resolution. Each right reserved to the City by the exceptions contained in clauses (i), (ii) and (iii) of the preceding sentence shall not be exclusive of each other right so reserved, but shall be cumulative and shall be in addition to each other right so reserved, and each such right may be exercised without exhausting and without regard to each other right so reserved.

Insurance

The City shall carry insurance on the properties comprising the System of the kinds, against such risks, accidents or casualties, and in at least the amounts which are usually and customarily carried upon similar properties, including, without limiting the generality of the foregoing, fire, extended coverage and general liability, and also all additional insurance covering such risks as shall be deemed necessary or

desirable by the City; provided, however, that in lieu of carrying such insurance, the City may self-insure to the extent customary with utilities operating like properties or to the extent that the City determines by resolution based upon a recommendation of the Insurance Consultant that it is in the best economic interest of the System for the City to self insure. In the event of any loss or damage to the properties of the System covered by insurance, the City shall with respect to such loss, promptly repair and reconstruct to the extent necessary for the proper conduct of the operations of the System, the lost or damaged portion thereof, and shall apply the proceeds of any insurance policy or policies covering such loss or damage for that purpose to the extent required therefor, unless such repair and reconstruction is not necessary for the efficient operation of the System.

No Free Service

So long as any Bonds are outstanding, the City shall not furnish or supply the facilities, services and commodities of the System free of charge to any person, firm or corporation, public or private. To the full extent permitted or authorized by law, the City shall promptly enforce the payment of any and all accounts owing to the City and delinquent, by discontinuing service or by filing suits, actions or proceedings, or by both discontinuance of service and filing suit. Notwithstanding the foregoing, the City shall not be required to impose any fees or charges for the use of water for fire control.

Enforcement of Collections

The City will diligently enforce and collect the rates, fees and other charges for the services and facilities of the System pledged in the Bond Resolution; will take all steps, actions and proceedings for the enforcement and collection of such rates, charges and fees as shall become delinquent to the full extent permitted or authorized by law; and will maintain accurate records with respect thereof. All such fees, rates, charges and revenues pledged by the Bond Resolution shall, as collected, be held in trust to be applied as provided therein.

ADDITIONAL PARITY OBLIGATIONS

The 2015 Bonds are "Additional Parity Obligations" under the Bond Resolution. The Bond Resolution states that no Additional Parity Obligations, payable on a parity from the Net Revenues with the 2015 Bonds, the 2014A Bonds, the 2014B Bonds, the 2013A Bonds, the 2013B Bonds, the 2013C Bonds, the 2010A Bonds, the 2010B Bonds, the 2009A Bonds, the 2009B Bonds, and the 2006 Bonds shall be issued except upon the conditions and in the manner specified in the Bond Resolution. The Finance Director shall certify that at the time of the issuance of the Additional Parity Obligations: (i) the City is not in default of any of the provisions, covenants and agreements of the Bond Resolution and (ii) the Adjusted Net Revenues during any twelve of the past twenty-four months preceding the date on which the Additional Parity Obligations are to be issued shall have been equal to not less than 1.15 times the Maximum Bond Service Requirement on all outstanding Bonds plus the Additional Parity Obligations proposed to be issued, during any Fiscal Year in which Additional Parity Obligations proposed to be issued will be outstanding. If any changes have been made and are in effect at the time of the issuance of the Additional Parity Obligations in the rates and charges for the services, facilities and commodities of the System which were not in effect during all or any part of the twenty-four months next preceding the Fiscal Year in which the Additional Parity Obligations are to be issued, the Adjusted Net Revenues for such period shall be further adjusted by the Finance Director to reflect any changes which would have occurred in the Adjusted Net Revenues if the changes in the rates and charges had been in effect during all of the period. If any improvements have been made to the System which were not in service during all or any part of the twenty-four months next preceding the Fiscal Year in which the Additional Parity Obligations are to be issued, the Adjusted Net Revenues shall be further adjusted by the Finance Director to reflect any changes in the Adjusted Net Revenues as if such improvements had been in service during

all of such period. If the City has acquired by purchase, annexation, condemnation or otherwise facilities which have become a part of the System during all or any part of the twenty-four months next preceding the Fiscal year in which the Additional Parity Obligations are to be issued, the Adjusted Net Revenues shall be further adjusted by the Finance Director to reflect any changes in the Adjusted Net Revenues as if such facilities had been a part of the System during all of such period. If the purpose for which the Additional Parity Obligations are to be issued is to acquire by purchase, annexation, condemnation or otherwise facilities which will become a part of the System and/or to expand service to such facilities and customers, the Adjusted Net Revenues shall be further adjusted by the Finance Director to reflect any changes in the Adjusted Net Revenues as if such facilities had been a part of the System during all of the twenty-four months next preceding the Fiscal Year in which the Additional Parity Obligations are to be issued. If the purpose for which the Additional Parity Obligations are to be issued is to acquire or construct additions, extensions or improvements to the System for the provision of the services, facilities and commodities thereof to a person for the furnishing by such person of such services, facilities and commodities to its inhabitants, pursuant to an agreement between the City and such person, the Adjusted Net Revenues for the twenty-four months next preceding the Fiscal Year in which the Additional Parity Obligations are to be issued shall be further adjusted by the Finance Director by adding the average of the amount of the increase in the Adjusted Net Revenues estimated to be derived pursuant to such agreement during each of the three Fiscal Years next succeeding the date upon which the additions, improvements and extensions are anticipated to be ready for use.

The City need not comply with the provisions set forth above if and to the extent the Bonds to be issued are refunding bonds, that is, delivered in lieu of or in substitution for, or to provide for the payment of one or more Series of Bonds or portions thereof, provided that the Maximum Bond Service Requirement on the refunding bonds shall not exceed the Maximum Bond Service Requirement on the Bonds being refunded.

AMENDMENT OF BOND RESOLUTION

The City, from time to time and at any time without the consent or concurrence of any Registered Owner of any Bond, may adopt a resolution amendatory to the Bond Resolution or supplemental thereto, if the provisions of such supplemental resolution shall not adversely affect the rights of the Registered Owners of the Bonds then outstanding, for among other purposes, to provide such changes which, in the opinion of the City, based upon such certificates and opinions of the independent certified public accountants, Bond Counsel, financial advisors or other appropriate advisors as the City may deem necessary or appropriate, if the provisions of such supplemental resolution shall not adversely affect the rights of the Registered Owners. For the specific purposes for an amended or supplemental resolution, see "Composite of the Bond Resolution – Amending and Supplementing of Bond Resolution Without Consent of Registered Owners" in APPENDIX E hereto.

Except as set forth in the preceding paragraph, no material modification or amendment of the Bond Resolution may be made without the consent in writing of the Registered Owners of fifty-one percent or more in principal of Bonds of each series so affected and then outstanding. For the specifics for such modification or amendment, see "Composite of the Bond Resolution – Amendment of Bond Resolution With Consent of Registered Owners" in APPENDIX E hereto. For purposes of amendment of the Bond Resolution with the consent of any Registered Owner of any Bond, to the extent any Bonds are secured by a Credit Facility and such Bonds are then rated in one of the two highest Rating Categories (without regard to gradation) by any Rating Agency, then the consent of the Credit Facility Issuer shall be deemed to constitute the consent of the Registered Owner of such Bonds and in such case no consent of the Registered Owners of such Bonds shall be required; provided, however, a copy of such amendments shall be provided to such rating agencies not less than thirty (30) days prior to the effective date thereof.

PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION

The City desires to implement springing amendments which modify certain provisions of the Bond Resolution in the future. Specifically, the Bond Resolution contains various amendments which will only become effective upon receipt of consent of not less than 51% of the owners of the outstanding Bonds and to the extent required, the consent of National which currently has outstanding its municipal bond insurance policy (insuring the 2006 Bonds) and its 2005 Reserve Policy on deposit in the Reserve Account, and the consent of Assured which currently has outstanding its 2003 Reserve Policy on deposit in the Reserve Account. Purchasers of the 2015 Bonds, by acceptance of the 2015 Bonds, will be deemed to have expressly and irrevocably consented to these amendments in writing. To date, the City has not solicited any consents to such amendments from National or Assured or any Bondholders other than the holders of the 2013C Bonds, the 2014A Bonds, the 2014B Bonds and purchasers of the 2015 Bonds, and currently has no intention of soliciting such consents. Whether such amendments become effective while the 2015 Bonds remain outstanding is dependent upon the amount of Bonds that may be issued by the City in the future, the timing of such issuances, and whether or not the City obtains consents to such amendments from National and Assured, and/or until the 2006 Bonds insured by National are no longer outstanding, the 2003 Reserve Policy issued by Assured is no longer outstanding and on deposit in the Reserve Account and/or the 2005 Reserve Policy issued by National is no longer outstanding and on deposit in the Reserve Account. The holders of the 2015 Bonds will not be notified as to when such amendments will have become effective, and should assume that they will become effective while the 2015 Bonds remain outstanding. Such amendments are generally described below:

1. The Bond Resolution shall be amended to provide the City with the ability to establish separate subaccounts in the Reserve Account.

2. The definition of "Reserve Account Requirement" shall be amended to read as follows: "Reserve Account Requirement" shall be the lesser of (i) the Maximum Bond Service Requirement with respect to Bonds secured by the Reserve Account and/or any subaccount created therein; (ii) 125% of the average annual Bond Service Requirement with respect to Bonds secured by the Reserve Account and/or any subaccount created therein; or (iii) the maximum amount as shall not adversely affect the exclusion of interest on the Bonds from the gross income of the holders thereof for purposes of Federal income taxation with respect to Bonds secured by the Reserve Account and/or any subaccount created therein; provided, however, the Issuer may establish by supplemental resolution a different Reserve Account Requirement for a subaccount of the Reserve Account which secures a series of Bonds pursuant to the Bond Resolution."

PROSPECTIVE PURCHASERS OF THE 2015 BONDS SHOULD REVIEW ALL OF THE SPRINGING AMENDMENTS IN APPENDIX E – "COMPOSITE OF THE BOND RESOLUTION" ATTACHED HERETO FOR THE COMPLETE TEXT OF THE ABOVE-REFERENCED AMENDMENTS.

FUTURE FINANCINGS

The City currently anticipates issuing Additional Parity Obligations and/or Subordinate Debt in one or more series over the next five Fiscal Years in the approximate principal amount of \$ _____, which includes the 2015 Bonds.

INVESTMENT POLICY

The City's investments are presently under the day to day control of the City's Finance Director. The City Council has established a formal investment policy governing the investment activity of the City

and including all available funds in excess of the amounts needed to meet short-term expenses. The investment policy does not apply to pension funds, trust funds or funds related to the issuance of debt where there are other existing policies, bond resolutions or indentures in effect. The investment policy does not permit leveraging of investments.

SWAP MANAGEMENT POLICY

The City has not entered into any interest rate swaps or other derivative transactions. The City does not plan to utilize interest rate swaps or enter into derivative transactions.

FINANCIAL STATEMENTS

The general purpose financial statements of the City for the Fiscal Year ended September 30, 2014, included in APPENDIX B to this Official Statement, have been audited by Mayer Hoffman McCann P.C., Clearwater, Florida, Independent Certified Public Accountants, whose report thereon also appears in APPENDIX B. Such financial statements, including the auditor's report, have been included in this Official Statement as public documents and Mayer Hoffman McCann P.C. has not performed any procedures subsequent to the date of its report. The auditors have not performed any services related to, and therefore are not associated with, the preparation of this Official Statement.

PENSION PLANS AND OTHER POST EMPLOYMENT BENEFITS

The City maintains three separate single employer defined benefit retirement systems (General Employees, Police and Fire) covering full-time City employees. For the fiscal year ended September 30, 2014, the City contributed \$13,420,066, \$11,121,987 and \$8,841,331 to the General Employees, Police and Fire retirement systems, respectively. See Note 18 to the City's General Purpose Financial Statements set forth in Appendix B hereto for more information on the City's pension plans and how to obtain additional information on the City's plans.

The City contributes to a defined contribution plan (the "401a Plan"), established by City Ordinance for exempt management employees and employees not covered by a collective bargaining agreement who have waived membership in the General Employees' Retirement System, of which 90 have so chosen. The plan is administered by International City Management Association Retirement Corporation. The 401a Plan participants fully vest upon eligibility to participate. The City contributes to the 401a Plan account for participants at a rate which is approved by City Council. The total City contribution to the 401a Plan for the fiscal year ended September 31, 2014 was \$1,060,651 or 11% of covered payroll.

The City provides a medical benefits plan that it makes available to its retirees. See Note 20 to the City's General Purpose Financial Statements set forth in Appendix B hereto for more information regarding the "post retirement health benefits" plan and the City's actuarial accrued liability thereunder.

TAX MATTERS

General

The Internal Revenue Code of 1986, as amended (the "Code") establishes certain requirements which must be met subsequent to the issuance of the 2015 Bonds in order that interest on the 2015 Bonds be and remain excluded from gross income for purposes of federal income taxation. Non-compliance may cause interest on the 2015 Bonds to be included in federal gross income retroactive to the date of issuance of the 2015 Bonds, regardless of the date on which such non-compliance occurs or is ascertained. These

requirements include, but are not limited to, provisions which prescribe yield and other limits within which the proceeds of the 2015 Bonds and the other amounts are to be invested and require that certain investment earnings on the foregoing must be rebated on a periodic basis to the Treasury Department of the United States. The City has covenanted in the Bond Resolution with respect to the 2015 Bonds to comply with such requirements in order to maintain the exclusion from federal gross income of the interest on the 2015 Bonds.

In the opinion of Bond Counsel, assuming compliance with certain covenants, under existing laws, regulations, judicial decisions and rulings, interest on the 2015 Bonds is excluded from gross income for purposes of federal income taxation. Interest on the 2015 Bonds is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals or corporations; however, interest on the 2015 Bonds may be subject to the federal alternative minimum tax when any 2015 Bond is held by a corporation. The federal alternative minimum taxable income of a corporation must be increased by seventy-five percent (75%) of the excess of such corporation's adjusted current earnings over its alternative minimum taxable income (before this adjustment and the alternative tax net operating loss deduction). "Adjusted Current Earnings" will include interest on the 2015 Bonds.

Except as described above, Bond Counsel will express no opinion regarding other federal income tax consequences resulting from the ownership of, receipt or accrual of interest on, or disposition of 2015 Bonds. Prospective purchasers of 2015 Bonds should be aware that the ownership of 2015 Bonds may result in collateral federal income tax consequences, including (i) the denial of a deduction for interest on indebtedness incurred or continued to purchase or carry 2015 Bonds; (ii) the reduction of the loss reserve deduction for property and casualty insurance companies by fifteen percent (15%) of certain items, including interest on 2015 Bonds; (iii) the inclusion of interest on 2015 Bonds in earnings of certain foreign corporations doing business in the United States for purposes of the branch profits tax; (iv) the inclusion of interest on 2015 Bonds in passive income subject to federal income taxation of certain Subchapter S corporations with Subchapter C earnings and profits at the close of the taxable year; and (v) the inclusion of interest on 2015 Bonds in "modified adjusted gross income" by recipients of certain Social Security and Railroad Retirement benefits for the purposes of determining whether such benefits are included in gross income for federal income tax purposes.

As to questions of fact material to the opinion of Bond Counsel, Bond Counsel will rely upon representations and covenants made on behalf of the City, certificates of appropriate officers and certificates of public officials (including certifications as to the use of proceeds of the 2015 Bonds and of the property financed or refinanced thereby), without undertaking to verify the same by independent investigation.

PURCHASE, OWNERSHIP, SALE OR DISPOSITION OF THE 2015 BONDS AND THE RECEIPT OR ACCRUAL OF THE INTEREST THEREON MAY HAVE ADVERSE FEDERAL TAX CONSEQUENCES FOR CERTAIN INDIVIDUAL AND CORPORATE BONDHOLDERS, INCLUDING, BUT NOT LIMITED TO, THE CONSEQUENCES DESCRIBED ABOVE. PROSPECTIVE BONDHOLDERS SHOULD CONSULT WITH THEIR TAX SPECIALISTS FOR INFORMATION IN THAT REGARD.

Information Reporting and Backup Withholding

Interest paid on tax-exempt bonds such as the 2015 Bonds is subject to information reporting to the Internal Revenue Service in a manner similar to interest paid on taxable obligations. This reporting requirement does not affect the excludability of interest on the 2015 Bonds from gross income for federal income tax purposes. However, in conjunction with that information reporting requirement, the Code subjects certain non-corporate owners of 2015 Bonds, under certain circumstances, to "backup

withholding" at the rate specified in the Code, with respect to payments on the 2015 Bonds and proceeds from the sale of 2015 Bonds. Any amount so withheld would be refunded or allowed as a credit against the federal income tax of such owner of 2015 Bonds. This withholding generally applies if the owner of 2015 Bonds (i) fails to furnish the payor such owner's social security number or other taxpayer identification number ("TIN"), (ii) furnished the payor an incorrect TIN, (iii) fails to properly report interest, dividends, or other "reportable payments" as defined in the Code, or (iv) under certain circumstances, fails to provide the payor or such owner's securities broker with a certified statement, signed under penalty of perjury, that the TIN provided is correct and that such owner is not subject to backup withholding. Prospective purchasers of the 2015 Bonds may also wish to consult with their tax advisors with respect to the need to furnish certain taxpayer information in order to avoid backup withholding.

Other Tax Matters

During recent years, legislative proposals have been introduced in Congress, and in some cases enacted, that altered certain federal tax consequences resulting from the ownership of obligations that are similar to the 2015 Bonds. In some cases, these proposals have contained provisions that altered these consequences on a retroactive basis. Such alteration of federal tax consequences may have affected the market value of obligations similar to the 2015 Bonds. From time to time, legislative proposals are pending which could have an effect on both the federal tax consequences resulting from ownership of the 2015 Bonds and their market value. No assurance can be given that legislative proposals will not be enacted that would apply to, or have an adverse effect upon, the 2015 Bonds. For example, in connection with federal deficit reduction, job creation and tax law reform efforts, proposals have been and others are likely to be made that could significantly reduce the benefit of, or otherwise affect, the exclusion from gross income of interest on obligations like the 2015 Bonds. There can be no assurance that any such legislation or proposal will be enacted, and if enacted, what form it may take. The introduction or enactment of any such legislative proposals may affect, perhaps significantly, the market price for, or marketability of, the 2015 Bonds.

Prospective purchasers of the 2015 Bonds should consult their own tax advisors as to the tax consequences of owning the 2015 Bonds in their particular state or local jurisdiction and regarding any pending or proposed federal or state tax legislation, regulations or litigation, as to which Bond Counsel expresses no opinion.

Tax Treatment of Original Issue Discount

Under the Code, the difference between the maturity amount of the 2015 Bonds maturing on October 1, 20__ through October 1, 20__, inclusive (collectively, the "Discount Bonds"), and the initial offering price to the public, excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers, at which price a substantial amount of the Discount Bonds of the same maturity and, if applicable, interest rate, was sold is "original issue discount." Original issue discount will accrue over the term of the Discount Bonds at a constant interest rate compounded periodically. A purchaser who acquires the Discount Bonds in the initial offering at a price equal to the initial offering price thereof to the public will be treated as receiving an amount of interest excludable from gross income for federal income tax purposes equal to the original issue discount accruing during the period he or she holds the Discount Bonds, and will increase his or her adjusted basis in the Discount Bonds by the amount of such accruing discount for purposes of determining taxable gain or loss on the sale or disposition of the Discount Bonds. The federal income tax consequences of the purchase, ownership and redemption, sale or other disposition of the Discount Bonds which are not purchased in the initial offering at the initial offering price may be determined according to rules which differ from those above. Bondholders of the Discount Bonds should consult their own tax advisors with respect to the

precise determination for federal income tax purposes of interest accrued upon sale, redemption or other disposition of the Discount Bonds and with respect to the state and local tax consequences of owning and disposing of the Discount Bonds.

Tax Treatment of Bond Premium

The difference between the principal amount of the 2015 Bonds maturing on October 1, 20__ through October 1, 20__, inclusive (collectively, the "Premium Bonds"), and the initial offering price to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at which price a substantial amount of such Premium Bonds of the same maturity and, if applicable, interest rate, was sold constitutes to an initial purchaser amortizable bond premium which is not deductible from gross income for federal income tax purposes. The amount of amortizable bond premium for a taxable year is determined actuarially on a constant interest rate basis over the term of each of the Premium Bonds, which ends on the earlier of the maturity or call date for each of the Premium Bonds which minimizes the yield on such Premium Bonds to the purchaser. For purposes of determining gain or loss on the sale or other disposition of a Premium Bond, an initial purchaser who acquires such obligation in the initial offering is required to decrease such purchaser's adjusted basis in such Premium Bond annually by the amount of amortizable bond premium for the taxable year. The amortization of bond premium may be taken into account as a reduction in the amount of tax-exempt income for purposes of determining various other tax consequences of owning such Premium Bonds. Bondholders of the Premium Bonds are advised that they should consult with their own tax advisors with respect to the state and local tax consequences of owning such Premium Bonds.

RATINGS

Moody's Investors Service, Inc. ("Moody's") and Fitch Ratings ("Fitch") have assigned their municipal bond ratings of "___" (___ outlook) and "___" (___ outlook), respectively, to the 2015 Bonds. An explanation of the significance of the ratings may be obtained only from Moody's and Fitch. There is no assurance that the ratings will be in effect for any given period of time or that they will not be revised downward, suspended or withdrawn entirely by either Moody's and/or Fitch, if in their, or its judgment, circumstances so warrant. Any such downward revision, suspension or withdrawal of the ratings given the 2015 Bonds may have an adverse effect on the liquidity or market price of the 2015 Bonds.

LITIGATION

In the opinion of the City Attorney or his designee, there is no litigation now pending or threatened (i) to restrain or enjoin the issuance or sale of the 2015 Bonds or (ii) questioning or affecting the validity of the 2015 Bonds, the Bond Resolution or the pledge of the Net Revenues of the System by the City or the proceedings for the authorization, sale, execution or delivery of the 2015 Bonds.

The City is involved in certain litigation and disputes incidental to its operations. Upon the basis of information presently available, the City Attorney or his designee believes that there are substantial defenses to such litigation and disputes and that, in any event, any ultimate liability, in excess of available self insurance revenues, resulting therefrom will not materially adversely affect the financial position or results of operations of the City.

ENFORCEABILITY OF REMEDIES

The remedies available to the Registered Owners of the 2015 Bonds upon an event of default under the Bond Resolution, the 2003 Reserve Policy and the 2005 Reserve Policy are in many respects

dependent upon judicial actions which are often subject to discretion and delay. Under existing constitutional and statutory law and judicial decisions, including specifically Title II of the United States Code, the remedies specified by the federal bankruptcy code, the Bond Resolution, the 2003 Reserve Policy, the 2005 Reserve Policy and the 2015 Bonds may not be readily available or may be limited. The various legal opinions to be delivered concurrently with the delivery of the 2015 Bonds (including Bond Counsel's approving opinion) will be qualified, as to the enforceability of the various legal instruments, by limitations imposed by bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors enacted before or after such delivery.

CERTAIN LEGAL MATTERS

Certain legal matters in connection with the issuance of the 2015 Bonds are subject to the approval of Bryant Miller Olive P.A., Tampa, Florida, Bond Counsel, whose approving opinion will be available at the time of delivery of the 2015 Bonds and will be printed on such 2015 Bonds. The proposed form of Bond Counsel opinion is attached hereto as APPENDIX F and reference is made to such form of opinion for the complete text thereof. Certain legal matters will be passed upon for the City by Jacqueline M. Kovilaritch, Esq., City Attorney, or his designee, and GrayRobinson, P.A., Tampa, Florida, Special Disclosure Counsel.

Bond Counsel has not been engaged to, nor has it undertaken to, review (1) the accuracy, completeness or sufficiency of this Official Statement or any other offering material relating to the 2015 Bonds; provided, however, that Bond Counsel will render an opinion to the Original Purchasers of the 2015 Bonds relating to the accuracy of certain statements contained herein and under the heading "TAX MATTERS" and certain statements which summarize provisions of the Bond Resolution and the 2015 Bonds, or (2) the compliance with any federal or state securities law with regard to the sale or distribution of the 2015 Bonds.

DISCLOSURE REQUIRED BY FLORIDA BLUE SKY REGULATIONS

Rule 3E-400.003, rules of Government Securities, promulgated by the Florida Department of Banking and Finance, division of Securities, under Section 517.051, Florida Statutes ("Rule 3E-400.003") requires that the City make a full and fair disclosure of any bonds or other debt obligations that it has issued or guaranteed and that are or have been in default as to principal or interest at any time after December 31, 1975 (including bonds or other debt obligations for which it has served only as a conduit issuer such as industrial development or private activity bonds issued on behalf of private businesses). Rule 3E-400.003 further provides that if the City in good faith believes that such disclosures would not be considered material by a reasonable investor, such disclosures may be omitted. The City is not, and has not since December 31, 1975, been in default as to principal and interest on bonds or other debt obligations for which ad valorem or non-ad valorem revenues of the City are pledged. Pursuant to Rule 3E-400.003, no investigation of possible defaults by conduit issuers of bonds was made by the City because such information is not considered to be material to a reasonable investor of 2015 Bonds as the City is not obligated to pay principal and/or interest on such bonds.

ORIGINAL PURCHASERS

The 2015 Bonds are being purchased by _____ (the "Original Purchaser"). The Original Purchaser has agreed to purchase the 2015 Bonds at an aggregate purchase price of \$ _____ (which includes the Original Purchaser's underwriting discount of \$ _____ plus [less] a net original issue premium [discount] of \$ _____).

ADVISORS AND CONSULTANTS

The City has retained certain advisors and consultants in connection with the issuance of the 2015 Bonds. These advisors and consultants may be compensated from a portion of the proceeds of the 2015 Bonds, identified as "Costs of Issuance" under the heading "ESTIMATED SOURCES AND USES OF FUNDS" herein; and their compensation is, in some instances, contingent upon the issuance of the 2015 Bonds and the receipt of the proceeds thereof.

Financial Advisor. The City has retained Public Financial Management, Inc., Orlando, Florida, as Financial Advisor in connection with the authorization and issuance of the 2015 Bonds. While the Financial Advisor has participated in the preparation of portions of this Official Statement, it has not been engaged and is not obligated to undertake, and has not undertaken to make, an independent verification of the accuracy, completeness, or fairness of the information contained in this Official Statement.

Bond Counsel. Bryant Miller Olive P.A., Tampa, Florida, represents the City as Bond Counsel with respect to the issuance of the 2015 Bonds.

Special Disclosure Counsel. GrayRobinson, P.A., Tampa, Florida, represents the City as Special Disclosure Counsel with respect to the issuance of the 2015 Bonds. As Special Disclosure Counsel, GrayRobinson, P.A. is not obligated to undertake, and has not undertaken to make, an independent verification of the accuracy, completeness, or fairness of the information contained in the Official Statement.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of bondholders to provide certain financial information and operating data relating to the System and the 2015 Bonds in each year (the "Annual Report"), and to provide notices of the occurrence of certain enumerated material events. Such covenant shall only apply so long as the 2015 Bonds remain outstanding under the Bond Resolution. The covenant shall also cease upon the termination of the continuing disclosure requirements of Securities and Exchange Commission Rule 15c2-12(b)(5) (the "Rule") by legislative, judicial or administrative action. The Annual Report will be filed by the City as required with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System ("EMMA").

The City has retained Digital Assurance Certification, L.L.C. ("DAC") as its dissemination agent. The specific nature of the information to be contained in the Annual Report and the notices of material events are described in APPENDIX G – "Form of Disclosure Dissemination Agent Agreement," which shall be executed by the City and DAC at the time of issuance of the 2015 Bonds. These covenants have been made in order to assist the Original Purchaser(s) in complying with the Rule.

With respect to the 2015 Bonds, no party other than the City is obligated to provide, nor is expected to provide, any continuing disclosure information with respect to the Rule. The City has not failed to comply in all material respects with its continuing disclosure undertakings pursuant to the Rule during the last five (5) years. However, a review of filings made pursuant to prior undertakings indicated that certain filings did not include all the operating information specifically required. Upon realizing the failure to comply, the City reported such circumstances in accordance with the requirements of the Rule, and as of December 3, 2012 had cured such failure. In the years 2010, 2011, 2012, 2013 and 2014, the City was not notified by National Public Finance Guarantee Corp. (formerly MBIA Insurance Corporation) nor the municipal rating agencies of rating downgrades/upgrades with respect to the City's outstanding Public Utility Refunding Revenue Bonds, Series 2006 and Public Utility Revenue Bonds, Series 2005 by Moody's and S&P and accordingly failed to file notices thereof. In the years 2010, 2011,

2013 and 2014, the City was also not notified by Assured Guaranty Municipal Corp. (formerly FSA) nor the municipal rating agencies of rating downgrades/upgrades with respect to the City's outstanding Professional Sports Facility Sales Tax Refunding Revenue Bonds, Series 2003 by Fitch, Moody's and S&P and accordingly failed to file notices thereof. DAC as the City's dissemination agent filed a notice with EMMA that indicates the current ratings of the municipal bond insurers which insure such outstanding bonds of the City. The City fully anticipates satisfying all future disclosure obligations required pursuant to the Rule.

MISCELLANEOUS

The references, excerpts and summaries of all documents referred to herein do not purport to be complete statements of the provisions of such documents, and reference is directed to all such documents for full and complete statements of all matters of fact relating to the 2015 Bonds, the security for the payment of the 2015 Bonds, and the rights and obligations of holders thereof.

The information contained in this Official Statement involving matters of opinion or of estimates, whether or not so expressly stated, are set forth as such and not as representations of fact, and no representation is made that any of the estimates will be realized. Neither this Official Statement nor any statement which may have been made verbally or in writing is to be construed as a contract with the holders of the 2015 Bonds.

The execution and delivery of this Official Statement by its Mayor and its Finance Director have been duly authorized by the City Council.

CITY OF ST. PETERSBURG, FLORIDA

Richard D. Kriseman
Mayor

Anne A. Fritz
Finance Director

APPENDIX A

General Description of the City and Selected Statistics

APPENDIX B

General Purpose Financial Statements

APPENDIX C

Public Utilities System

APPENDIX D

FY 2016 Utility Rate Study

APPENDIX E

Composite of the Bond Resolution

APPENDIX F

Form of Proposed Bond Counsel Opinion

APPENDIX G

Form of Disclosure Dissemination Agent Agreement

APPENDIX H

DTC Information

Book-Entry Only System

The information under this caption concerning The Depository Trust Company, New York, New York ("DTC") and DTC's book entry system has been obtained from DTC and the City makes no representation or warranty or takes any responsibility for the accuracy or completeness of such information.

DTC will act as securities depository for the 2015 Bonds. The 2015 Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered certificate will be issued for each maturity of each series of the 2015 Bonds and deposited with DTC.

DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants (the "Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions, in deposited securities, through electronic computerized book entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's of rating AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of the 2015 Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for such 2015 Bonds on DTC's records. The ownership interest of each actual purchaser of each 2015 Bond (the "Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the 2015 Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the 2015 Bonds, except in the event that use of the book entry system for the 2015 Bonds is discontinued.

To facilitate subsequent transfers, all 2015 Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co. or such other name as may be requested by an authorized representative of DTC. The deposit of 2015 Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the 2015 Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such 2015 Bonds are credited, which

may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of the 2015 Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the 2015 Bonds, such as redemptions, tenders, defaults, and proposed amendments to the Bond Resolution. For example, Beneficial Owners of the 2015 Bonds may wish to ascertain that the nominee holding the 2015 Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Bond Registrar and request that copies of the notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of a maturity of the 2015 Bonds are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such 2015 Bonds to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the 2015 Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the City as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts 2015 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds, distributions, and interest payments on the 2015 Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts, upon DTC's receipt of funds and corresponding detail information from the City or the Paying Agent, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the City, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the City or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the 2015 Bonds at any time by giving reasonable notice to the City or the Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, 2015 Bonds are required to be printed and delivered.

The City may, pursuant to the procedures of DTC, decide to discontinue use of the system of book entry-only transfers through DTC (or a successor securities depository). In that event, the 2015 Bonds will be printed and delivered to DTC.

SO LONG AS CEDE & CO. IS THE REGISTERED OWNER OF THE 2015 BONDS, AS NOMINEE OF DTC, REFERENCES HEREIN TO THE HOLDER OF THE 2015 BONDS OR REGISTERED OWNERS OF THE 2015 BONDS SHALL MEAN CEDE & CO. AND SHALL NOT MEAN THE BENEFICIAL OWNERS OF THE 2015 BONDS.

The City can make no assurances that DTC will distribute payments of principal of, redemption premium, if any, or interest on the 2015 Bonds to the Direct Participants, or that Direct and Indirect Participants will distribute payments of principal of, redemption price, if any, or interest on the 2015 Bonds or redemption notices to the Beneficial Owners of such 2015 Bonds or that they will do so on a timely basis, or that DTC or any of its Participants will act in a manner described in this Official Statement. The City is not responsible or liable for the failure of DTC to make any payment to any Direct Participant or failure of any Direct or Indirect Participant to give any notice or make any payment to a Beneficial Owner in respect to the 2015 Bonds or any error or delay relating thereto.

The rights of holders of beneficial interests in the 2015 Bonds and the manner of transferring or pledging those interests is subject to applicable state law. Holders of beneficial interests in the 2015 Bonds may want to discuss the manner of transferring or pledging their interest in the 2015 Bonds with their legal advisors.

For every transfer of ownership interests in the 2015 Bonds, the Beneficial Owner may be charged a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in relation thereto.

EXHIBIT D

FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT

APPENDIX G

FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT

This Disclosure Dissemination Agent Agreement (the "Disclosure Agreement"), dated as of _____, 2015, is executed and delivered by City of St. Petersburg, Florida (the "Issuer") and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent (the "Disclosure Dissemination Agent" or "DAC") for the benefit of the Holders (hereinafter defined) of the Bonds (hereinafter defined) and in order to provide certain continuing disclosure with respect to the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time (the "Rule").

The services provided under this Disclosure Agreement solely relate to the execution of instructions received from the Issuer through use of the DAC system and do not constitute "advice" within the meaning of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the "Act"). DAC will not provide any advice or recommendation to the Issuer or anyone on the Issuer's behalf regarding the "issuance of municipal securities" or any "municipal financial product" as defined in the Act and nothing in this Disclosure Agreement shall be interpreted to the contrary.

SECTION 1. Definitions. Capitalized terms not otherwise defined in this Disclosure Agreement shall have the meaning assigned in the Rule or, to the extent not in conflict with the Rule, in the Official Statement (hereinafter defined). The capitalized terms shall have the following meanings:

"Annual Report" means an Annual Report described in and consistent with Section 3 of this Disclosure Agreement.

"Annual Filing Date" means the date, set in Sections 2(a) and 2(f), by which the Annual Report is to be filed with the MSRB.

"Annual Financial Information" means annual financial information as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(a) of this Disclosure Agreement.

"Audited Financial Statements" means the financial statements (if any) of the Issuer for the prior fiscal year, certified by an independent auditor as prepared in accordance with generally accepted accounting principles or otherwise, as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(b) of this Disclosure Agreement.

"Bonds" means the bonds as listed on the attached Exhibit A, with the 9-digit CUSIP numbers relating thereto.

"Certification" means a written certification of compliance signed by the Disclosure Representative stating that the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure required to be submitted to the MSRB under this Disclosure Agreement. A Certification shall accompany each such document submitted to the Disclosure

Dissemination Agent by the Issuer and include the full name of the Bonds and the 9-digit CUSIP numbers for all Bonds to which the document applies.

"Disclosure Representative" means Anne A. Fritz, Director of Finance, or his or her designee, or such other person as the Issuer shall designate in writing to the Disclosure Dissemination Agent from time to time as the person responsible for providing Information to the Disclosure Dissemination Agent.

"Disclosure Dissemination Agent" means Digital Assurance Certification, L.L.C, acting in its capacity as Disclosure Dissemination Agent hereunder, or any successor Disclosure Dissemination Agent designated in writing by the Issuer pursuant to Section 9 hereof.

"Failure to File Event" means the Issuer's failure to file an Annual Report on or before the Annual Filing Date.

"Force Majeure Event" means: (i) acts of God, war, or terrorist action; (ii) failure or shutdown of the Electronic Municipal Market Access system maintained by the MSRB; or (iii) to the extent beyond the Disclosure Dissemination Agent's reasonable control, interruptions in telecommunications or utilities services, failure, malfunction or error of any telecommunications, computer or other electrical, mechanical or technological application, service or system, computer virus, interruptions in Internet service or telephone service (including due to a virus, electrical delivery problem or similar occurrence) that affect Internet users generally, or in the local area in which the Disclosure Dissemination Agent or the MSRB is located, or acts of any government, regulatory or any other competent authority the effect of which is to prohibit the Disclosure Dissemination Agent from performance of its obligations under this Disclosure Agreement.

"Holder" means any person (a) having the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries) or (b) treated as the owner of any Bonds for federal income tax purposes.

"Information" means, collectively, the Annual Reports, the Audited Financial Statements (if any), the Notice Event notices, the Failure to File Event notices, the Voluntary Event Disclosures and the Voluntary Financial Disclosures.

"MSRB" means the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934.

"Notice Event" means any of the events enumerated in paragraph (b)(5)(i)(C) of the Rule and listed in Section 4(a) of this Disclosure Agreement.

"Obligated Person" means any person, including the Issuer, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all, or part of the obligations on the Bonds (other than providers of municipal bond insurance, letters of credit, or other liquidity facilities), as shown on Exhibit A.

"Official Statement" means that Official Statement prepared by the Issuer in connection with the Bonds, as listed on Appendix A.

"Voluntary Event Disclosure" means information of the category specified in any of subsections (e)(vi)(1) through (e)(vi)(11) of Section 2 of this Disclosure Agreement that is accompanied by a

Certification of the Disclosure Representative containing the information prescribed by Section 7(a) of this Disclosure Agreement.

"Voluntary Financial Disclosure" means information of the category specified in any of subsections (e)(vii)(1) through (e)(vii)(9) of Section 2 of this Disclosure Agreement that is accompanied by a Certification of the Disclosure Representative containing the information prescribed by Section 7(b) of this Disclosure Agreement.

SECTION 2. Provision of Annual Reports.

(a) The Issuer shall provide, annually, an electronic copy of the Annual Report and Certification to the Disclosure Dissemination Agent not later than the Annual Filing Date. Promptly upon receipt of an electronic copy of the Annual Report and the Certification, the Disclosure Dissemination Agent shall provide an Annual Report to the MSRB not later than April 30 commencing with the report for the 2015 fiscal year. Such date and each anniversary thereof is the Annual Filing Date. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 3 of this Disclosure Agreement.

(b) If on the fifteenth (15th) day prior to the Annual Filing Date, the Disclosure Dissemination Agent has not received a copy of the Annual Report and Certification, the Disclosure Dissemination Agent shall contact the Disclosure Representative by telephone and in writing (which may be by e-mail) to remind the Issuer of its undertaking to provide the Annual Report pursuant to Section 2(a). Upon such reminder, the Disclosure Representative shall either (i) provide the Disclosure Dissemination Agent with an electronic copy of the Annual Report and the Certification no later than two (2) business days prior to the Annual Filing Date, or (ii) instruct the Disclosure Dissemination Agent in writing that the Issuer will not be able to file the Annual Report within the time required under this Disclosure Agreement, state the date by which the Annual Report for such year will be provided and instruct the Disclosure Dissemination Agent that a Failure to File Event has occurred and to immediately send a notice to the MSRB in substantially the form attached as Exhibit B, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 6:00 p.m. Eastern time on Annual Filing Date (or, if such Annual Filing Date falls on a Saturday, Sunday or holiday, then the first business day thereafter) for the Annual Report, a Failure to File Event shall have occurred and the Issuer irrevocably directs the Disclosure Dissemination Agent to immediately send a notice to the MSRB in substantially the form attached as Exhibit B without reference to the anticipated filing date for the Annual Report, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(d) If Audited Financial Statements of the Issuer are prepared but not available prior to the Annual Filing Date, the Issuer shall, when the Audited Financial Statements are available, provide in a timely manner an electronic copy to the Disclosure Dissemination Agent, accompanied by a Certification, together with a copy for the Trustee, for filing with the MSRB.

(e) The Disclosure Dissemination Agent shall:

- (i) verify the filing specifications of the MSRB each year prior to the Annual Filing Date;
- (ii) upon receipt, promptly file each Annual Report received under Sections 2(a) and 2(b) with the MSRB;

- (iii) upon receipt, promptly file each Audited Financial Statement received under Section 2(d) with the MSRB;
- (iv) upon receipt, promptly file the text of each Notice Event received under Sections 4(a) and 4(b)(ii) with the MSRB, identifying the Notice Event as instructed by the Issuer pursuant to Section 4(a) or 4(b)(ii) (being any of the categories set forth below) when filing pursuant to Section 4(c) of this Disclosure Agreement:
 - 1. "Principal and interest payment delinquencies;"
 - 2. "Non-Payment related defaults, if material;"
 - 3. "Unscheduled draws on debt service reserves reflecting financial difficulties;"
 - 4. "Unscheduled draws on credit enhancements reflecting financial difficulties;"
 - 5. "Substitution of credit or liquidity providers, or their failure to perform;"
 - 6. "Adverse tax opinions, IRS notices or events affecting the tax status of the security;"
 - 7. "Modifications to rights of securities holders, if material;"
 - 8. "Bond calls, if material;"
 - 9. "Defeasances;"
 - 10. "Release, substitution, or sale of property securing repayment of the securities, if material;"
 - 11. "Rating changes;"
 - 12. "Tender offers;"
 - 13. "Bankruptcy, insolvency, receivership or similar event of the obligated person;"
 - 14. "Merger, consolidation, or acquisition of the obligated person, if material;" and
 - 15. "Appointment of a successor or additional trustee, or the change of name of a trustee, if material;"
- (v) upon receipt (or irrevocable direction pursuant to Section 2(c) of this Disclosure Agreement, as applicable), promptly file a completed copy of Exhibit B to this Disclosure Agreement with the MSRB, identifying the

filing as "Failure to provide annual financial information as required" when filing pursuant to Section 2(b)(ii) or Section 2(c) of this Disclosure Agreement;

(vi) upon receipt, promptly file the text of each Voluntary Event Disclosure received under Section 7(a) with the MSRB, identifying the Voluntary Event Disclosure as instructed by the Issuer pursuant to Section 7(a) (being any of the categories set forth below) when filing pursuant to Section 7(a) of this Disclosure Agreement:

1. "amendment to continuing disclosure undertaking;"
2. "change in obligated person;"
3. "notice to investors pursuant to bond documents;"
4. "certain communications from the Internal Revenue Service;"
5. "secondary market purchases;"
6. "bid for auction rate or other securities;"
7. "capital or other financing plan;"
8. "litigation/enforcement action;"
9. "change of tender agent, remarketing agent, or other on-going party;"
10. "derivative or other similar transaction;" and
11. "other event-based disclosures;"

(vii) upon receipt, promptly file the text of each Voluntary Financial Disclosure received under Section 7(b) with the MSRB, identifying the Voluntary Financial Disclosure as instructed by the Issuer pursuant to Section 7(b) (being any of the categories set forth below) when filing pursuant to Section 7(b) of this Disclosure Agreement:

1. "quarterly/monthly financial information;"
2. "change in fiscal year/timing of annual disclosure;"
3. "change in accounting standard;"
4. "interim/additional financial information/operating data;"
5. "budget;"
6. "investment/debt/financial policy;"

7. "information provided to rating agency, credit/liquidity provider or other third party;"
8. "consultant reports;" and
9. "other financial/operating data."

(viii) provide the Issuer evidence of the filings of each of the above when made, which shall be by means of the DAC system, for so long as DAC is the Disclosure Dissemination Agent under this Disclosure Agreement.

(f) The Issuer may adjust the Annual Filing Date upon change of its fiscal year by providing written notice of such change and the new Annual Filing Date to the Disclosure Dissemination Agent, Trustee (if any) and the MSRB, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

(g) Any Information received by the Disclosure Dissemination Agent before 6:00 p.m. Eastern time on any business day that it is required to file with the MSRB pursuant to the terms of this Disclosure Agreement and that is accompanied by a Certification and all other information required by the terms of this Disclosure Agreement will be filed by the Disclosure Dissemination Agent with the MSRB no later than 11:59 p.m. Eastern time on the same business day; provided, however, the Disclosure Dissemination Agent shall have no liability for any delay in filing with the MSRB if such delay is caused by a Force Majeure Event provided that the Disclosure Dissemination Agent uses reasonable efforts to make any such filing as soon as possible.

SECTION 3. Content of Annual Reports.

(a) Each Annual Report shall contain Annual Financial Information with respect to the Issuer, including an update of the following financial information and operating data in the same format as in the Official Statement which are in tabular form:

1. Historical System Revenues, Expenses and Bond Service Coverage;
2. Residential and Commercial Water Consumption, Appendix C;
3. Water Revenue, Appendix C;
4. Ten Largest Retail Water Consumers, Appendix C;
5. Wholesale Water Customers, Appendix C;
6. Wholesale & Retail Wastewater Revenues, Appendix C;
7. Ten Largest Retail Wastewater Customers, Appendix C; and
8. Wholesale Wastewater Customers, Appendix C.

Relating to information to be provided to the MSRB, the information provided under Section 4(b) may be included by specific reference to other documents, including official statements of debt issues of the Issuer or related public entities, which have been submitted to the MSRB or the Securities and

Exchange Commission. If the document included by reference is a final official statement, it must be available from the MSRB. The Issuer shall clearly identify each such other document so included by reference.

(b) Audited Financial Statements prepared in accordance with generally accepted auditing standards applicable to municipalities as described in the Official Statement will be included in the Annual Report. If audited financial statements are not available, then, unaudited financial statements, prepared in accordance with generally accepted auditing standards applicable as described in the Official Statement will be included in the Annual Report. Audited Financial Statements (if any) will be provided pursuant to Section 2(d).

Any or all of the items listed above may be included by specific reference from other documents, including official statements of debt issues with respect to which the Issuer is an "obligated person" (as defined by the Rule), which have been previously filed with the Securities and Exchange Commission or available on the MSRB Internet Website. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The Issuer will clearly identify each such document so incorporated by reference.

Any Annual Financial Information containing modified operating data or financial information is required to explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

SECTION 4. Reporting of Notice Events.

(a) The occurrence of any of the following events with respect to the Bonds constitutes a Notice Event:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. Modifications to rights of Bond holders, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;

10. Release, substitution, or sale of property securing repayment of the Bonds, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the Obligated Person;

Note to subsection (a)(12) of this Section 4: For the purposes of the event described in subsection (a)(12) of this Section 4, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

13. The consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.

The Issuer shall, in a timely manner not in excess of ten business days after its occurrence, notify the Disclosure Dissemination Agent in writing of the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c) and shall be accompanied by a Certification. Such notice or Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(b) The Disclosure Dissemination Agent is under no obligation to notify the Issuer or the Disclosure Representative of an event that may constitute a Notice Event. In the event the Disclosure Dissemination Agent so notifies the Disclosure Representative, the Disclosure Representative will within two business days of receipt of such notice (but in any event not later than the tenth business day after the occurrence of the Notice Event, if the Issuer determines that a Notice Event has occurred), instruct the Disclosure Dissemination Agent that (i) a Notice Event has not occurred and no filing is to be made or (ii) a Notice Event has occurred and the Disclosure Dissemination Agent is to report the occurrence pursuant to subsection (c) of this Section 4, together with a Certification. Such Certification shall identify the

Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(c) If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in subsection (a) or (b)(ii) of this Section 4 to report the occurrence of a Notice Event, the Disclosure Dissemination Agent shall promptly file a notice of such occurrence with MSRB in accordance with Section 2 (e)(iv) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

SECTION 5. CUSIP Numbers. Whenever providing information to the Disclosure Dissemination Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, Notice Event notices, Failure to File Event notices, Voluntary Event Disclosures and Voluntary Financial Disclosures, the Issuer shall indicate the full name of the Bonds and the 9-digit CUSIP numbers for the Bonds as to which the provided information relates.

SECTION 6. Additional Disclosure Obligations. The Issuer acknowledges and understands that other state and federal laws, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the Issuer, and that the duties and responsibilities of the Disclosure Dissemination Agent under this Disclosure Agreement do not extend to providing legal advice regarding such laws. The Issuer acknowledges and understands that the duties of the Disclosure Dissemination Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

SECTION 7. Voluntary Filing.

(a) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Event Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Event Disclosure (which shall be any of the categories set forth in Section 2(e)(vi) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(a) to file a Voluntary Event Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Event Disclosure with the MSRB in accordance with Section 2(e)(vi) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(b) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Financial Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Financial Disclosure (which shall be any of the categories set forth in Section 2(e)(vii) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(b) to file a Voluntary Financial Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Financial Disclosure

with the MSRB in accordance with Section 2(e)(vii) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(c) The parties hereto acknowledge that the Issuer is not obligated pursuant to the terms of this Disclosure Agreement to file any Voluntary Event Disclosure pursuant to Section 7(a) hereof or any Voluntary Financial Disclosure pursuant to Section 7(b) hereof.

(d) Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Dissemination Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure in addition to that which is specifically required by this Disclosure Agreement, the Issuer shall have no obligation under this Disclosure Agreement to update such information or include it in any future Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure.

SECTION 8. Termination of Reporting Obligation. The obligations of the Issuer and the Disclosure Dissemination Agent under this Disclosure Agreement shall terminate with respect to the Bonds upon the legal defeasance, prior redemption or payment in full of all of the Bonds, when the Issuer is no longer an obligated person with respect to the Bonds, or upon delivery by the Disclosure Representative to the Disclosure Dissemination Agent of an opinion of counsel expert in federal securities laws to the effect that continuing disclosure is no longer required.

SECTION 9. Disclosure Dissemination Agent. The Issuer has appointed Digital Assurance Certification, L.L.C. as exclusive Disclosure Dissemination Agent under this Disclosure Agreement. The Issuer may, upon thirty days written notice to the Disclosure Dissemination Agent and the Trustee, replace or appoint a successor Disclosure Dissemination Agent. Upon termination of DAC's services as Disclosure Dissemination Agent, whether by notice of the Issuer or DAC, the Issuer agrees to appoint a successor Disclosure Dissemination Agent or, alternately, agrees to assume all responsibilities of Disclosure Dissemination Agent under this Disclosure Agreement for the benefit of the Holders of the Bonds. Notwithstanding any replacement or appointment of a successor, the Issuer shall remain liable until payment in full for any and all sums owed and payable to the Disclosure Dissemination Agent. The Disclosure Dissemination Agent may resign at any time by providing thirty days' prior written notice to the Issuer.

SECTION 10. Remedies in Event of Default. In the event of a failure of the Issuer or the Disclosure Dissemination Agent to comply with any provision of this Disclosure Agreement, the Holders' rights to enforce the provisions of this Agreement shall be limited solely to a right, by action in mandamus or for specific performance, to compel performance of the parties' obligation under this Disclosure Agreement. Any failure by a party to perform in accordance with this Disclosure Agreement shall not constitute a default on the Bonds or under any other document relating to the Bonds, and all rights and remedies shall be limited to those expressly stated herein.

SECTION 11. Duties, Immunities and Liabilities of Disclosure Dissemination Agent.

(a) The Disclosure Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Agreement. The Disclosure Dissemination Agent's obligation to deliver the information at the times and with the contents described herein shall be limited to the extent

the Issuer has provided such information to the Disclosure Dissemination Agent as required by this Disclosure Agreement. The Disclosure Dissemination Agent shall have no duty with respect to the content of any disclosures or notice made pursuant to the terms hereof. The Disclosure Dissemination Agent shall have no duty or obligation to review or verify any Information or any other information, disclosures or notices provided to it by the Issuer and shall not be deemed to be acting in any fiduciary capacity for the Issuer, the Holders of the Bonds or any other party. The Disclosure Dissemination Agent shall have no responsibility for the Issuer's failure to report to the Disclosure Dissemination Agent a Notice Event or a duty to determine the materiality thereof. The Disclosure Dissemination Agent shall have no duty to determine, or liability for failing to determine, whether the Issuer has complied with this Disclosure Agreement. The Disclosure Dissemination Agent may conclusively rely upon Certifications of the Issuer at all times.

The obligations of the Issuer under this Section shall survive resignation or removal of the Disclosure Dissemination Agent and defeasance, redemption or payment of the Bonds.

(b) The Disclosure Dissemination Agent may, from time to time, consult with legal counsel (either in-house or external) of its own choosing in the event of any disagreement or controversy, or question or doubt as to the construction of any of the provisions hereof or its respective duties hereunder, and shall not incur any liability and shall be fully protected in acting in good faith upon the advice of such legal counsel. The reasonable fees and expenses of such counsel shall be payable by the Issuer.

(c) All documents, reports, notices, statements, information and other materials provided to the MSRB under this Agreement shall be provided in an electronic format and accompanied by identifying information as prescribed by the MSRB.

SECTION 12. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Agreement, the Issuer and the Disclosure Dissemination Agent may amend this Disclosure Agreement and any provision of this Disclosure Agreement may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to both the Issuer and the Disclosure Dissemination Agent to the effect that such amendment or waiver does not materially impair the interests of Holders of the Bonds and would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule; provided neither the Issuer or the Disclosure Dissemination Agent shall be obligated to agree to any amendment modifying their respective duties or obligations without their consent thereto.

Notwithstanding the preceding paragraph, the Disclosure Dissemination Agent shall have the right to adopt amendments to this Disclosure Agreement necessary to comply with modifications to and interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission from time to time by giving not less than 20 days written notice of the intent to do so together with a copy of the proposed amendment to the Issuer. No such amendment shall become effective if the Issuer shall, within 10 days following the giving of such notice, send a notice to the Disclosure Dissemination Agent in writing that it objects to such amendment.

SECTION 13. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the Issuer, the Trustee of the Bonds, the Disclosure Dissemination Agent, the underwriter, and the Holders from time to time of the Bonds, and shall create no rights in any other person or entity.

SECTION 14. Governing Law. This Disclosure Agreement shall be governed by the laws of the State of Florida (other than with respect to conflicts of laws).

SECTION 15. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

[Balance of page intentionally left blank.]

The Disclosure Dissemination Agent and the Issuer have caused this Continuing Disclosure Agreement to be executed, on the date first written above, by their respective officers duly authorized.

DIGITAL ASSURANCE CERTIFICATION, L.L.C., as
Disclosure Dissemination Agent

By: _____
Name: Diana O'Brian
Title: Vice President

CITY OF ST. PETERSBURG, FLORIDA
as Issuer

(SEAL)

By: _____
Name: Richard D. Kriseman
Title: Mayor

ATTEST:

Name: Chan Srinivasa
Title: City Clerk

APPROVED AS TO FORM
AND CORRECTNESS

Name: Mark A. Winn
Title: Assistant City Attorney

EXHIBIT A

NAME AND CUSIP NUMBERS OF BONDS

Name of Issuer City of St. Petersburg, Florida
Obligated Person(s) City of St. Petersburg, Florida
Name of Bond Issue: Public Utility Revenue Bonds, Series 2015
Date of Issuance: _____, 2015
Date of Official Statement _____, 2015

CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
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CUSIP Number: _____	CUSIP Number: _____

Name of Issuer _____
Obligated Person(s) _____
Name of Bond Issue: _____
Date of Issuance: _____
Date of Official Statement _____

CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
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CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____

EXHIBIT B

NOTICE TO MSRB OF FAILURE TO FILE ANNUAL REPORT

Issuer: City of St. Petersburg, Florida
Obligated Person: City of St. Petersburg, Florida
Name(s) of Bond Issue(s): Public Utility Revenue Bonds, Series 2015
Date(s) of Issuance: _____, 2015
Date(s) of Disclosure Agreement: _____, 2015
CUSIP Number: _____

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by the Disclosure Agreement between the Issuer and Digital Assurance Certification, L.L.C., as Disclosure Dissemination Agent. [The Issuer has notified the Disclosure Dissemination Agent that it anticipates that the Annual Report will be filed by _____.]

Dated: _____

Digital Assurance Certification, L.L.C., as Disclosure
Dissemination Agent, on behalf of the Issuer

cc: Issuer
Obligated Person

**EXHIBIT C-1
EVENT NOTICE COVER SHEET**

This cover sheet and accompanying "event notice" will be sent to the MSRB, pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this event notice relates:

Number of pages attached: _____

_____ Description of Notice Events (Check One):

1. _____ "Principal and interest payment delinquencies;"
2. _____ "Non-Payment related defaults, if material;"
3. _____ "Unscheduled draws on debt service reserves reflecting financial difficulties;"
4. _____ "Unscheduled draws on credit enhancements reflecting financial difficulties;"
5. _____ "Substitution of credit or liquidity providers, or their failure to perform,"
6. _____ "Adverse tax opinions, IRS notices or events affecting the tax status of the security;"
7. _____ "Modifications to rights of securities holders, if material;"
8. _____ "Bond calls, if material;"
9. _____ "Defeasances;"
10. _____ "Release, substitution, or sale of property securing repayment of the securities, if material;"
11. _____ "Rating changes;"
12. _____ "Tender offers;"
13. _____ "Bankruptcy, insolvency, receivership or similar event of the obligated person;"
14. _____ "Merger, consolidation, or acquisition of the obligated person, if material;" and
15. _____ "Appointment of a successor or additional trustee, or the change of name of a trustee, if material."

_____ Failure to provide annual financial information as required.

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date: _____

**EXHIBIT C-2
VOLUNTARY EVENT DISCLOSURE COVER SHEET**

This cover sheet and accompanying "voluntary event disclosure" will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated as of _____ between the Issuer and DAC.

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:

Number of pages attached: _____

_____ Description of Voluntary Event Disclosure (Check One):

1. _____ "amendment to continuing disclosure undertaking;"
2. _____ "change in obligated person;"
3. _____ "notice to investors pursuant to bond documents;"
4. _____ "certain communications from the Internal Revenue Service;"
5. _____ "secondary market purchases;"
6. _____ "bid for auction rate or other securities;"
7. _____ "capital or other financing plan;"
8. _____ "litigation/enforcement action;"
9. _____ "change of tender agent, remarketing agent, or other on-going party;"
10. _____ "derivative or other similar transaction;" and
11. _____ "other event-based disclosures."

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date: _____

**EXHIBIT C-3
VOLUNTARY FINANCIAL DISCLOSURE COVER SHEET**

This cover sheet and accompanying "voluntary financial disclosure" will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated as of _____ between the Issuer and DAC.

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:

Number of pages attached: _____

_____ Description of Voluntary Financial Disclosure (Check One):

1. _____ "quarterly/monthly financial information;"
2. _____ "change in fiscal year/timing of annual disclosure;"
3. _____ "change in accounting standard;"
4. _____ "interim/additional financial information/operating data;"
5. _____ "budget"
6. _____ "investment/debt/financial policy;"
7. _____ "information provided to rating agency, credit/liquidity provider or other third party;"
8. _____ "consultant reports;" and
9. _____ "other financial/operating data."

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date: _____

EXHIBIT E

FORM OF BOND REGISTRAR AND PAYING AGENT AGREEMENT

BOND REGISTRAR AND PAYING AGENT AGREEMENT

THIS BOND REGISTRAR AND PAYING AGENT AGREEMENT, dated as of _____, 2015, by and between the CITY OF ST. PETERSBURG, FLORIDA (the "Issuer") and U.S. BANK NATIONAL ASSOCIATION, a national banking association organized under the laws of the United States of America, with a designated corporate trust office in Orlando, Florida (the "Bank").

WITNESSETH:

WHEREAS, the Issuer, by the Resolution (as hereinafter defined), has designated the Bank as Bond Registrar and Paying Agent for its \$_____ City of St. Petersburg, Florida Public Utility Revenue Bonds, Series 2015 (the "Series 2015 Bonds"); and

WHEREAS, the Issuer and the Bank desire to set forth the Bank's duties as Bond Registrar and Paying Agent and the compensation to be paid the Bank for its services.

NOW, THEREFORE, it is agreed by the parties hereto as follows:

Section 1. Duties. The Bank agrees to serve as Bond Registrar and Paying Agent for the Series 2015 Bonds and to perform the duties of Bond Registrar and Paying Agent as specified in or contemplated by Resolution No. 99-227 adopted by the City Council of the Issuer on April 22, 1999 as amended and supplemented from time to time, as particularly amended by Resolution No. 2005-559 adopted by the City Council of the Issuer on October 20, 2005, and Resolution No. 2008-256 adopted by the City Council of the Issuer on May 15, 2008, as particularly prospectively amended by Resolution No. 2013-400 adopted by the City Council of the Issuer on October 3, 2013, and as particularly supplemented by Resolution No. 2015-___ adopted by the City Council of the Issuer on September 17, 2015 (collectively, the "Resolution"), relating to the issuance of the Series 2015 Bonds.

Section 2. Deposit of Funds. The Issuer shall deposit or cause to be deposited with the Bank sufficient funds from the funds pledged for the payment of the Series 2015 Bonds under the Resolution to pay when due and payable the principal of, premium, if any, and interest on the Series 2015 Bonds.

Section 3. Use of Funds; Canceled Series 2015 Bonds. The Bank shall use the funds received from the Issuer pursuant to Section 2 of this Agreement to pay the principal of, premium, if any, and interest on the Series 2015 Bonds in accordance with the Resolution. The Bank shall destroy canceled Series 2015 Bonds and transmit to the Issuer a certificate of destruction therefor.

Section 4. Statements. The Bank shall prepare and shall send to the Issuer upon request written statements of account relating to all transactions effected by the Bank pursuant to this Agreement.

Section 5. Obligation to Act. The Bank shall be obligated to act only in accordance with the Resolution and any written instructions received in accordance therewith; provided, however, that the Bank is authorized hereby to comply with any orders, judgments, or decrees of any court with or without jurisdiction and shall not be liable as a result of its compliance with the same.

Section 6. Reliance by Bank. The Bank may rely absolutely upon the genuineness and authorization of the signature and purported signature of any party upon any instruction, notice, release, request, affidavit, or other document delivered to it purportedly pursuant to the Resolution.

Section 7. Indemnity. To the extent permitted by law and without waiving sovereign immunity, the Issuer hereby agrees to indemnify the Bank and hold it harmless from any and all claims, liabilities, losses, action, suits, or character or nature, which it may incur or with which it may be threatened by reason of its acting as Paying Agent or Bond Registrar under the Resolution, unless caused by its misconduct or negligence; and in connection therewith, to indemnify the Bank against any and all expenses, including attorneys' fees and the costs of defending an action, suit, or proceeding, or resisting any claim whether or not such claim is actually filed. The Issuer's obligations hereunder shall survive any termination of this Agreement.

Section 8. Counsel; Limited Liability. The Bank may consult with counsel of its own choice and shall have sole and complete authorization and protection for any action taken or suffered by it under the Resolution in good faith. The Bank shall otherwise not be liable for any mistakes of fact or errors of judgment, or for any acts or omissions of any kind unless caused by its misconduct or negligence.

Section 9. Fees and Expenses. In consideration of the services rendered by the Bank as Bond Registrar and Paying Agent, the Issuer agrees to and shall pay to the Bank its proper fees and all expenses, charges, attorney's fees, and other disbursements incurred by it or its attorneys, agents, and employees in and about the performance of its powers and duties as Bond Registrar and Paying Agent as set forth in the attached Exhibit A. The Bank shall not be obligated to allow and credit interest upon any unclaimed moneys in respect of principal, interest or premium, if any, due in respect of the Series 2015 Bonds, which it shall at any time receive under any of the provisions of the Resolution or this Agreement.

Section 10. Furnishing Information; Authorization. The Bank shall at all times, when requested to do so by the Issuer, furnish full and complete information pertaining to its

functions as the Bond Registrar and Paying Agent with regard to the Series 2015 Bonds, and shall without further authorization, execute all necessary and proper deposit slips, checks, certificates and other documents with reference thereto.

Section 11. Cancellation; Termination. Either of the parties hereto, at its option, may cancel this Agreement after giving thirty (30) days written notice to the other party of its intention to cancel, and this Agreement may be canceled at any time by mutual consent of the parties hereto. This Agreement shall terminate without further action upon final payment of the Series 2015 Bonds and the interest appertaining thereto. If any Series 2015 Bond shall not be presented for payment within the period of three years following the date when such Series 2015 Bond becomes due, whether by maturity or otherwise, the Paying Agent shall return to the Issuer the funds theretofore held by it for payment of such Series 2015 Bond and such Series 2015 Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the Issuer.

Section 12. Surrender of Funds, Registration Records; Notification of Series 2015 Bondholders. In the event of a cancellation of this Agreement, the Issuer shall deliver releases to the Bank (in a form acceptable to the Bank) upon demand and the Bank shall thereafter upon demand pay over the funds on deposit with the Bank as Bond Registrar and Paying Agent in connection with the Series 2015 Bonds and surrender all registration books and related records, and the Issuer may appoint and name a successor to act as Bond Registrar and Paying Agent of the Series 2015 Bonds. The Issuer shall, in such event, at its expense, notify all holders of the Series 2015 Bonds of the appointment and name of the successor, by providing notice in the manner required for the redemption of the Series 2015 Bonds.

Section 13. Non-assignability. This Agreement shall not be assigned by either party without the written consent of the other party.

Section 14. Modification. No modification of this Agreement shall be valid unless made by a written agreement, executed and approved by the parties hereto.

Section 15. Severability. Should any section or part of this Agreement be declared void, invalid, or unenforceable by any court of law for any reason, such determination shall not render void, invalid, or unenforceable any other section or other part of any section of this Agreement.

Section 16. Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida.

Section 17. Merger or Consolidation of the Bank. Any corporation into which the Bank may be merged or with which it may be consolidated, or any corporation resulting from any merger or consolidation to which the Bank shall be a party, shall be the successor Bond

Registrar and Paying Agent under this Agreement, without the execution or filing of any paper or any further act on the part of the parties hereto. The Bank shall notify the Issuer within thirty days of the occurrence of any such merger or consolidation.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers and their official seals to be hereunto affixed and attested as of the date first above written.

CITY OF ST. PETERSBURG, FLORIDA

(SEAL)

By: _____
Name: Richard D. Kriseman
Title: Mayor

ATTEST:

By: _____
Name: Chan Srinivasa
Title: City Clerk

Approved as to form and
correctness:

By: _____
Name: Mark A. Winn
Title: Assistant City Attorney

U.S. BANK NATIONAL ASSOCIATION

By: _____

Name: Leanne M. Duffy

Title: Vice President

EXHIBIT A

Fee for services as Bond Registrar and Paying Agent will be a one-time fee of \$5,500, together with reimbursement of out-of-pocket expenses actually incurred.

CITY OF ST. PETERSBURG, FLORIDA

\$ _____ *

PUBLIC UTILITY REVENUE BONDS, SERIES 2015

OFFICIAL NOTICE OF SALE

The Public Utility Revenue Bonds, Series 2015 (the “2015 Bonds”) are being offered for sale in accordance with this Official Notice of Sale. Notice is hereby given that bids will be received by the City of St. Petersburg, Florida (the “City”) for the purchase of the 2015 Bonds via the Parity Electronic Bid Submission System (“Parity”) in the manner described below. Bids for the 2015 Bonds will be received until ____ a.m. eastern time, on _____, _____, 2015 or on such other date and/or time as may be established by the Finance Director of the City or her designee, no less than ten (10) days after the date of publication of the summary notice of sale and communicated by Thomson Municipal Market Monitor not less than twenty (20) hours prior to the time bids are to be received. To the extent any instructions or directions set forth on Parity conflict with this Official Notice of Sale, the terms of this Official Notice of Sale shall control. For further information about Parity, and to subscribe in advance of the bid, potential bidders may contact Parity at (212) 849-5021. The use of Parity shall be at the bidder’s risk and expense, and the City shall have no liability with respect thereto.

_____, 2015

* Preliminary, subject to adjustment as provided herein

OFFICIAL NOTICE OF SALE

CITY OF ST. PETERSBURG, FLORIDA

\$ _____ *

PUBLIC UTILITY REVENUE BONDS, SERIES 2015

The Public Utility Revenue Bonds, Series 2015 (the “2015 Bonds”) is being offered for sale in accordance with this Official Notice of Sale. Notice is hereby given that bids will be received by the City of St. Petersburg, Florida (the “City”) for the purchase of the 2015 Bonds via the Parity Electronic Bid Submission System (“Parity”) in the manner described below. Bids for the 2015 Bonds will be received until _____ a.m. eastern time, on _____, _____, 2015 or on such other date and/or time as may be established by the Director of Finance of the City or her designee, no less than ten (10) days after the date of publication of the summary notice of sale and communicated by Thomson Municipal Market Monitor not less than twenty (20) hours prior to the time bids are to be received. To the extent any instructions or directions set forth on Parity conflict with this Official Notice of Sale, the terms of this Official Notice of Sale shall control. For further information about Parity, and to subscribe in advance of the bid, potential bidders may contact Parity at (212) 849-5021. The use of Parity shall be at the bidder’s risk and expense, and the City shall have no liability with respect thereto. Only bids submitted through Parity will be considered. No telephone, telefax, telegraph, mail, courier delivery or personal delivery bids will be accepted.

BOND DETAILS

The description of the 2015 Bonds, the purpose thereof and the security therefore, as set forth in this Official Notice of Sale, is subject in its entirety to the disclosure made in the Preliminary Official Statement. See “Disclosure Information” herein.

The 2015 Bonds will be initially issued in the form of a single fully registered 2015 Bond for each maturity of each series. Upon initial issuance, the ownership of each such 2015 Bond will be registered in the registration books kept by the Bond Registrar, in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”). The 2015 Bonds are to be issued as fully registered bonds in denominations of \$5,000 or integral multiples thereof. Interest on the 2015 Bonds shall be payable by check or draft mailed to the Registered Owners at their addresses as they appear on the registration books of the City maintained by the Bond Registrar; however, in the case of a Registered Owner of \$1,000,000 or more in aggregate principal amount of 2015 Bonds, upon written request of such Registered Owner to the Bond Registrar ten (10) days prior to the Record Date relating to such Interest Payment Date, such interest shall be paid on the Interest Payment Date in immediately available funds by wire transfer, at the expense of the Registered Owner.

* Preliminary, subject to adjustment as provided herein

The 2015 Bonds will be dated their date of delivery (expected to be _____, 2015) or such other date as may be communicated by Thomson Municipal Market Monitor not less than 20 hours prior to the time bids are to be received, and shall bear interest from such date and shall be payable semiannually commencing on April 1, 2016, and on each October 1 and April 1 thereafter until maturity at the rate or rates specified in such proposals as may be accepted. The proposed schedule of maturities and amounts are as follows:

**MATURITY SCHEDULE
FOR
THE 2014A BONDS**

<u>Maturity (Oct 1)</u>	<u>Principal Amount*</u>	<u>Maturity (Oct 1)</u>	<u>Principal Amount*</u>
2016		2031**	
2017		2032**	
2018		2033**	
2019		2034**	
2020		2035**	
2021		2036**	
2022		2037**	
2023		2038**	
2024		2039**	
2025		2040**	
2026**		2041**	
2027**		2042**	
2028**		2043**	
2029**		2044**	
2030**		2045**	

* Preliminary; subject to adjustment as provided herein

** Subject to Term Bond Option as described herein

(NOTE: The City reserves the right to modify the maturity schedule shown above prior to the time bids are received. Any such modification will be communicated through the Thomson Municipal Market Monitor (See, "Adjustment of Principal Amounts" below.))

PAYING AGENT AND REGISTRAR

The Paying Agent and Registrar for the 2015 Bonds will be _____.

ADJUSTMENT OF PRINCIPAL AMOUNTS

The schedule of maturities set forth above (the "Initial Maturity Schedules") represents an estimate of the principal amount and maturities of the 2015 Bonds that will be sold. The City reserves the right to change the Initial Maturity Schedules by announcing any such change not later than 4:00 p.m., Eastern Time, on the date

immediately preceding the date set for receipt of bids, through Thomson Municipal Market Monitor. If no such change is announced, the Initial Maturity Schedule will be deemed the schedule of maturities for the Official Bid Form.

Furthermore, if after final computation of the bids, the City determines in its sole discretion that the funds necessary to accomplish the purpose of the 2015 Bonds is more or less than the proceeds of the sale of all of the 2015 Bonds, the City reserves the right to increase or decrease the aggregate principal amount, by no more than 15% of the principal amounts for the 2015 Bonds stated on the cover of the Preliminary Official Statement and reserves the right to increase or decrease the principal amount by no more than 15% within a given maturity of the 2015 Bonds (to be rounded to the nearest \$5,000), or by such other amount as approved by the winning bidder.

In the event of any such adjustment, no rebidding or recalculation of the bids submitted will be required or permitted; and the 2015 Bonds, as adjusted, will bear interest at the same rate and must have the same initial reoffering yield as specified immediately after award of the 2015 Bonds of that maturity. However, the award will be made to the bidder whose bid produces the lowest true interest cost rate, calculated as specified herein, solely on the basis of the 2015 Bonds, without taking into account any adjustment in the amount of 2015 Bonds pursuant to this paragraph.

REDEMPTION PROVISIONS

The 2015 Bonds that mature on or before October 1, 20__ are not subject to redemption prior to their maturities.

The 2015 Bonds that mature on or after October 1, 20__, are subject to redemption beginning October 1, 20__ in whole or in part at any time, in any order of maturities at the option of the City, at a redemption price equal to the principal amount thereof plus accrued interest to the redemption date.

TERM BOND OPTION

Any bidder may, at its option, specify that the maturities of the 2015 Bonds maturing after October 1, 202_ will consist of term bonds which are subject to mandatory sinking fund redemption in consecutive years immediately preceding the maturity thereof (each a "Term Bond") as designated in the bid of such bidder. In the event that the bid of the successful bidder specifies that any maturity of the 2015 Bonds will be a Term Bond, such Term Bond will be subject to mandatory sinking fund redemption on October 1, in each applicable year, in the principal amount for such year as set forth hereinbefore under the heading "BOND DETAILS," at a redemption price equal to the principal amount thereof to be redeemed together with accrued interest thereon to the redemption date, without premium.

AUTHORITY AND PURPOSE

The 2015 Bonds are being issued pursuant to Resolution No. 99-227 duly adopted by the City Council of the City on April 22, 1999, as amended and supplemented from time to time, and as particularly amended by Resolution No. 2005-559 duly adopted by the City Council of the City on October 20, 2005, and Resolution No. 2008-256 duly adopted by the City Council of the City on May 15, 2008 (the "Master Resolution") and as particularly prospectively amended by Resolution No. 2013-400 duly adopted by the City Council of the City on October 3, 2013 (the "2013 Resolution") and as supplemented by Resolution No. 2015-___ duly adopted by the City Council of the City on _____, 2015 (the "2015 Resolution" and collectively with the Master Resolution and the 2013 Resolution, the "Bond Resolution") and the Constitution and laws of the State of Florida, Chapter 166, Part II, Florida Statutes, Chapter 159, Part I, Florida Statutes, the municipal Charter of the City, and other applicable provisions of law (collectively, the "Act").

The proceeds of the 2015 Bonds are being used to (i) acquire, construct and erect the 2015 Project, (ii) to make a deposit into the Reserve Account and (iii) to pay certain costs of issuance of the 2015 Bonds.

SECURITY

The 2015 Bonds and the interest thereon are payable from an irrevocable first lien on the Net Revenues of the City's Public Utility Refunding Revenue Bonds, Series 2006 outstanding as of October 1, 2015 in the aggregate principal amount of \$49,880,000, the City's Public Utility Revenue Bonds, Series 2009A outstanding as of October 1, 2015 in the aggregate principal amount of \$49,670,000, the City's Public Utility Refunding Revenue Bonds, Series 2009B outstanding as of October 1, 2015 in the aggregate principal amount of \$8,880,000, the City's Taxable Public Utility Revenue Bonds, Series 2010A (Federally Taxable – Build America Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$28,160,000, the City's Taxable Public Utility Revenue Bonds, Series 2010B (Federally Taxable – Recovery Zone Economic Development Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$19,695,000, the City's Public Utility Revenue Bonds, Series 2013A outstanding as of October 1, 2015 in the aggregate principal amount of \$40,760,000, the City's Public Utility Refunding Revenue Bonds, Series 2013B outstanding as of October 1, 2015 in the aggregate principal amount of \$42,685,000, the City's Public Utility Revenue Bonds, Series 2013C outstanding as of October 1, 2015 in the aggregate principal amount of \$24,995,000, the City's Public Utility Revenue Bonds, Series 2014A outstanding as of October 1, 2015 in the aggregate principal amount of \$34,245,000 and the City's Public Utility Refunding Revenue Bonds, Series 2014B outstanding as of October 1, 2015 in the aggregate principal amount of \$43,230,000.

The 2015 Bonds shall not be or constitute general obligations or indebtedness of the City as "bonds" within the meaning of the constitution of Florida, but shall be payable solely from and secured by a lien upon and pledge of the Net Revenues as provided in the Resolution. No registered owners shall ever have the right to compel the exercise of the ad valorem taxing power of the City

or taxation in any form of any real property therein to pay such principal and interest from any other funds of the City except from the Net Revenues of the System.

RESERVE ACCOUNT AND RATINGS

From proceeds of the 2015 Bonds, the City will deposit into the Reserve Account an amount equal to \$_____ in addition to cash or investments in the amount of \$_____ already on deposit. Following such deposit, cash and/or Investment Securities in an amount equal to \$_____ will be on deposit in the Reserve Account.

Moody's Investors Service, Inc. ("Moody's") and Fitch Ratings ("Fitch") have assigned their municipal bond ratings of "___" (___ outlook) and "___" (___ outlook), respectively, to the 2015 Bonds.

TERMS OF BID AND BASIS OF AWARD

Proposals must be unconditional and for the purchase of all of the 2015 Bonds. The reoffering price for the 2015 Bonds may not be less than 98% of the principal amount of the 2015 Bonds for any single maturity thereof. The aggregate purchase price, inclusive of original issue discount ("OID"), original issue premium ("OIP") and underwriter's discount may not be equal to or less than 98% of the principal amount of the 2015 Bonds. The true interest cost for the 2015 Bonds may not exceed 5.00%.

The 2015 Bonds shall bear interest expressed in multiples of one-eighth (1/8) or one-twentieth (1/20) of one (1) per centum. The use of split or supplemental interest coupons will not be considered and a zero rate or blank rate will not be permitted. All 2015 Bonds maturing on the same date shall bear the same rate of interest.

The 2015 Bonds will be awarded to the bidder offering to purchase the 2015 Bonds at the lowest annual interest cost computed on a True Interest Cost basis (the "TIC"). The annual TIC will be determined by doubling the semi-annual interest rate necessary to discount the semi-annual debt service payments on the 2015 Bonds back to the Net Bond Proceeds (defined as the par amount of the 2015 Bonds, plus any OIP, less any OID and underwriter's discount on the 2015 Bonds calculated on a 30/360 day count basis to the Closing Date, as defined below). The TIC must be calculated to four (4) decimal places.

THE CITY RESERVES THE RIGHT TO REJECT ALL BIDS OR ANY BID NOT CONFORMING TO THIS OFFICIAL NOTICE OF SALE. THE CITY ALSO RESERVES THE RIGHT TO WAIVE, IF PERMITTED BY LAW, ANY IRREGULARITY OR INFORMALITY IN ANY PROPOSAL. THE CITY SHALL NOT REJECT ANY CONFORMING BID, UNLESS ALL CONFORMING BIDS ARE REJECTED. IN ADDITION, THE CITY RESERVES THE RIGHT TO AWARD ONE, BOTH OR NEITHER SERIES OF BONDS TO THE SAME OR DIFFERENT BIDDERS AT ITS SOLE DISCRETION.

GOOD FAITH DEPOSIT

If the City selects a winning bid, then the successful bidder must submit a "Good Faith Deposit" (the "Deposit") to the City in the form of a wire transfer in the amount of \$_____ for 2015 Bonds not later than 1:00 p.m., Eastern Time on the business day following the award. The Deposit of the successful bidder will be collected and the proceeds thereof retained by the City to be applied as partial payment for the 2015 Bonds and no interest will be allowed or paid upon the amount thereof, but in the event the successful bidder shall fail to comply with the terms of the bid, the proceeds thereof will be retained as and for full liquidated damages.

STANDARD FILINGS, CHARGES AND CLOSING DOCUMENTS

The winning bidder will be required to make the standard filings and maintain the appropriate records routinely required pursuant to MSRB Rules G-8, G-11 and G-36. The winning bidder will be required to pay the standard MSRB charge for the 2015 Bonds purchased. The winning bidder will also be required to execute certain closing documents required by Florida law or required by bond counsel in connection with the delivery of its tax opinion. See "Disclosure; Amendments to Notice of Sale; Notification Obligations of Purchaser" herein.

CUSIP NUMBERS

It is anticipated that CUSIP identification numbers will be printed on the 2015 Bonds, but neither the failure to print such number on any 2015 Bonds nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the 2015 Bonds in accordance with their agreement to purchase the 2015 Bonds. All expenses in relation to the printing of CUSIP numbers on the 2015 Bonds shall be paid for by the City; provided, however, that it shall be the responsibility of the successful bidder to timely obtain and pay for the assignment of such CUSIP numbers.

DELIVERY OF THE 2015 BONDS

The City will pay the cost of preparing the 2015 Bonds. The successful bidder is responsible for DTC eligibility and related DTC costs. Delivery of and payment for the 2015 Bonds will be made on a date specified by the City via DTC Fast. Delivery of and payment for the 2015 Bonds will be made on or about _____, 2015 through the facilities of DTC in New York, New York, or such other time and place mutually acceptable to the successful bidder and the City. Payment of the full purchase price, less the Deposit, shall be made to the City at the closing, in Federal Reserve Funds of the United States of America, without cost to the City.

The legal opinion of Bryant Miller Olive P.A. ("Bond Counsel") will be furnished without charge to the successful bidder at the time of delivery of the 2015 Bonds. For

a further discussion of the content of that opinion and the proposed form of the approving opinion, see the Preliminary Official Statement for the 2015 Bonds.

There will also be furnished at the time of delivery of the 2015 Bonds, a certificate or certificates of the City (which may be included in a consolidated closing certificate) relating to the accuracy and completeness of the Official Statement; and stating, among other things, that there is no litigation of any nature pending or, to the knowledge of the City, threatened, at the time of delivery of the 2015 Bonds, (a) to restrain or enjoin the issuance of the 2015 Bonds or (b) affecting or contesting the validity of the 2015 Bonds, and (c) that the Preliminary Official Statement has been deemed by the City to be a “final official statement” for purposes of SEC Rule 15c2-12(b)(3) and (4).

The successful bidder will be responsible for the clearance or exemption with respect to the status of the 2015 Bonds for sale under the securities or “Blue Sky” laws of the several states and the preparation of any surveys or memoranda in connection with such sale.

**DISCLOSURE; AMENDMENTS TO NOTICE OF SALE;
NOTIFICATION OBLIGATIONS OF PURCHASER**

This Official Notice of Sale is not intended as a disclosure document and bidders are required to obtain and carefully review the entire Preliminary Official Statement (including all appendices thereto) before submitting a bid.

This Official Notice of Sale may be amended from time to time after its initial publication by publication of amendments thereto not less than 20 hours prior to the bid date and time via Thomson Municipal Market Monitor. Each bidder will be charged with the responsibility of obtaining any such amendments and complying with the terms thereof.

Prior to delivery of the 2015 Bonds to the successful bidder, the successful bidder shall file with the City a statement as described in Section 218.38(1)(c)2, Florida Statutes, containing the underwriting spread, and the amount of any fee, bonus or gratuity paid in connection with the 2015 Bonds to any person not regularly employed by the successful bidder. This statement shall be filed with the City even if no such management fee or underwriting spread has been charged by the successful bidder or no such fee, bonus or gratuity has been paid by the successful bidder, and such filing shall be a condition precedent to the delivery of the 2015 Bonds by the City to the successful bidder.

The successful bidder, by submitting its bid, agrees to furnish to the City and Bond Counsel, a certificate verifying information as to the bona fide initial offering prices of the 2015 Bonds to the public and sales of the 2015 Bonds appropriate for determination of the issue price of, and the yield on, the 2015 Bonds under the Internal Revenue Code of 1986, as amended, and such other documentation as and at the time requested by Bond Counsel.

The successful bidder shall also verify its winning bid in writing to the City by executing a printed copy of its winning bid as reported on Parity.

Each bidder is required to provide a Truth in Bonding Statement pursuant to Section 218.385, Florida Statutes, and to disclose the payment of any "finder's fee" pursuant to Section 218.386, Florida Statutes, prior to the award of the 2015 Bonds, as set forth in Exhibit A.

OFFICIAL STATEMENT

The City shall furnish at its expense within seven (7) business days after the 2015 Bonds have been awarded to the successful bidder, or at least three (3) business days before closing, whichever is earlier, up to 150 copies of the final Official Statement, which, in the judgment of the financial advisor to the City will permit the successful bidder to comply with applicable SEC and MSRB rules. The successful bidder may arrange for additional copies of the final Official Statement at its expense.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of bondholders to provide certain financial information and operating data relating to the System and the 2015 Bonds in each year (the "Annual Report"), and to provide notices of the occurrence of certain enumerated material events. Such covenant shall only apply so long as the 2015 Bonds remain outstanding under the Bond Resolution. The covenant shall also cease upon the termination of the continuing disclosure requirements of Securities and Exchange Commission Rule 15c2-12(b)(5) (the "Rule") by legislative, judicial or administrative action. The Annual Report will be filed by the City as required with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System ("EMMA").

DISCLOSURE INFORMATION

Copies of the Preliminary Official Statement, as supplemented and amended by this Official Notice of Sale, "deemed final" (except for permitted omissions) by the City in accordance with the Rule can be obtained from the financial advisor to the City, Public Financial Management Inc., 300 South Orange Avenue, Suite 1170, Orlando, Florida 32801 (407) 406-5760 before a bid is submitted. The City's Preliminary Official Statement and Official Notice of Sale are also available for viewing in electronic format at <http://www.munios.com>.

CITY OF ST. PETERSBURG, FLORIDA

By: /s/Anne A. Fritz
Finance Director

EXHIBIT A

**2015 BONDS
TRUTH-IN-BONDING STATEMENT
AND DISCLOSURE**

In compliance with Section 218.385, Florida Statutes, as amended, the undersigned bidder submits the following Truth-In-Bonding Statement with respect to the 2015 Bonds (NOTE: For information purposes only and not a part of the bid):

The City is proposing to issue \$_____ of debt or obligation for the purpose of financing the costs of the acquisition, construction and erection of improvements to the Public Utility System. This debt or obligation is expected to be repaid over a period of approximately __ years. At a true interest cost of ____%, total interest paid over the life of the debt or obligation will be \$_____.

The source of repayment or security for this proposal is the Net Revenues of the City's Public Utility System in the manner and to the extent described in the Preliminary Official Statement and Official Notice of Sale. Authorizing this debt or obligation will result in _____ of such Net Revenues not being available for other services or purposes of the City each year for __ years.

In compliance with Section 218.386, Florida Statutes, the undersigned, on behalf of itself and all other members of the underwriting group, if any, hereby certifies that neither it nor any member of the underwriting group have paid any "finder's fees" as defined in Section 218.386, Florida Statutes, any bonus, fee or gratuity in connection with the sale of the 2015 Bonds, except as provided below:

Bidder's Name: _____

By: _____

Title: _____

Date: _____

SUMMARY NOTICE OF SALE

City of St. Petersburg, Florida

\$ _____ *

Public Utility Revenue Bonds, Series 2015

Bids for the above captioned bonds (the “2015 Bonds”) will be received by the City of St. Petersburg, Florida (the “City”), via the Parity Electronic Bid Submission System (“Parity”). Bids for the 2015 Bonds will be received until __:__ a.m. eastern time, on _____, _____, 2015 or on such other date and/or time as may be established by the Finance Director of the City or her designee no less than ten (10) days after the date of publication of this notice and communicated by Thomson Municipal Market Monitor not less than twenty (20) hours prior to the time bids are to be received (the “Bid Dates”).

Such bids are to be opened in public at said times and place on said day for the purchase of the 2015 Bonds. The 2015 Bonds are being issued to (i) acquire, construct and erect the 2015 Project (ii) make a deposit into the Reserve Account in such amount that at least takes into account the difference between the amounts on deposit in the Reserve Account and the Reserve Account Requirement for the Outstanding Bonds and (iii) pay certain costs of issuance of the 2015 Bonds.

The approving opinion of Bryant Miller Olive P.A., Tampa, Florida, Bond Counsel, will be furnished to the successful bidder at the expense of the City.

Electronic copies of the Preliminary Official Statement and the Official Notice of Sale relating to the 2015 Bonds will be available at the website address <http://www.munios.com>. All of such documents should be read in their entirety by prospective purchasers of the 2015 Bonds. Printed, bound copies of the Preliminary Official Statement will be available through the sale date from the City’s financial advisor, Public Financial Management, 300 South Orange Avenue, Suite 1170, Orlando, Florida 32801, telephone 407-406-5760.

City of St. Petersburg, Florida

Anne A. Fritz

Finance Director

Dated: _____, 2015

*Preliminary, subject to change.

CERTIFICATE OF MAYOR AND FINANCE DIRECTOR

In reference to the City of St. Petersburg, Florida Public Utility Revenue Bonds, Series 2015 (the "Series 2015 Bonds"), the undersigned hereby finds, determines and declares:

1. The City Council (the "City Council") of the City of St. Petersburg, Florida (the "City") adopted Resolution No. 99-227 on April 22, 1999 as amended and supplemented from time to time, as particularly amended by Resolution No. 2005-559 adopted by the City Council of the City on October 20, 2005, and Resolution No. 2008-256 adopted by the City Council of the City on May 15, 2008, as particularly prospectively amended by Resolution No. 2013-400 adopted by the City Council of the City on October 3, 2013, and as particularly supplemented by Resolution No. 2015-__ adopted by the City Council of the City on September 17, 2015 (collectively, the "Bond Resolution") which authorized the issuance of the Series 2015 Bonds for the primary purpose of financing the acquisition, construction and erection of the 2015 Project. All capitalized undefined terms used herein shall have the meanings ascribed thereto in Resolution No. 2015-__ adopted by the City Council of the City on September 17, 2015 (the "Authorizing Resolution").

2. Pursuant to the Authorizing Resolution, the undersigned Mayor is authorized by the City Council to take the actions required for the award and delivery of the Series 2015 Bonds as set forth in Section 19(3) of the Authorizing Resolution only in the event that they are in receipt of one or more properly delivered bids to purchase the Series 2015 Bonds, said offer to provide for, among other things, (i) the issuance of not exceeding \$33,000,000 aggregate principal amount of Series 2015 Bonds, (ii) a true interest cost rate of not more than 5.25%, (iii) a final maturity of the Series 2015 Bonds not being later than October 1, 2045, (iv) a purchase price (defined to mean original principal amount of the Series 2015 Bonds plus any original issue premium less any original issue discount less underwriting discount) in excess of 98% of the aggregate principal amount of the Series 2015 Bonds plus accrued interest, if any, (v) a completed truth-in-bonding statement in compliance with Section 218.385, Florida Statutes, which findings satisfy the requirements of the Authorizing Resolution.

3. The Series 2015 Bonds have been subjected to competitive bids based on lowest true interest cost in accordance the Authorizing Resolution and applicable law. Bids were solicited pursuant to the Official Notice of Sale. Qualifying bids for the Series 2015 Bonds, attached hereto as Composite Exhibit A, were received and were publicly opened. On the basis of the lowest true interest cost to the City, subject to receipt of the good faith deposit in accordance with the terms in the Official Notice of Sale, the Series 2015 Bonds are hereby awarded on an all-or-none basis to _____ (the "Original Purchaser") based on their proposed true interest cost of ____% as set forth on their bid and as verified by the City's Financial Advisor.

4. The Series 2015 Bonds are scheduled to be delivered to the Original Purchaser on _____, 2015.

5. Pursuant to the authority contained in the Authorizing Resolution the City has heretofore adjusted the final principal amounts and/or Amortization Installments from that which was set forth in the Official Notice of Sale. After making such permitted adjustments:

(a) The aggregate principal amount of the Series 2015 Bonds is \$_____.

(b) The purchase price of the Series 2015 Bonds is \$_____ (which equals the par amount of the Series 2015 Bonds of \$_____ less an underwriting discount of \$_____ plus/less a net original issue premium/discount of \$_____), bearing interest at the rates hereinafter set forth.

(c) The Series 2015 Bonds shall be dated as of the date of their delivery and shall mature on October 1 of the following years, shall bear interest payable on April 1 and October 1, commencing April 1, 2016, with such principal amounts and interest rates as follows:

\$_____ City of St. Petersburg, Florida
Public Utility Revenue Bonds, Series 2015

Maturity (October 1)*	Principal Amount	Interest Rate
	\$	%

* Serial Bonds unless otherwise noted

** Denotes Term Bonds

6. The Series 2015 Bonds that mature on or before October 1, _____ are not subject to redemption prior to their maturities. The Series 2015 Bonds that mature on or after October 1, _____, are subject to redemption beginning October 1, _____ in whole or in part at any time, in any order of maturities at the option of the City, at a redemption price equal to the principal amount thereof plus accrued interest to the redemption date.

7. The Series 2015 Bonds maturing on October 1, _____ are subject to mandatory redemption or purchase prior to their stated dates of maturity, in part by lot, in such manner as the City may deem appropriate, from Amortization Installments deposited by the City in the Bond Amortization Account, at the principal amount thereof, unless purchased pursuant to the operation of such Account, plus accrued interest to the redemption date, on October 1 of the years and in the principal amounts, both set forth below:

\$ _____ Series 2015 Term Bonds Due October 1, _____*
Amortization Installments

Mandatory Redemption Date (<u>October 1</u>)	<u>Amount</u>
*	\$

*Final maturity.

[Remainder of page intentionally left blank]

EXECUTED this ____ day of _____, 2015.

CITY OF ST. PETERSBURG, FLORIDA

By: _____

Name: Richard D. Kriseman

Title: Mayor

By: _____

Name: Anne A. Fritz

Title: Finance Director

COMPOSITE EXHIBIT A

QUALIFYING BIDS

This Preliminary Official Statement and any information contained herein are subject to completion and amendment. Under no circumstances may this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the 2015 Bonds in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of such jurisdiction.

DRAFT-2
GrayRobinson, P.A.
August 19, 2015

PRELIMINARY OFFICIAL STATEMENT DATED _____, 2015

NEW ISSUE - FULL-BOOK ENTRY

Moody's: "___"
Fitch: "___"
(See "Ratings" herein)

In the opinion of Bond Counsel, assuming compliance by the City with certain covenants, under existing statutes, regulations, and judicial decisions, the interest on the 2015 Bonds will be excluded from gross income for federal income tax purposes of the holders thereof and will not be an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations. However, interest on the 2015 Bonds is taken into account in determining adjusted current earnings for purposes of computing the alternative minimum tax on corporations. See "TAX MATTERS" herein for a description of other tax consequences to holders of the 2015 Bonds.

CITY OF ST. PETERSBURG, FLORIDA

\$ _____ *

**PUBLIC UTILITY REVENUE BONDS,
SERIES 2015**

Dated: Date of Delivery

Due: As Shown on Next Page

The City of St. Petersburg, Florida (the "City") is issuing \$ _____ * of its Public Utility Revenue Bonds, Series 2015 (the "2015 Bonds"). The 2015 Bonds are being issued in fully registered form and, when initially issued, will be registered to Cede & Co. as nominee of The Depository Trust Company, New York, New York. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of bond certificates. Interest on the 2015 Bonds will be payable semi-annually beginning on April 1, 2016 and on each October 1 and April 1 thereafter.

The 2015 Bonds are subject to optional redemption and may be subject to mandatory redemption as described herein.

The proceeds of the 2015 Bonds are being used to (i) acquire, construct and erect the 2015 Project (as described herein – see "PURPOSE OF THE 2015 BONDS – The 2015 Project"), (ii) to make a deposit into the Reserve Account (see "SECURITY FOR THE BONDS – Reserve Account") and (iii) to pay certain costs of issuance of the 2015 Bonds.

The 2015 Bonds and the interest thereon are payable from an irrevocable first lien on the Net Revenues of the City's Public Utility Refunding Revenue Bonds, Series 2006 outstanding as of October 1, 2015 in the aggregate principal amount of \$49,880,000, the City's Public Utility Revenue Bonds, Series 2009A outstanding as of October 1, 2015 in the aggregate principal amount of \$49,670,000, the City's Public Utility Refunding Revenue Bonds, Series 2009B outstanding as of October 1, 2015 in the aggregate principal amount of \$8,880,000, the City's Taxable Public Utility Revenue Bonds, Series 2010A (Federally Taxable – Build America Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$28,160,000, the City's Taxable Public Utility Revenue Bonds, Series 2010B (Federally Taxable – Recovery Zone Economic Development Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$19,695,000, the City's Public Utility Revenue Bonds, Series 2013A outstanding as of October 1, 2015 in the aggregate principal amount of \$40,760,000, the City's Public Utility Refunding Revenue Bonds, Series 2013B outstanding as of October 1, 2015 in the aggregate principal amount of \$42,685,000, the City's Public Utility Revenue Bonds, Series 2013C outstanding as of October 1, 2015 in the aggregate principal amount of \$24,995,000, the City's Public Utility Revenue Bonds, Series 2014A outstanding as of October 1, 2015 in the aggregate principal amount of \$34,245,000 and the City's Public Utility Refunding Revenue Bonds, Series 2014B outstanding as of October 1, 2015 in the aggregate principal amount of \$43,230,000.

The 2015 Bonds are being issued pursuant to Resolution No. 99-227 duly adopted by the City Council of the City on April 22, 1999, as amended and supplemented from time to time, and as particularly amended by Resolution No. 2005-559 duly adopted by the City Council of the City on October 20, 2005, and Resolution No. 2008-256 duly adopted by the City Council of the City on May 15, 2008 (the "Master Resolution") and as particularly prospectively amended by Resolution No. 2013-400 duly adopted by the City Council of the City on October 3, 2013 (the "2013 Resolution") and as supplemented by Resolution No. 2015-___ duly adopted by the City Council of the City on _____, 2015 (the "2015 Resolution" and collectively with the Master Resolution and the 2013 Resolution, the "Bond Resolution") and the Constitution and laws of the State of Florida, Chapter 166, Part II, Florida Statutes, Chapter 159, Part I, Florida Statutes, the municipal Charter of the City, and other applicable provisions of law (collectively, the "Act").

The 2013 Resolution contains amendments to the Bond Resolution that will become effective only upon the receipt by the City of certain consents to such amendments, as described herein. The initial purchasers of the 2015 Bonds, along with the purchasers of the 2013C Bonds, the 2014A Bonds and the 2014B Bonds, shall be deemed to have consented to all of such amendments as a result of their purchase of the 2013C Bonds, the 2014A Bonds, the 2014B Bonds and the 2015 Bonds, respectively. See "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" herein and APPENDIX E – "Composite of Bond Resolution" attached hereto.

Neither the 2015 Bonds nor the interest thereon constitute a general indebtedness of the City within the meaning of any constitutional, statutory or charter provision or limitation. No owner or owners of any 2015 Bonds shall ever have the right to compel the exercise of the ad valorem taxing power of the City, or taxation in any form on any real property therein, to pay the 2015 Bonds or the interest thereon.

This cover page contains certain information for quick reference only. It is not a summary of this issue. Investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.

The 2015 Bonds are offered for delivery when, as and if issued by the City and received by the Original Purchasers, subject to the approval of legality by Bryant Miller Olive P.A., Tampa, Florida, Bond Counsel. Certain legal matters will be passed upon for the City by Jacqueline M. Kovilaritch, Esq., City Attorney, or other designated Assistant City Attorney, and GrayRobinson, P.A., Tampa, Florida, Special Disclosure Counsel to the City. Public Financial Management, Inc., Orlando, Florida, is serving as Financial Advisor to the City. It is expected that the 2015 Bonds in definitive form will be available for delivery in New York, New York on or about _____, 2015.

ELECTRONIC BIDS FOR THE 2015 BONDS PURSUANT TO THE PROVISIONS OF THE OFFICIAL NOTICE OF SALE WILL BE RECEIVED BY THE CITY UNTIL ____ A.M., EASTERN TIME ON _____, _____, 2015, OR SUCH OTHER DATE AS DESCRIBED IN THE OFFICIAL NOTICE OF SALE THROUGH THE PARITY COMPETITIVE BIDDING SYSTEM.

Dated: _____, 2015

*Preliminary, subject to change.

CITY OF ST. PETERSBURG, FLORIDA

\$ _____ *

PUBLIC UTILITY REVENUE BONDS,
SERIES 2015

MATURITIES, AMOUNTS, INTEREST RATES, YIELDS, PRICES
AND INITIAL CUSIP NUMBERS

\$ _____ 2015 Serial Bonds

Maturity (October 1)*	Amounts*	Interest Rate	Yield	Price	Initial CUSIP Number***
2017					
2018					
2019					
2020					
2021					
2022					
2023					
2024					
2025					
2026**					
2027**					
2028**					
2029**					
2030**					
2031**					
2032**					
2033**					
2034**					
2035**					
2036**					
2037**					
2038**					
2039**					
2040**					
2041**					
2042**					
2043**					
2044**					
2045**					

* Preliminary, subject to adjustment as provided in the Official Notice of Sale.

** Subject to Term Bond Option as described in the "TERM BOND OPTION" in the Official Notice of Sale.

*** CUSIP is a registered trademark of the American Bankers Association. CUSIP data herein is provided by CUSIP Global Services, managed by Standards & Poor's Financial Services LLC on behalf of The American Bankers Association. This data is not intended to create a database and does not serve in any way as a substitute for the CUSIP Services. CUSIP numbers are included herein solely for the convenience of the purchasers of the 2015 Bonds. Neither the City nor the Original Purchasers shall be responsible for the selection or correctness of the CUSIP numbers set forth herein.

CITY OF ST. PETERSBURG, FLORIDA

ELECTED OFFICIALS

MAYOR

Richard D. Kriseman

CITY COUNCIL

District 1 – Charles Gerdes, Chair

District 2 – James R. Kennedy, Jr.

District 3 – William H. Dudley

District 4 – Darden Rice

District 5 – Steve Kornell

District 6 – Karl Nurse

District 7 – Wengay "Newt" Newton, Sr.

District 8 – Amy Foster, Vice Chair

APPOINTED OFFICIALS

Dr. Kanika Tomalin, Deputy Mayor

Kevin King, Chief of Staff

Gary Cornwell, City Administrator

Jacqueline M. Kovilaritch, City Attorney

Mark A. Winn, Assistant City Attorney

Anne A. Fritz, Finance Director

Chandrasasa Srinivasa, City Clerk

Michael J. Connors, Public Works Administrator

Steve Leavitt, Water Resources Director

BOND COUNSEL

Bryant Miller Olive P.A.

Tampa, Florida

SPECIAL DISCLOSURE COUNSEL

GrayRobinson, P.A.

Tampa, Florida

FINANCIAL ADVISOR

Public Financial Management, Inc.

Orlando, Florida

No dealer, broker, salesman or other person has been authorized to make any representation, other than as contained in this Official Statement, and if given or made, such other information or representations must not be relied upon. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the 2015 Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information contained in this Official Statement has been obtained from public documents, records and other sources considered to be reliable and, while not guaranteed as to completeness or accuracy, is believed to be correct. Any statements in this Official Statement involving estimates, assumptions and matters of opinion, whether or not so expressly stated, are intended as such and not as representations of fact, and the City expressly makes no representation that such estimates, assumptions and opinions will be realized or fulfilled. Any information, estimates, assumptions and matters of opinion contained in this Official Statement are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder, shall under any circumstances, create any implication that there has been no change in the affairs of the City since the date hereof.

IN CONNECTION WITH THE OFFERING OF THE 2015 BONDS, THE ORIGINAL PURCHASERS MAY OVER ALLOT OR EFFECT TRANSACTIONS THAT STABILIZE OR MAINTAIN THE MARKET PRICE OF SUCH 2015 BONDS AT THE LEVEL ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.

THE 2015 BONDS HAVE NOT BEEN REGISTERED WITH THE SECURITIES AND EXCHANGE COMMISSION UNDER THE SECURITIES ACT OF 1933, AS AMENDED, NOR HAS THE BOND RESOLUTION BEEN QUALIFIED UNDER THE TRUST INDENTURE ACT OF 1939, AS AMENDED, IN RELIANCE UPON EXEMPTIONS CONTAINED IN SUCH ACTS. THE REGISTRATION OR QUALIFICATION OF THE 2015 BONDS IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE SECURITIES LAWS OF THE STATES, IF ANY, IN WHICH THE 2015 BONDS HAVE BEEN REGISTERED OR QUALIFIED AND THE EXEMPTION FROM REGISTRATION OR QUALIFICATION IN CERTAIN OTHER STATES CANNOT BE REGARDED AS A RECOMMENDATION THEREOF. NEITHER THESE STATES NOR ANY OF THEIR AGENCIES HAVE PASSED UPON THE MERITS OF THE 2015 BONDS OR THE ACCURACY OR COMPLETENESS OF THIS OFFICIAL STATEMENT. ANY REPRESENTATION TO THE CONTRARY MAY BE A CRIMINAL OFFENSE.

This Preliminary Official Statement is in a form deemed final by the City for the purpose of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended, except for certain information permitted to be omitted under Rule 15c2-12(b)(1).

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APPENDIX A	General Description of the City and Selected Statistics
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OFFICIAL STATEMENT

CITY OF ST. PETERSBURG, FLORIDA

\$ _____*
PUBLIC UTILITY REVENUE BONDS,
SERIES 2015

INTRODUCTORY STATEMENT

The purpose of this Official Statement, which includes the cover page and the Appendices, is to provide information concerning the City of St. Petersburg, Florida (the "City") and the City's \$ _____* Public Utility Revenue Bonds, Series 2015 (the "2015 Bonds"). Further information about the City is set forth in APPENDIX A – "General Description of the City and Selected Statistics" and about the City's Public Utility System in APPENDIX C – "Public Utilities System."

The 2015 Bonds are being issued pursuant to Resolution No. 99-227 duly adopted by the City Council of the City on April 22, 1999, as amended and supplemented from time to time, and as particularly amended by Resolution No. 2005-559 duly adopted by the City Council of the City on October 20, 2005 and Resolution No. 2008-256 duly adopted by the City Council of the City on May 15, 2008 (the "Master Resolution") and as particularly prospectively amended by Resolution No. 2013-400 duly adopted by the City Council of the City on October 3, 2013 (the "2013 Resolution") and as supplemented by Resolution No. 2015-___ duly adopted by the City Council of the City on _____, 2015 (the "2015 Resolution" and collectively with the Master Resolution and the 2013 Resolution, the "Bond Resolution") and the Constitution and laws of the State of Florida, Chapter 166, Part II, Florida Statutes, Chapter 159, Part I, Florida Statutes, the municipal Charter of the City, and other applicable provisions of law (collectively, the "Act").

The 2013 Resolution contains amendments to the Bond Resolution that will become effective only upon the receipt by the City of certain consents to such amendments, as described herein. The initial purchasers of the 2015 Bonds shall be deemed to have consented to all of such amendments as a result of their purchase of the 2015 Bonds. See "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" herein and APPENDIX E – "Composite of Bond Resolution" attached hereto.

The Bonds are being issued on a parity with the City's Public Utility Refunding Revenue Bonds, Series 2006 outstanding as of October 1, 2015 in the aggregate principal amount of \$49,880,000 (the "2006 Bonds"), the City's Public Utility Revenue Bonds, Series 2009A outstanding as of October 1, 2015 in the aggregate principal amount of \$49,670,000 (the "2009A Bonds"), the City's Public Utility Refunding Revenue Bonds, Series 2009B outstanding as of October 1, 2015 in the aggregate principal amount of \$8,880,000 (the "2009B Bonds"), the City's Taxable Public Utility Revenue Bonds, Series 2010A (Federally Taxable – Build America Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$28,160,000 (the "2010A Bonds"), the City's Taxable Public Utility Revenue Bonds, Series 2010B (Federally Taxable – Recovery Zone Economic Development Bonds – Direct Subsidy) outstanding as of October 1, 2015 in the aggregate principal amount of \$19,695,000 (the "2010B Bonds"), the City's Public Utility Revenue Bonds, Series 2013A outstanding as of October 1, 2015 in the aggregate principal amount of \$40,760,000 (the "2013A Bonds"), the City's Public Utility Refunding Revenue Bonds, Series 2013B outstanding as of October 1, 2015 in the aggregate principal amount of \$42,685,000 (the "2013B Bonds"), the City's Public Utility Revenue Bonds, Series 2013C currently outstanding as of October 1, 2015 in the aggregate principal amount of \$24,995,000 (the

* Preliminary, subject to change.

"2013C Bonds"), the City's Public Utility Revenue Bonds, Series 2014A outstanding as of October 1, 2015 in the aggregate principal amount of \$34,245,000 (the "2014A Bonds"), and the City's Public Utility Refunding Revenue Bonds, Series 2014B outstanding as of October 1, 2015 in the aggregate principal amount of \$43,230,000 (the "2014B Bonds").

Definitions of certain capitalized words and terms used herein are contained in the "Composite of the Bond Resolution" in APPENDIX E hereto.

The references, excerpts and summaries of all documents referred to herein do not purport to be complete statements of the provisions of such documents, and reference is directed to all such documents for full and complete statements of all matters of fact relating to the 2015 Bonds, the security for the payment of the 2015 Bonds, and the rights and obligations of holders thereof.

The information contained in this Official Statement involving matters of opinion or of estimates, whether or not so expressly stated, are set forth as such and not as representations of fact, and no representation is made that any of the estimates will be realized. Neither this Official Statement nor any statement which may have been made verbally or in writing is to be construed as a contract with the holders of the 2015 Bonds.

PURPOSE OF THE 2015 BONDS

The proceeds of the 2015 Bonds are being used to (i) acquire, construct and erect the 2015 Project (as described below), (ii) to make a deposit into the Reserve Account (see "SECURITY FOR THE BONDS – Reserve Account"), and (iii) to pay certain costs of issuance of the 2015 Bonds.

The 2015 Project

A portion of the proceeds from the issuance of the 2015 Bonds will be used to finance and/or reimburse the acquisition, construction and erection of the 2015 Project. The 2015 Project includes the following projects to the System (as defined herein and as described in APPENDIX C – "Public Utilities System"):

(i) Replacement of existing pipelines and facilities in the Water Treatment and Distribution System at an approximate cost of \$1,235,000;

(ii) Replacement and rehabilitation of the Wastewater Collection System at an approximate cost of \$7,950,000;

(iii) Rehabilitation of existing facilities and enhancement of reliability of treatment processes to Water Reclamation Facilities at an approximate cost of \$16,331,000;

(iv) Rehabilitation of Wastewater Lift Stations at an approximate cost of \$3,500,000; and

(v) The acquisition, construction and erection of improvements to the System to be acquired, constructed and erected in accordance with plans on file at the office of the City, as such plans may be modified from time to time.

DESCRIPTION OF THE 2015 BONDS

General

Principal of, and premium, if any, on the 2015 Bonds are payable at the designated corporate office of the Paying Agent, U.S. Bank National Association, Orlando, Florida, which is also acting as Bond Registrar. The 2015 Bonds will be initially issued in the form of a single fully registered 2015 Bond for each maturity of each series. Upon initial issuance, the ownership of each such 2015 Bond will be registered in the registration books kept by the Bond Registrar, in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). See APPENDIX H – "DTC Information." The 2015 Bonds will be dated the date of delivery, and will bear interest at the rates and mature in the amounts and at the times set forth on the inside cover page of this Official Statement. The 2015 Bonds are to be issued as fully registered bonds in denominations of \$5,000 or integral multiples thereof. Interest will be payable on April 1, 2016, and semiannually thereafter on October 1 and April 1 of each year. Interest on the 2015 Bonds shall be payable by check or draft mailed to the Registered Owners at their addresses as they appear on the registration books of the City maintained by the Bond Registrar; however, in the case of a Registered Owner of \$1,000,000 or more in aggregate principal amount of 2015 Bonds, upon written request of such Registered Owner to the Bond Registrar ten (10) days prior to the Record Date relating to such Interest Payment Date, such interest shall be paid on the Interest Payment Date in immediately available funds by wire transfer, at the expense of the Registered Owner.

With respect to 2015 Bonds registered in the name of Cede & Co., as nominee of DTC, neither the City nor the Paying Agent will have any responsibility or obligation to any DTC Participant or to any indirect DTC Participant. See APPENDIX H – "DTC Information" for the definition of "DTC Participant." Without limiting the immediately preceding sentence, neither the City, the Bond Registrar nor the Paying Agent will have any responsibility or obligation with respect to: (i) the accuracy of the records of DTC or any DTC Participant with respect to any ownership interest in the 2015 Bonds; (ii) the delivery to any DTC Participant or any other person other than a Registered Owner, as shown in the registration books kept by the Bond Registrar, of any notice with respect to the 2015 Bonds, including any notice of redemption; or (iii) the payment to any DTC Participant or any other person, other than a Registered Owner, as shown in the registration books kept by the Bond Registrar, of any amount with respect to principal of, premium, if any, or interest on the 2015 Bonds. The City, the Bond Registrar and the Paying Agent may treat and consider the person in whose name each 2015 Bond is registered in the registration books kept by the Bond Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal of, premium, if any, and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent will pay all principal of, premium, if any, and interest on the 2015 Bonds only to or upon the order of the respective Registered Owners, as shown in the registration books kept by the Bond Registrar, or their respective attorneys duly authorized in writing, as provided in the Bond Resolution, and all such payments will be valid and effectual to satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, and interest on the 2015 Bonds to the extent of the sums so paid. No person other than a Registered Owner, as shown in the registration books kept by the Bond Registrar, will receive a certificated Bond evidencing the obligation of the City to make payments of principal of, premium, if any, and interest on the 2015 Bonds pursuant to the provisions of the Bond Resolution.

Optional Redemption

The 2015 Bonds that mature on or before October 1, 20__ are not subject to redemption prior to their maturities. The 2015 Bonds that mature on or after October 1, 20__, are subject to redemption

beginning October 1, 20__ in whole or in part at any time, in any order of maturities at the option of the City, at a redemption price equal to the principal amount thereof plus accrued interest to the redemption date.

Mandatory Redemption

The 2015 Bonds maturing on October 1, 20__ are subject to mandatory redemption or purchase prior to their stated dates of maturity, in part by lot, in such manner as the City may deem appropriate, from Amortization Installments deposited by the City in the Bond Amortization Account, at the principal amount thereof, unless purchased pursuant to the operation of such Account, plus accrued interest to the redemption date, on October 1 of the years and in the principal amounts, both set forth below:

\$ _____ 2015 Term Bonds Due October 1, 20__*
Amortization Installments

Mandatory Redemption Date (October 1)	Amount
---	--------

*

*Final Maturity.

Notice of Redemption

At least thirty (30) days prior to the expected redemption date, notice of such redemption shall be filed with the Paying Agent and shall be mailed, postage prepaid to all Registered Owners of the 2015 Bonds to be redeemed at their addresses as they appear on the registration books. Interest shall cease to accrue on any 2015 Bonds duly called for prior redemption, after the redemption date, if payment thereof has been duly provided. The privilege of transfer or exchange of any of the 2015 Bonds selected for redemption is suspended for a fifteen (15) day period preceding the date of selection of the 2015 Bonds to be redeemed. Nothing in the Bond Resolution shall be deemed to require the City to have deposited monies with the Paying Agent or any escrow holder prior to providing such notice of expected redemption.

Any notice of optional redemption given pursuant to the Bond Resolution may state that it is conditional upon receipt by the Paying Agent of moneys sufficient to pay the redemption price, plus interest accrued to the redemption date, or upon the satisfaction of any other condition, or that it may be rescinded upon the occurrence of any other event, and any conditional notice so given may be rescinded at any time before payment of such redemption price and accrued interest if any such condition so specified is not satisfied or if any such other event occurs. Notice of such rescission shall be given by the Paying Agent to affected Registered Owners of 2015 Bonds as promptly as practicable upon the failure of such condition or the occurrence of such other event.

PUBLIC UTILITIES SYSTEM

The Public Utilities System (the "System") includes the treatment, transmission and distribution of potable water; collection, transmission, treatment and effluent disposal of wastewater; storage, pumping, transmission and distribution of reclaimed water; and the collection, transmission and treatment of stormwater to customers within the City and adjacent areas. Also included in the System are the

existing properties and assets, real and personal, tangible and intangible, owned or operated by the City that are used or useful for the aforementioned purposes and all properties and assets constructed or acquired as additions, improvements and betterments to the System and extensions thereof. The System is further described in APPENDIX C hereto.

SECURITY FOR THE BONDS

Net Revenues of the System

The principal, interest, and other payments required for the 2006 Bonds, the 2009A Bonds, the 2009B Bonds, the 2010A Bonds, the 2010B Bonds, the 2013A Bonds, the 2013B Bonds, the 2013C Bonds, the 2014A Bonds, the 2014B Bonds, the 2015 Bonds and any Additional Parity Obligations hereafter issued (collectively the "Bonds") are secured by and payable solely from an irrevocable first lien upon and pledge of the Net Revenues of the System. Net Revenues of the System are the Gross Revenues of the System after deduction of the Cost of Operation and Maintenance. Gross Revenues include all income or earnings derived by the City from the operation of the System, including connection charges, cost recovery for shared treatment facilities, proceeds of the sale, condemnation and/or insurance on the System, and any income from the investment of moneys in the Operating Fund, the Debt Service Fund and the Improvement Fund. Gross Revenues shall also include any special assessments lawfully levied by the City upon users of the System, but shall not include any Impact Fees, federal or state grants, Contributions in Aid of Construction, or the proceeds, if any, from wellfields or property related thereto or property available for use as wellfields and in either case currently owned by the City and located in Pasco or Hillsborough County. Direct Subsidy Payments expected to be received from the United States Treasury Secretary with respect to the 2010A and 2010B Bonds are treated as Gross Revenues under the Bond Resolution and are therefore pledged as a source of security for the Bonds.* In addition, Gross Revenues shall not include any income from the investment of the Operating Reserve Funds. "Cost of Operation and Maintenance" of the System means the current expenses, paid or accrued, of operation, maintenance and repair of the System, as calculated in accordance with sound accounting practice, but shall not include "non-direct" administrative expenses allocated from non-utility system departments (but shall include the cost of billings and collections), payments in lieu of taxes, any reserve for renewals and replacements, extraordinary repairs or any allowance for depreciation. "Cost of Operation and Maintenance" shall also include amounts payable by the City to Tampa Bay Water, a Regional Water Supply Authority ("Tampa Bay Water") or any other supplier of water for the cost of purchased water or the right to receive water. See "Composite of the Bond Resolution" included as APPENDIX E hereto.

The City received a lump sum partial payment of \$93,400,000 pursuant to the sale of the City's water supply facilities to Tampa Bay Water on September 29, 1998. The \$93,400,000 proceeds from the sale of the water supply facilities were transferred to the Operating Reserve Fund pursuant to the Master Resolution. All investment earnings thereon, except as set forth in the next sentence, shall only be used for the purpose of purchasing water for use by the System. The City is restricted by provisions of the Master Resolution as to the use of amounts on deposit in the Operating Reserve Fund to acquire,

* Pursuant to the Sequestration Transparency Act of 2012 (P.L. 112-155) and as required by the Budget Control Act of 2011, the payments authorized for direct-pay bonds, such as the 2010A Bonds and the 2010B Bonds, issued under the Recovery and Reinvestment Act of 2009 are included in the sequestration to reduce the federal deficit by \$1.2 trillion. The Internal Revenue Service's Office of Tax Exempt Bonds has announced that the sequester reduction percentage for Direct Subsidy Payments on or after October 1, 2015 and before October 1, 2016 will be 6.7% of gross interest on 2010A Bonds and 2010B Bonds, estimated to equal approximately \$79,000 on the 2010A Bonds and the 2010B Bonds. The sequester reductions for Fiscal Years 2014 and 2015 were 7.3% and 7.2%, respectively. Payment of debt service on the 2010A Bonds and the 2010B Bonds is not contingent upon receipt by the City of the Direct Subsidy Payments and the City does not expect any such reduction in Direct Subsidy Payments will effect its ability to pay debt service on the 2010A Bonds and the 2010B Bonds.

construct and erect additional facilities for the production of water and the transmission thereof to the System. Amounts on deposit in the Operating Reserve Fund may not be used to pay the principal of or interest on the Bonds.

By Resolution No. 2008-256 adopted by the City Council on May 15, 2008, the Master Resolution was amended to provide that in addition to providing that moneys in the Operating Reserve Fund, including investment earnings thereon, may be used for the purpose of acquiring, constructing and erecting additional facilities for the production of water and the transmission thereof to the System, such moneys may also be used for making interfund loans for a public purpose, subject to approval by the City Council and the written consent of the Credit Facility Issuers. See "Composite of the Bond Resolution" included as APPENDIX E hereto.

The City Council adopted Resolution No. 2008-257 on May 15, 2008 approving an interfund loan of \$8,995,565 from the Operating Reserve Fund. The Credit Facility Issuers both provided their written consents. In connection with the City's issuance of its Excise Tax Refunding Revenue Bonds, Series 1993 (the "Excise Tax Bonds"), the City funded the "1993 Reserve Subaccount" therefore in an amount equal to \$8,995,565 through the purchase of a surety bond from Financial Guaranty Insurance Company ("FGIC"). FGIC has since been downgraded by the rating agencies. Accordingly, the City was required to replace such FGIC surety bond with cash or permitted investments or another surety bond, insurance policy or letter of credit. Based upon the advice of the City's Financial Advisor, the City determined that the most cost effective manner to satisfy such requirement was to replace the surety bond with sufficient cash to meet the "Reserve Requirement" for the Excise Tax Bonds. Accordingly, an interfund loan was made to the 1993 Reserve Account for the Excise Tax Bonds. The proceeds of such interfund loan (\$8,995,565) have been invested in Investment Obligations (as such term is defined in the Resolution for the Excise Tax Bonds). Accordingly, the interest rate on the interfund loan payable to the Operating Reserve Fund is equal to the investment return from the Investment Obligations. The maturity date of such interfund loan is October 1, 2015 and such loan will be repaid to the Operating Reserve Fund from the 1993 Reserve Fund for the Excise Tax Bonds which mature on October 1, 2015.

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Subordinate Lien State Loans

In 1998, the Florida Department of Environmental Protection (the "DEP") developed a State Revolving Fund ("SRF") Loan Program. The City has entered into six (6) State Revolving Fund Loan Agreements for wastewater facilities (the "SRF Agreements"), four (4) with the DEP and two (2) with the Florida Water Pollution Control Financing Corporation (the "Corporation"). The SRF Agreements constitute Subordinate Debt for purposes of the Bond Resolution. The City is required to make semi-annual principal and interest payments on the SRF Loans. There can be no assurance of further federal or state funding for this program.

Completed Loans

<u>Loan Approval Date</u>	<u>Issue Date</u>	<u>Loan Number</u>	<u>Original Loan Amount</u>	<u>Remaining Loan Amount</u>	<u>Interest Rate</u>	<u>Maturity</u>
Apr. 15, 1998	03/15/01	CS120521010	\$13,227,511	\$4,257,975 ⁽¹⁾	3.11-3.18%	09/15/20
May 4, 2000	09/15/03	CS120521020	3,587,494	1,624,003 ⁽²⁾	3.33%	11/15/22
Nov. 27, 2001	09/15/03	CS12052104P	445,776	211,064 ⁽¹⁾	3.05%	09/15/23
Nov. 8, 2001	09/05/04	CS120521030	5,851,730	2,783,515 ⁽¹⁾	2.93-3.05%	09/15/23
Dec. 5, 2003	01/15/04	WW52105L	4,519,117	2,233,112 ⁽³⁾	2.96%	01/15/24
May 18, 2011	05/15/14	WW520600	6,487,184	5,767,401 ⁽²⁾	2.67%	11/15/32
			<u>\$34,118,812</u>	<u>\$16,877,079</u>		

(1) As of September 15, 2015.

(2) As of May 15, 2015.

(3) As of July 15, 2015.

Under the SRF Agreements, the DEP and the Corporation have liens on what is referred to in the SRF Agreements as the "pledged revenues" (the "SRF Loan Pledged Revenues"), such lien being prior and superior to any other lien, pledge or assignment of the SRF Pledged Revenues but is inferior to the lien of the Bonds. For purposes of the SRF Loans, "Pledged Revenues" means the Gross Revenues from the operation of the System after the payment of the Cost of Operation and Maintenance and all annual payments in connection with the Bonds issued under the Bond Resolution.

Bonds Not a Debt of the City

The Bonds shall not be or constitute general obligations or indebtedness of the City as "bonds" within the meaning of the constitution of Florida, but shall be payable solely from and secured by a lien upon and pledge of the Net Revenues as provided in the Bond Resolution. No registered owners shall ever have the right to compel the exercise of the ad valorem taxing power of the City or taxation in any form of any real property therein to pay such principal and interest from any other funds of the City except from the Net Revenues of the System.

Reserve Account

A Reserve Account within the Debt Service Fund has been established by the Bond Resolution to secure the Bonds. Any withdrawals from the Reserve Account or any deficiencies in the Reserve Account shall be subsequently restored from the first moneys available in the Operating Fund, on a pro rata basis after all required current payments for Cost of Operation and Maintenance and all current applications and allocations to the other accounts in the Debt Service Fund, including all deficiencies for prior payments having been made in full. The City may deposit into the Reserve Account an amount such that not less than the Reserve Account Requirement (as defined in the "Composite of the Bond Resolution" in

APPENDIX E) shall be on deposit not later than sixty months after the date of issuance of a series of the Bonds or the date of any such withdrawal from the Reserve Account (assuming equal monthly payments for such sixty month period) or not later than such earlier date as shall be determined by the resolution authorizing such series of Bonds. For any series of Bonds, the City may provide that the difference between the amounts on deposit in the Reserve Account and the Reserve Account Requirement shall be an amount covered by obtaining bond insurance issued by a reputable and recognized municipal bond insurer, by a surety bond, by a letter of credit or any combination thereof or by such other form of credit enhancement as shall be approved by subsequent resolution of the City. Such resolution may also provide for the substitution of such credit enhancement. Moneys in the Reserve Account shall be used only for the purpose of the payment of Amortization Installments, principal of, or interest on the Bonds when the other moneys allocated to the other accounts in the Debt Service Fund are insufficient therefore, and for no other purpose. Investments in the Reserve Account shall be valued on September 30 of each year at their market value. See "Composite of the Bond Resolution – Disposition of Gross Revenues" included as APPENDIX E hereto.

From proceeds of the 2015 Bonds, the City will deposit into the Reserve Account an amount equal to \$ _____ in addition to cash or investments in the amount of \$ _____ already on deposit. Following such deposit, cash and/or Investment Securities in an amount equal to \$ _____ will be on deposit in the Reserve Account.

The City purchased a surety bond from Financial Security Assurance Inc. ("FSA") in 2003 (the "2003 Reserve Policy"). The principal amount of the 2003 Reserve Policy on deposit in the Reserve Account is currently \$2,980,499.80. The 2003 Reserve Policy will terminate on October 1, 2033. FSA was acquired by Assured Guaranty Corp. ("Assured") in July 2009. The insurer financial strength rating of Assured is "A3" (negative outlook) by Moody's Investors Services ("Moody's") and "AA" (stable outlook) by Standard & Poor's Ratings Services ("S&P").

The City purchased a surety bond from MBIA Insurance Corporation ("MBIA") in the amount of \$2,915,963.74 in connection with the issuance of the 2005 Bonds (the "2005 Reserve Policy") and deposited it into the Reserve Account. The 2005 Reserve Policy has a termination date of October 1, 2035 and, along with the 2003 Reserve Policy (which terminates on October 1, 2033), will secure the holders of the 2006 Bonds, the 2009A Bonds, the 2009B Bonds, the 2010A Bonds, the 2010B Bonds, the 2013A Bonds, the 2013B Bonds, the 2013C Bonds, the 2014A Bonds, the 2014B Bonds and the 2015 Bonds. The 2005 Reserve Policy is payable to the Paying Agent on any Interest Payment Date on which a deficiency exists which cannot be cured by funds available in the Debt Service Fund. Upon termination of the 2003 Reserve Policy, the 2005 Reserve Policy together with cash on deposit in the Reserve Account will not meet the Reserve Account Requirement for the Bonds. Accordingly, the City will be required to provide the difference between the amounts on deposit in the Reserve Account and the then Reserve Account Requirement (deficiency estimated to equal \$2,980,499.80 on October 1, 2033) by depositing sufficient money or a surety bond, a letter of credit or any combination thereof, or by such other form of credit enhancement as shall be approved by subsequent resolution of the City. Upon termination of the 2005 Reserve Policy and assuming the above deposit on October 1, 2033, the City will be required to provide the difference between the amounts on deposit in the Reserve Account and the Reserve Account Requirement (deficiency estimated to equal \$263,454.89) by depositing sufficient money or a surety bond, a letter of credit or any combination thereof, or by such other form of credit enhancement as shall be approved by subsequent resolution of the City.

MBIA, Inc., of which MBIA is a bond insurance subsidiary, has restructured its insurance subsidiaries to form a new U.S. public finance-only insurer, MBIA Insurance Corp. of Illinois, renamed National Public Finance Guarantee Corporation ("National"). The insurer financial strength of National is rated "A3" (negative outlook) by Moody's, "AA-" (stable outlook) by S&P and "AA+" (stable outlook) by

KBRA. The City is not required to replace the MBIA surety bond with cash or permitted investments or another surety bond as a result of any further downgrades of National.

As of the issuance of the 2015 Bonds, the Reserve Account Requirement shall equal \$_____ and shall be fully funded.

See "SECURITY FOR THE BONDS – Reserve Account." Also, see "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" and APPENDIX E – "Composite of Bond Resolution" for a description of springing amendments to the Bond Resolution including the ability of the City to create separate subaccounts in the Reserve Account to secure any series of Bonds issued in the future and the amendment to the definition of "Reserve Account Requirement" allowing for it to be set at \$0 as applicable to any such subaccounts if deemed advantageous to be determined upon issuance of such series.

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HISTORICAL SYSTEM REVENUES, EXPENSES AND BOND SERVICE COVERAGE

	Fiscal Years Ended September 30 (000's omitted)				
	<u>2010⁽¹⁾</u>	<u>2011⁽¹⁾</u>	<u>2012⁽¹⁾</u>	<u>2013⁽¹⁾</u>	<u>2014⁽¹⁾</u>
Gross Revenues	\$104,214 ⁽³⁾	\$110,235	\$116,214	\$117,231	\$120,820
<u>Less:</u>					
Cost of Operation & Maintenance ⁽²⁾	(77,131) ⁽⁴⁾	(79,970)	(79,347)	(82,257)	(81,212)
Net Revenue Available for Bond Service Requirement	\$27,083	\$30,265	\$36,867	\$34,974	\$39,608
Annual Bond Service Requirement on the Bonds	12,561	14,973 ⁽⁴⁾	17,156 ⁽⁴⁾	17,211 ⁽⁴⁾⁽⁵⁾	19,197 ⁽⁴⁾⁽⁵⁾
Maximum Bond Service Requirement on the Bonds	14,133	17,491	17,490	19,376	20,996
Bond Service Coverage					
Annual Basis ⁽⁵⁾	2.16x	2.02x	2.15x	2.03x	2.06x
Maximum Basis	1.92x	1.73x	2.11x	1.81x	1.89x
Bond Service Coverage Including Subordinate Debt Service:					
Annual Required Debt Service	\$14,504	\$16,916	\$19,099	\$19,394	\$21,564
Maximum Debt Service Requirement	16,076	19,433	19,433	21,273	22,849
Debt Service Coverage ⁽⁶⁾ :					
Annual Basis	1.87x	1.79x	1.93x	1.80x	1.84x
Maximum Basis	1.68x	1.56x	1.90x	1.64x	1.73x

- (1) Derived from audited financial statements included in the City's Annual Comprehensive Financial Reports for the Fiscal Years ended September 30, 2010 through 2014.
- (2) Gross expenses less depreciation, interest and general administrative costs.
- (3) Excludes loss on disposal of capital assets related to prior period adjustments.
- (4) Not reduced by Interest Subsidies received for the 2010A & 2010B Public Utility Revenue Bonds.
- (5) Does not include 2014A Public Utility Revenue Bonds nor the 2014B Public Utility Revenue Bonds as these were issued in October 2014.
- (6) 1.15x is required by the rate covenant in the Bond Resolution for the Senior Bonds.

Source: Department of Finance, City of St. Petersburg, Florida.

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FY 2016 UTILITY RATE STUDY

Burton & Associates (the "Rate Consultant") conducted a comprehensive Water, Wastewater, and Reclaimed Water Utility Rate Study (the "Study") for the City's System that consisted of a Revenue Sufficiency Analysis ("RSA") and Cost of Service Allocation. The Report is included as APPENDIX D and describes in detail the assumptions, procedures, and results of the Study, including the Rate Consultant's conclusions and recommendations.

Rate Consultant's Conclusions and Recommendations

Based upon the RSA presented in the Report and the results presented in the Report, the Rate Consultant reached the following conclusions and recommendations:

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Projected System Revenues, Expenses and Bond Service Coverage⁽¹⁾

Fiscal Years Ended September 30
(000's omitted)

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Total Operating Revenues					
<u>Less:</u>					
Cost of Operation & Maintenance					
Net Operating Revenue					
Other Revenue Available For Debt Service					
Net Revenue Available For Debt Service					
Annual Bond Service Requirement on the Bonds					
Bond Service Coverage					
Annual Basis ⁽²⁾					
Bond Service Coverage Including Subordinate Debt Service:					
Annual Required Debt Service					
Debt Service Coverage					
Annual Basis					

(1) Derived from the "FY 2016 Utility Rate Study – Appendix A – Schedule 7" included in APPENDIX D hereto. Reference is made to Appendix A – Schedule 7 of the Report for the assumptions for the above table and the footnotes to Schedule 7. For actual debt service see "DEBT SERVICE REQUIREMENTS – Aggregate Debt Service."

(2) 1.15x is required by the rate covenant in the Bond Resolution for the Senior Bonds.

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BOND SERVICE REQUIREMENTS

Date (Oct. 1)	2015 Bonds			Total Debt Service
	Principal	Interest	Debt Service	
2016				
2017				
2018				
2019				
2020				
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				
2033				
2034				
2035				
2036				
2037				
2038				
2039				
2040				
2041				
2042				
2043				
2044				
2045				
Total				

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DEBT SERVICE REQUIREMENTS

Date (Oct. 1)	2006 Bonds Debt Service	2009A Bonds Debt Service	2009B Bonds Debt Service	2010A Bonds Debt Service ⁽¹⁾	2010B Bonds Debt Service ⁽¹⁾	2013A Bonds Debt Service	2013B Bonds Debt Service	2013C Bonds Debt Service	2014A Bonds and 2014B Bonds Debt Service	2015 Bonds Debt Service	Aggregate Debt Service ⁽¹⁾
2016	\$2,639,631.26	\$3,145,031.26	\$3,259,000.00	\$2,091,185.00	\$1,299,870.00	\$2,183,638.76	\$1,961,742.50	\$1,160,823.76	\$4,483,633.76		
2017	2,641,431.26	3,145,031.26	3,263,250.00	2,078,185.00	1,299,870.00	2,183,438.76	1,963,992.50	1,160,823.76	4,481,533.76		
2018	2,642,431.26	3,144,031.26	3,260,250.00	2,078,185.00	1,299,870.00	2,187,238.76	1,965,792.50	1,160,823.76	4,478,083.76		
2019	6,107,631.26	2,987,031.26	--	2,086,170.00	1,299,870.00	2,184,838.76	1,902,142.50	1,660,823.76	4,484,083.76		
2020	6,108,431.26	2,990,231.26	--	2,078,130.00	1,299,870.00	2,186,438.76	1,904,992.50	1,660,823.76	4,477,733.76		
2021	6,107,831.26	2,992,431.26	--	2,072,430.00	1,299,870.00	2,186,838.76	1,902,392.50	1,659,573.76	4,479,383.76		
2022	6,110,631.26	2,997,143.76	--	2,061,040.00	1,299,870.00	2,186,038.76	1,899,492.50	1,662,073.76	4,477,133.76		
2023	6,106,631.26	2,999,800.00	--	2,054,190.00	1,299,870.00	2,187,038.76	1,901,292.50	1,658,073.76	4,480,383.76		
2024	6,110,131.26	3,005,325.00	--	2,031,650.00	1,299,870.00	2,184,038.76	1,899,917.50	1,657,823.76	4,473,633.76		
2025	6,108,956.26	3,004,275.00	--	2,024,110.00	1,299,870.00	2,184,838.76	1,902,130.00	1,661,073.76	4,482,133.76		
2026	6,109,300.00	3,010,975.00	--	2,015,880.00	1,299,870.00	2,184,238.76	1,902,730.00	1,662,573.76	4,479,583.76		
2027	6,109,800.00	3,014,875.00	--	1,994,680.00	1,299,870.00	2,186,488.76	1,902,880.00	1,662,323.76	4,478,133.76		
2028	6,108,025.00	3,016,875.00	--	1,982,880.00	1,299,870.00	2,187,838.76	1,901,305.00	1,660,323.76	4,482,533.76		
2029	--	2,834,875.00	--	1,999,880.00	1,299,870.00	2,187,057.50	8,164,242.50	1,662,386.26	4,481,483.76		
2030	--	2,839,875.00	--	1,983,880.00	1,299,870.00	2,183,562.50	8,162,042.50	1,657,961.26	4,478,183.76		
2031	--	2,847,875.00	--	1,966,680.00	1,299,870.00	2,183,032.50	8,164,042.50	1,661,211.26	4,476,208.76		
2032	--	2,858,625.00	--	1,941,680.00	1,299,870.00	2,185,232.50	8,161,442.50	1,657,711.26	4,478,921.26		
2033	--	2,831,875.00	--	1,945,742.50	1,299,870.00	2,186,032.50	8,164,917.50	1,661,536.26	4,478,183.76		
2034	--	2,849,375.00	--	1,916,992.50	1,299,870.00	2,183,982.50	--	1,468,336.26	12,901,843.76		
2035	--	2,863,875.00	--	1,887,305.00	1,299,870.00	2,184,582.50	--	1,476,886.26	12,901,337.50		
2036	--	9,960,375.00	--	6,111,680.00	1,299,870.00	2,182,895.00	--	1,482,342.50	1,901,437.50		
2037	--	9,974,625.00	--	5,986,680.00	1,299,870.00	2,184,520.00	--	1,490,717.50	1,902,962.50		
2038	--	9,970,200.00	--	5,874,200.00	1,299,870.00	2,183,600.00	--	1,660,592.50	1,902,737.50		
2039	--	9,977,700.00	--	1,872,640.00	5,169,870.00	2,183,000.00	--	1,660,255.00	1,900,762.50		
2040	--	--	--	--	16,869,450.00	2,185,200.00	--	1,660,355.00	1,900,118.76		
2041	--	--	--	--	--	8,120,000.00	--	1,457,980.00	1,902,481.26		
2042	--	--	--	--	--	8,320,000.00	--	1,276,000.00	1,902,668.76		
2043	--	--	--	--	--	--	--	5,230,000.00	1,900,681.26		
2044	--	--	--	--	--	--	--	--	1,901,518.76		
2045	--	--	--	--	--	--	--	--	--		
Total	\$69,010,862.60	\$99,262,331.32	\$9,782,500.00	\$60,136,075.00	\$51,936,330.00	\$71,065,651.38	\$65,727,490.00	\$47,252,230.20	\$123,549,520.24		

(1) Not net of anticipated Direct Subsidy Payments.

ESTIMATED SOURCES AND USES OF FUNDS

The proceeds to be received from the sale of the 2015 Bonds are expected to be applied substantially as follows:

SOURCES

Principal Amount of 2015 Bonds
Net Original Issue Premium [Discount]

Total Sources

=====

USES

Deposit to the 2015 Construction and
Acquisition Fund
Deposit to Reserve Account
Cost of Issuance⁽¹⁾

Total Uses

=====

(1) Includes the fees and expenses of Bond Counsel, Special Disclosure Counsel, Financial Advisor, Original Purchasers' Discount, printing, ratings, and other associated costs of issuance.

FLOW OF FUNDS

Operating Fund

The Bond Resolution requires that the entire Gross Revenues derived from the operation of the System shall upon receipt thereof be deposited in the Operating Fund. All Gross Revenues at any time remaining on deposit in the Operating Fund shall be disposed of on or before the 25th day of each month, only in the following manner and in the following order of priority:

1. Cost of Operation and Maintenance. Gross Revenues shall first be used to pay the Cost of Operation and Maintenance.

2. Debt Service Fund. Money remaining in the Operating Fund shall next be deposited into the Debt Service Fund, which fund and which accounts were created and established in the Bond Resolution on a parity with each other:

(a) Interest Account. Such sum as will be sufficient to pay one-sixth (1/6) of all interest becoming due on the Bonds on the next semiannual Interest Payment Date, together with any payments required to be made under Qualified Agreements (except as provided in the Bond Resolution); provided, however, if the period to elapse between Interest Payment Dates will be other than six months, the monthly deposits to the Interest Account will be adjusted as appropriate.

(b) Principal Account. Such sum as will be sufficient to pay one-sixth (1/6) of all principal maturing semiannually on the Serial Bonds on the next maturity date and one-twelfth (1/12) of all principal maturing annually on the Serial Bonds on the next maturity date;

provided, however, that if the period between delivery of any Bonds and the first principal maturity date or the period between the principal maturity dates will be other than 6 or 12 months the monthly deposits to pay principal shall be adjusted appropriately.

(c) Bond Amortization Account. If and to the extent required, a sum equal to one-twelfth (1/12) of the amount of any annual Amortization Installment for Term Bonds which shall become due and payable during the next succeeding Bond Year; provided, however, that such deposits shall be subject to adjustment, as appropriate, if the period between Amortization Installments is less than 12 months.

(d) Reserve Account. Money remaining in the Operating Fund shall next be applied to maintain in the Reserve Account in the Debt Service Fund a sum equal to the Reserve Account Requirement for the Bonds. See "SECURITY FOR THE BONDS – Reserve Account." Also, see "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" and APPENDIX E – "Composite of Bond Resolution" for a description of springing amendments to the Bond Resolution including the ability of the City to create separate subaccounts in the Reserve Account to secure any series of Bonds issued in the future and the amendment to the definition of "Reserve Account Requirement" allowing for it to be set at \$0 as applicable to any such subaccounts if deemed advantageous to be determined upon issuance of such series.

3. Operating Reserve Fund. The City shall next deposit into the Operating Reserve Fund such amount as shall be determined by annual budget of the City or as otherwise determined by the City. At any time and from time to time, the City may transfer for deposit into the Operating Reserve Fund to be applied solely for the payment of Cost of Operation and Maintenance. All investment earnings thereon, except as set forth below, shall only be used for the purpose of purchasing water for use by the System. Except as provided in the Bond Resolution, moneys in the Operating Reserve Fund, including investment earnings thereon, may only be used for the purpose of (i) acquiring, constructing and erecting additional facilities for the production of water and the transmission thereof to the water distribution system of the City, or (ii) making interfund loans for a public purpose, subject to approval by the City Council of the City and written consent of the Credit Facility Issuers. In no event shall moneys in the Operating Reserve Fund be used for the payment of principal of and interest on the Bonds.

4. Subordinated Debt Service Fund. The City shall next deposit such amount as is required to be paid as provided in the resolution or ordinance authorizing Subordinated Debt for principal, interest, mandatory redemption payments, if any, and debt service reserve payments, if any, on Subordinated Debt, but for no other purposes. Payments by the City under Qualified Agreements which represent termination payments thereunder shall constitute Subordinated Debt.

5. Improvement Fund. Monthly, the City shall next deposit into the Improvement Fund an amount equal to one-twelfth (1/12) of ten percent (10%) of the average of the Adjusted Net Revenues during the three immediately preceding Fiscal Years. Notwithstanding the foregoing, whenever the unappropriated balance in the Improvement Fund is equal to or greater than five percent (5%) of the average of the Adjusted Net Revenues during the three immediately preceding Fiscal Years, no further deposits shall be required to be made to such Improvement Fund. For purposes of this determination, investments in the Improvement Fund shall be valued at

fair value. Money on deposit in the Improvement Fund shall be used to supplement the Debt Service Fund, if necessary, in order to prevent a default in the payment of the principal of and interest on the Bonds. If not used or needed for such purpose, the money in the Improvement Fund shall next be used only for the purpose of paying the cost of extensions, enlargements or additions to, or the replacement of capital assets of, the System, and repairs thereto, or for the purchase or redemption of Bonds. The money on deposit in the Improvement Fund shall be withdrawn only upon the authorization of the Mayor or his designee. Notwithstanding the foregoing, any excess money in the Improvement Fund shall be deposited in the Operating Fund.

Any money remaining in the Operating Fund, after the above required payments have been made, may be transferred to the City as payments in lieu of taxes. Such transfers in any Fiscal Year shall not exceed fifteen percent (15%) of Gross Revenues of the System received by the City in such Fiscal Year.

The balance of any money remaining in the Operating Fund, after the above required payments have been made, may be used for any lawful purpose relating to the System (including payment of non-direct administrative expenses of the System).

The Operating Fund, the Debt Service Fund (including the Reserve Account and the Bond Amortization Account therein), the Improvement Fund, the Operating Reserve Fund and any other special funds established and created by the Bond Resolution shall constitute trust funds for the purpose provided therein for such funds. Notwithstanding the foregoing or any provision of the Bond Resolution to the contrary, moneys in the Operating Reserve Fund may not be used for the payment of the debt service on the Bonds. The moneys in all such funds shall be continuously secured in the same manner as municipal deposits are authorized to be secured by the laws of the State of Florida and the Code of Ordinances of the City.

Also, see "PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION" and APPENDIX E – "Composite of Bond Resolution" for a description of springing amendments to the Bond Resolution including the ability of the City to create separate subaccounts in the Reserve Account to secure any series of Bonds issued in the future and the amendment to the definition of "Reserve Account Requirement" allowing for it to be set at \$0 as applicable to any such subaccounts if deemed advantageous to be determined upon issuance of such series.

Investment of Moneys

Money on deposit in the Operating Fund, the Debt Service Fund (including the Reserve Account and the Bond Amortization Account therein), and the Improvement Fund may be invested and reinvested in Investment Securities which mature not later than the dates on which the money on deposit therein will be needed for the purpose of such funds. All income on such investments shall remain in the respective fund or account, except to the extent the Reserve Account Requirement shall be on deposit in the Reserve Account, investment earnings thereon shall be transferred to the Interest Account in the Debt Service Fund.

COVENANTS

Operation and Maintenance

The City will maintain the System and all parts thereof in good condition and will operate the same in an efficient and economical manner, making such expenditures for equipment and for renewals, repairs and replacements as may be proper for the economical operation and maintenance thereof.

Rate Covenant

The City has enacted a rate ordinance, and the City covenants to fix, establish, revise from time to time whenever necessary, maintain and collect always such fees, rates, rentals and other charges for the use of the products, services and facilities of the System which will always provide Adjusted Net Revenues in each year of not less than one hundred fifteen percent (115%) of all Bond Service Requirements becoming due in such year on the outstanding Bonds and on all outstanding Additional Parity Obligations. Such rates, fees, rentals or other charges shall not be reduced so as to be insufficient to provide Revenues for such purposes.

Books and Accounts; Audits

The City shall keep proper books, records and accounts separate and apart from all other records and accounts, showing correct and complete entries of all transactions of the System. The Registered Owners of any of the Bonds or any duly authorized agent or agents of such Registered Owners shall have the right at any and all reasonable times to inspect such books, records and accounts. The City shall, in compliance with the provisions of the laws of the State but not less than once a year, cause the books, records and accounts relating to the collection of the Gross Revenues to be properly audited by a firm of independent certified public accountants licensed in the State of Florida, in accordance with generally accepted accounting principles. Such audit report may be a part of the City's Comprehensive Annual Financial Report.

No Mortgage or Sale of System

The City shall not sell, mortgage, lease or otherwise dispose of or encumber the properties of the System; provided, however, that the City from time to time (i) may sell, lease or otherwise dispose of all the properties comprising the System if simultaneously with such sale or other disposition thereof, provision is made for the payment of cash and/or Federal Securities into the Debt Service Fund, the principal of and interest on which is sufficient to pay the principal of, applicable redemption premium and interest on all Bonds then outstanding in full in accordance with the requirements of the Bond Resolution and any supplemental resolution; (ii) may sell, lease or otherwise dispose of any portion of the properties of the System which shall have become unserviceable, inadequate, obsolete, worn-out, or unfit to be used in the operation of the System or no longer necessary, material to, useful or profitable in such operation; and (iii) may sell, lease or otherwise dispose of any part of the System provided that prior to such sale, lease or disposition: (a) a Qualified Independent Consultant shall make a finding in writing, adopted and confirmed by resolution of the City, determining that such sale, lease, exchange or other disposition will not materially restrict the City's ability to realize Adjusted Net Revenues in compliance with the requirements therefore as set forth in the Bond Resolution, and (b) the City shall declare by resolution that such sale, lease, exchange or other disposition will not materially restrict the City's ability to realize Adjusted Net Revenues in compliance with the requirements therefore as set forth in the Bond Resolution. Each right reserved to the City by the exceptions contained in clauses (i), (ii) and (iii) of the preceding sentence shall not be exclusive of each other right so reserved, but shall be cumulative and shall be in addition to each other right so reserved, and each such right may be exercised without exhausting and without regard to each other right so reserved.

Insurance

The City shall carry insurance on the properties comprising the System of the kinds, against such risks, accidents or casualties, and in at least the amounts which are usually and customarily carried upon similar properties, including, without limiting the generality of the foregoing, fire, extended coverage and general liability, and also all additional insurance covering such risks as shall be deemed necessary or

desirable by the City; provided, however, that in lieu of carrying such insurance, the City may self-insure to the extent customary with utilities operating like properties or to the extent that the City determines by resolution based upon a recommendation of the Insurance Consultant that it is in the best economic interest of the System for the City to self insure. In the event of any loss or damage to the properties of the System covered by insurance, the City shall with respect to such loss, promptly repair and reconstruct to the extent necessary for the proper conduct of the operations of the System, the lost or damaged portion thereof, and shall apply the proceeds of any insurance policy or policies covering such loss or damage for that purpose to the extent required therefor, unless such repair and reconstruction is not necessary for the efficient operation of the System.

No Free Service

So long as any Bonds are outstanding, the City shall not furnish or supply the facilities, services and commodities of the System free of charge to any person, firm or corporation, public or private. To the full extent permitted or authorized by law, the City shall promptly enforce the payment of any and all accounts owing to the City and delinquent, by discontinuing service or by filing suits, actions or proceedings, or by both discontinuance of service and filing suit. Notwithstanding the foregoing, the City shall not be required to impose any fees or charges for the use of water for fire control.

Enforcement of Collections

The City will diligently enforce and collect the rates, fees and other charges for the services and facilities of the System pledged in the Bond Resolution; will take all steps, actions and proceedings for the enforcement and collection of such rates, charges and fees as shall become delinquent to the full extent permitted or authorized by law; and will maintain accurate records with respect thereof. All such fees, rates, charges and revenues pledged by the Bond Resolution shall, as collected, be held in trust to be applied as provided therein.

ADDITIONAL PARITY OBLIGATIONS

The 2015 Bonds are "Additional Parity Obligations" under the Bond Resolution. The Bond Resolution states that no Additional Parity Obligations, payable on a parity from the Net Revenues with the 2015 Bonds, the 2014A Bonds, the 2014B Bonds, the 2013A Bonds, the 2013B Bonds, the 2013C Bonds, the 2010A Bonds, the 2010B Bonds, the 2009A Bonds, the 2009B Bonds, and the 2006 Bonds shall be issued except upon the conditions and in the manner specified in the Bond Resolution. The Finance Director shall certify that at the time of the issuance of the Additional Parity Obligations: (i) the City is not in default of any of the provisions, covenants and agreements of the Bond Resolution and (ii) the Adjusted Net Revenues during any twelve of the past twenty-four months preceding the date on which the Additional Parity Obligations are to be issued shall have been equal to not less than 1.15 times the Maximum Bond Service Requirement on all outstanding Bonds plus the Additional Parity Obligations proposed to be issued, during any Fiscal Year in which Additional Parity Obligations proposed to be issued will be outstanding. If any changes have been made and are in effect at the time of the issuance of the Additional Parity Obligations in the rates and charges for the services, facilities and commodities of the System which were not in effect during all or any part of the twenty-four months next preceding the Fiscal Year in which the Additional Parity Obligations are to be issued, the Adjusted Net Revenues for such period shall be further adjusted by the Finance Director to reflect any changes which would have occurred in the Adjusted Net Revenues if the changes in the rates and charges had been in effect during all of the period. If any improvements have been made to the System which were not in service during all or any part of the twenty-four months next preceding the Fiscal Year in which the Additional Parity Obligations are to be issued, the Adjusted Net Revenues shall be further adjusted by the Finance Director to reflect any changes in the Adjusted Net Revenues as if such improvements had been in service during

all of such period. If the City has acquired by purchase, annexation, condemnation or otherwise facilities which have become a part of the System during all or any part of the twenty-four months next preceding the Fiscal year in which the Additional Parity Obligations are to be issued, the Adjusted Net Revenues shall be further adjusted by the Finance Director to reflect any changes in the Adjusted Net Revenues as if such facilities had been a part of the System during all of such period. If the purpose for which the Additional Parity Obligations are to be issued is to acquire by purchase, annexation, condemnation or otherwise facilities which will become a part of the System and/or to expand service to such facilities and customers, the Adjusted Net Revenues shall be further adjusted by the Finance Director to reflect any changes in the Adjusted Net Revenues as if such facilities had been a part of the System during all of the twenty-four months next preceding the Fiscal Year in which the Additional Parity Obligations are to be issued. If the purpose for which the Additional Parity Obligations are to be issued is to acquire or construct additions, extensions or improvements to the System for the provision of the services, facilities and commodities thereof to a person for the furnishing by such person of such services, facilities and commodities to its inhabitants, pursuant to an agreement between the City and such person, the Adjusted Net Revenues for the twenty-four months next preceding the Fiscal Year in which the Additional Parity Obligations are to be issued shall be further adjusted by the Finance Director by adding the average of the amount of the increase in the Adjusted Net Revenues estimated to be derived pursuant to such agreement during each of the three Fiscal Years next succeeding the date upon which the additions, improvements and extensions are anticipated to be ready for use.

The City need not comply with the provisions set forth above if and to the extent the Bonds to be issued are refunding bonds, that is, delivered in lieu of or in substitution for, or to provide for the payment of one or more Series of Bonds or portions thereof, provided that the Maximum Bond Service Requirement on the refunding bonds shall not exceed the Maximum Bond Service Requirement on the Bonds being refunded.

AMENDMENT OF BOND RESOLUTION

The City, from time to time and at any time without the consent or concurrence of any Registered Owner of any Bond, may adopt a resolution amendatory to the Bond Resolution or supplemental thereto, if the provisions of such supplemental resolution shall not adversely affect the rights of the Registered Owners of the Bonds then outstanding, for among other purposes, to provide such changes which, in the opinion of the City, based upon such certificates and opinions of the independent certified public accountants, Bond Counsel, financial advisors or other appropriate advisors as the City may deem necessary or appropriate, if the provisions of such supplemental resolution shall not adversely affect the rights of the Registered Owners. For the specific purposes for an amended or supplemental resolution, see "Composite of the Bond Resolution – Amending and Supplementing of Bond Resolution Without Consent of Registered Owners" in APPENDIX E hereto.

Except as set forth in the preceding paragraph, no material modification or amendment of the Bond Resolution may be made without the consent in writing of the Registered Owners of fifty-one percent or more in principal of Bonds of each series so affected and then outstanding. For the specifics for such modification or amendment, see "Composite of the Bond Resolution – Amendment of Bond Resolution With Consent of Registered Owners" in APPENDIX E hereto. For purposes of amendment of the Bond Resolution with the consent of any Registered Owner of any Bond, to the extent any Bonds are secured by a Credit Facility and such Bonds are then rated in one of the two highest Rating Categories (without regard to gradation) by any Rating Agency, then the consent of the Credit Facility Issuer shall be deemed to constitute the consent of the Registered Owner of such Bonds and in such case no consent of the Registered Owners of such Bonds shall be required; provided, however, a copy of such amendments shall be provided to such rating agencies not less than thirty (30) days prior to the effective date thereof.

PROPOSED SPRINGING AMENDMENTS TO THE BOND RESOLUTION

The City desires to implement springing amendments which modify certain provisions of the Bond Resolution in the future. Specifically, the Bond Resolution contains various amendments which will only become effective upon receipt of consent of not less than 51% of the owners of the outstanding Bonds and to the extent required, the consent of National which currently has outstanding its municipal bond insurance policy (insuring the 2006 Bonds) and its 2005 Reserve Policy on deposit in the Reserve Account, and the consent of Assured which currently has outstanding its 2003 Reserve Policy on deposit in the Reserve Account. Purchasers of the 2015 Bonds, by acceptance of the 2015 Bonds, will be deemed to have expressly and irrevocably consented to these amendments in writing. To date, the City has not solicited any consents to such amendments from National or Assured or any Bondholders other than the holders of the 2013C Bonds, the 2014A Bonds, the 2014B Bonds and purchasers of the 2015 Bonds, and currently has no intention of soliciting such consents. Whether such amendments become effective while the 2015 Bonds remain outstanding is dependent upon the amount of Bonds that may be issued by the City in the future, the timing of such issuances, and whether or not the City obtains consents to such amendments from National and Assured, and/or until the 2006 Bonds insured by National are no longer outstanding, the 2003 Reserve Policy issued by Assured is no longer outstanding and on deposit in the Reserve Account and/or the 2005 Reserve Policy issued by National is no longer outstanding and on deposit in the Reserve Account. The holders of the 2015 Bonds will not be notified as to when such amendments will have become effective, and should assume that they will become effective while the 2015 Bonds remain outstanding. Such amendments are generally described below:

1. The Bond Resolution shall be amended to provide the City with the ability to establish separate subaccounts in the Reserve Account.

2. The definition of "Reserve Account Requirement" shall be amended to read as follows: "Reserve Account Requirement" shall be the lesser of (i) the Maximum Bond Service Requirement with respect to Bonds secured by the Reserve Account and/or any subaccount created therein; (ii) 125% of the average annual Bond Service Requirement with respect to Bonds secured by the Reserve Account and/or any subaccount created therein; or (iii) the maximum amount as shall not adversely affect the exclusion of interest on the Bonds from the gross income of the holders thereof for purposes of Federal income taxation with respect to Bonds secured by the Reserve Account and/or any subaccount created therein; provided, however, the Issuer may establish by supplemental resolution a different Reserve Account Requirement for a subaccount of the Reserve Account which secures a series of Bonds pursuant to the Bond Resolution."

PROSPECTIVE PURCHASERS OF THE 2015 BONDS SHOULD REVIEW ALL OF THE SPRINGING AMENDMENTS IN APPENDIX E – "COMPOSITE OF THE BOND RESOLUTION" ATTACHED HERETO FOR THE COMPLETE TEXT OF THE ABOVE-REFERENCED AMENDMENTS.

FUTURE FINANCINGS

The City currently anticipates issuing Additional Parity Obligations and/or Subordinate Debt in one or more series over the next five Fiscal Years in the approximate principal amount of \$ _____, which includes the 2015 Bonds.

INVESTMENT POLICY

The City's investments are presently under the day to day control of the City's Finance Director. The City Council has established a formal investment policy governing the investment activity of the City

and including all available funds in excess of the amounts needed to meet short-term expenses. The investment policy does not apply to pension funds, trust funds or funds related to the issuance of debt where there are other existing policies, bond resolutions or indentures in effect. The investment policy does not permit leveraging of investments.

SWAP MANAGEMENT POLICY

The City has not entered into any interest rate swaps or other derivative transactions. The City does not plan to utilize interest rate swaps or enter into derivative transactions.

FINANCIAL STATEMENTS

The general purpose financial statements of the City for the Fiscal Year ended September 30, 2014, included in APPENDIX B to this Official Statement, have been audited by Mayer Hoffman McCann P.C., Clearwater, Florida, Independent Certified Public Accountants, whose report thereon also appears in APPENDIX B. Such financial statements, including the auditor's report, have been included in this Official Statement as public documents and Mayer Hoffman McCann P.C. has not performed any procedures subsequent to the date of its report. The auditors have not performed any services related to, and therefore are not associated with, the preparation of this Official Statement.

PENSION PLANS AND OTHER POST EMPLOYMENT BENEFITS

The City maintains three separate single employer defined benefit retirement systems (General Employees, Police and Fire) covering full-time City employees. For the fiscal year ended September 30, 2014, the City contributed \$13,420,066, \$11,121,987 and \$8,841,331 to the General Employees, Police and Fire retirement systems, respectively. See Note 18 to the City's General Purpose Financial Statements set forth in Appendix B hereto for more information on the City's pension plans and how to obtain additional information on the City's plans.

The City contributes to a defined contribution plan (the "401a Plan"), established by City Ordinance for exempt management employees and employees not covered by a collective bargaining agreement who have waived membership in the General Employees' Retirement System, of which 90 have so chosen. The plan is administered by International City Management Association Retirement Corporation. The 401a Plan participants fully vest upon eligibility to participate. The City contributes to the 401a Plan account for participants at a rate which is approved by City Council. The total City contribution to the 401a Plan for the fiscal year ended September 31, 2014 was \$1,060,651 or 11% of covered payroll.

The City provides a medical benefits plan that it makes available to its retirees. See Note 20 to the City's General Purpose Financial Statements set forth in Appendix B hereto for more information regarding the "post retirement health benefits" plan and the City's actuarial accrued liability thereunder.

TAX MATTERS

General

The Internal Revenue Code of 1986, as amended (the "Code") establishes certain requirements which must be met subsequent to the issuance of the 2015 Bonds in order that interest on the 2015 Bonds be and remain excluded from gross income for purposes of federal income taxation. Non-compliance may cause interest on the 2015 Bonds to be included in federal gross income retroactive to the date of issuance of the 2015 Bonds, regardless of the date on which such non-compliance occurs or is ascertained. These

requirements include, but are not limited to, provisions which prescribe yield and other limits within which the proceeds of the 2015 Bonds and the other amounts are to be invested and require that certain investment earnings on the foregoing must be rebated on a periodic basis to the Treasury Department of the United States. The City has covenanted in the Bond Resolution with respect to the 2015 Bonds to comply with such requirements in order to maintain the exclusion from federal gross income of the interest on the 2015 Bonds.

In the opinion of Bond Counsel, assuming compliance with certain covenants, under existing laws, regulations, judicial decisions and rulings, interest on the 2015 Bonds is excluded from gross income for purposes of federal income taxation. Interest on the 2015 Bonds is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals or corporations; however, interest on the 2015 Bonds may be subject to the federal alternative minimum tax when any 2015 Bond is held by a corporation. The federal alternative minimum taxable income of a corporation must be increased by seventy-five percent (75%) of the excess of such corporation's adjusted current earnings over its alternative minimum taxable income (before this adjustment and the alternative tax net operating loss deduction). "Adjusted Current Earnings" will include interest on the 2015 Bonds.

Except as described above, Bond Counsel will express no opinion regarding other federal income tax consequences resulting from the ownership of, receipt or accrual of interest on, or disposition of 2015 Bonds. Prospective purchasers of 2015 Bonds should be aware that the ownership of 2015 Bonds may result in collateral federal income tax consequences, including (i) the denial of a deduction for interest on indebtedness incurred or continued to purchase or carry 2015 Bonds; (ii) the reduction of the loss reserve deduction for property and casualty insurance companies by fifteen percent (15%) of certain items, including interest on 2015 Bonds; (iii) the inclusion of interest on 2015 Bonds in earnings of certain foreign corporations doing business in the United States for purposes of the branch profits tax; (iv) the inclusion of interest on 2015 Bonds in passive income subject to federal income taxation of certain Subchapter S corporations with Subchapter C earnings and profits at the close of the taxable year; and (v) the inclusion of interest on 2015 Bonds in "modified adjusted gross income" by recipients of certain Social Security and Railroad Retirement benefits for the purposes of determining whether such benefits are included in gross income for federal income tax purposes.

As to questions of fact material to the opinion of Bond Counsel, Bond Counsel will rely upon representations and covenants made on behalf of the City, certificates of appropriate officers and certificates of public officials (including certifications as to the use of proceeds of the 2015 Bonds and of the property financed or refinanced thereby), without undertaking to verify the same by independent investigation.

PURCHASE, OWNERSHIP, SALE OR DISPOSITION OF THE 2015 BONDS AND THE RECEIPT OR ACCRUAL OF THE INTEREST THEREON MAY HAVE ADVERSE FEDERAL TAX CONSEQUENCES FOR CERTAIN INDIVIDUAL AND CORPORATE BONDHOLDERS, INCLUDING, BUT NOT LIMITED TO, THE CONSEQUENCES DESCRIBED ABOVE. PROSPECTIVE BONDHOLDERS SHOULD CONSULT WITH THEIR TAX SPECIALISTS FOR INFORMATION IN THAT REGARD.

Information Reporting and Backup Withholding

Interest paid on tax-exempt bonds such as the 2015 Bonds is subject to information reporting to the Internal Revenue Service in a manner similar to interest paid on taxable obligations. This reporting requirement does not affect the excludability of interest on the 2015 Bonds from gross income for federal income tax purposes. However, in conjunction with that information reporting requirement, the Code subjects certain non-corporate owners of 2015 Bonds, under certain circumstances, to "backup

withholding" at the rate specified in the Code, with respect to payments on the 2015 Bonds and proceeds from the sale of 2015 Bonds. Any amount so withheld would be refunded or allowed as a credit against the federal income tax of such owner of 2015 Bonds. This withholding generally applies if the owner of 2015 Bonds (i) fails to furnish the payor such owner's social security number or other taxpayer identification number ("TIN"), (ii) furnished the payor an incorrect TIN, (iii) fails to properly report interest, dividends, or other "reportable payments" as defined in the Code, or (iv) under certain circumstances, fails to provide the payor or such owner's securities broker with a certified statement, signed under penalty of perjury, that the TIN provided is correct and that such owner is not subject to backup withholding. Prospective purchasers of the 2015 Bonds may also wish to consult with their tax advisors with respect to the need to furnish certain taxpayer information in order to avoid backup withholding.

Other Tax Matters

During recent years, legislative proposals have been introduced in Congress, and in some cases enacted, that altered certain federal tax consequences resulting from the ownership of obligations that are similar to the 2015 Bonds. In some cases, these proposals have contained provisions that altered these consequences on a retroactive basis. Such alteration of federal tax consequences may have affected the market value of obligations similar to the 2015 Bonds. From time to time, legislative proposals are pending which could have an effect on both the federal tax consequences resulting from ownership of the 2015 Bonds and their market value. No assurance can be given that legislative proposals will not be enacted that would apply to, or have an adverse effect upon, the 2015 Bonds. For example, in connection with federal deficit reduction, job creation and tax law reform efforts, proposals have been and others are likely to be made that could significantly reduce the benefit of, or otherwise affect, the exclusion from gross income of interest on obligations like the 2015 Bonds. There can be no assurance that any such legislation or proposal will be enacted, and if enacted, what form it may take. The introduction or enactment of any such legislative proposals may affect, perhaps significantly, the market price for, or marketability of, the 2015 Bonds.

Prospective purchasers of the 2015 Bonds should consult their own tax advisors as to the tax consequences of owning the 2015 Bonds in their particular state or local jurisdiction and regarding any pending or proposed federal or state tax legislation, regulations or litigation, as to which Bond Counsel expresses no opinion.

Tax Treatment of Original Issue Discount

Under the Code, the difference between the maturity amount of the 2015 Bonds maturing on October 1, 20__ through October 1, 20__, inclusive (collectively, the "Discount Bonds"), and the initial offering price to the public, excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers, at which price a substantial amount of the Discount Bonds of the same maturity and, if applicable, interest rate, was sold is "original issue discount." Original issue discount will accrue over the term of the Discount Bonds at a constant interest rate compounded periodically. A purchaser who acquires the Discount Bonds in the initial offering at a price equal to the initial offering price thereof to the public will be treated as receiving an amount of interest excludable from gross income for federal income tax purposes equal to the original issue discount accruing during the period he or she holds the Discount Bonds, and will increase his or her adjusted basis in the Discount Bonds by the amount of such accruing discount for purposes of determining taxable gain or loss on the sale or disposition of the Discount Bonds. The federal income tax consequences of the purchase, ownership and redemption, sale or other disposition of the Discount Bonds which are not purchased in the initial offering at the initial offering price may be determined according to rules which differ from those above. Bondholders of the Discount Bonds should consult their own tax advisors with respect to the

precise determination for federal income tax purposes of interest accrued upon sale, redemption or other disposition of the Discount Bonds and with respect to the state and local tax consequences of owning and disposing of the Discount Bonds.

Tax Treatment of Bond Premium

The difference between the principal amount of the 2015 Bonds maturing on October 1, 20__ through October 1, 20__, inclusive (collectively, the "Premium Bonds"), and the initial offering price to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at which price a substantial amount of such Premium Bonds of the same maturity and, if applicable, interest rate, was sold constitutes to an initial purchaser amortizable bond premium which is not deductible from gross income for federal income tax purposes. The amount of amortizable bond premium for a taxable year is determined actuarially on a constant interest rate basis over the term of each of the Premium Bonds, which ends on the earlier of the maturity or call date for each of the Premium Bonds which minimizes the yield on such Premium Bonds to the purchaser. For purposes of determining gain or loss on the sale or other disposition of a Premium Bond, an initial purchaser who acquires such obligation in the initial offering is required to decrease such purchaser's adjusted basis in such Premium Bond annually by the amount of amortizable bond premium for the taxable year. The amortization of bond premium may be taken into account as a reduction in the amount of tax-exempt income for purposes of determining various other tax consequences of owning such Premium Bonds. Bondholders of the Premium Bonds are advised that they should consult with their own tax advisors with respect to the state and local tax consequences of owning such Premium Bonds.

RATINGS

Moody's Investors Service, Inc. ("Moody's") and Fitch Ratings ("Fitch") have assigned their municipal bond ratings of "___" (___ outlook) and "___" (___ outlook), respectively, to the 2015 Bonds. An explanation of the significance of the ratings may be obtained only from Moody's and Fitch. There is no assurance that the ratings will be in effect for any given period of time or that they will not be revised downward, suspended or withdrawn entirely by either Moody's and/or Fitch, if in their, or its judgment, circumstances so warrant. Any such downward revision, suspension or withdrawal of the ratings given the 2015 Bonds may have an adverse effect on the liquidity or market price of the 2015 Bonds.

LITIGATION

In the opinion of the City Attorney or his designee, there is no litigation now pending or threatened (i) to restrain or enjoin the issuance or sale of the 2015 Bonds or (ii) questioning or affecting the validity of the 2015 Bonds, the Bond Resolution or the pledge of the Net Revenues of the System by the City or the proceedings for the authorization, sale, execution or delivery of the 2015 Bonds.

The City is involved in certain litigation and disputes incidental to its operations. Upon the basis of information presently available, the City Attorney or his designee believes that there are substantial defenses to such litigation and disputes and that, in any event, any ultimate liability, in excess of available self insurance revenues, resulting therefrom will not materially adversely affect the financial position or results of operations of the City.

ENFORCEABILITY OF REMEDIES

The remedies available to the Registered Owners of the 2015 Bonds upon an event of default under the Bond Resolution, the 2003 Reserve Policy and the 2005 Reserve Policy are in many respects

dependent upon judicial actions which are often subject to discretion and delay. Under existing constitutional and statutory law and judicial decisions, including specifically Title II of the United States Code, the remedies specified by the federal bankruptcy code, the Bond Resolution, the 2003 Reserve Policy, the 2005 Reserve Policy and the 2015 Bonds may not be readily available or may be limited. The various legal opinions to be delivered concurrently with the delivery of the 2015 Bonds (including Bond Counsel's approving opinion) will be qualified, as to the enforceability of the various legal instruments, by limitations imposed by bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors enacted before or after such delivery.

CERTAIN LEGAL MATTERS

Certain legal matters in connection with the issuance of the 2015 Bonds are subject to the approval of Bryant Miller Olive P.A., Tampa, Florida, Bond Counsel, whose approving opinion will be available at the time of delivery of the 2015 Bonds and will be printed on such 2015 Bonds. The proposed form of Bond Counsel opinion is attached hereto as APPENDIX F and reference is made to such form of opinion for the complete text thereof. Certain legal matters will be passed upon for the City by Jacqueline M. Kovilaritch, Esq., City Attorney, or his designee, and GrayRobinson, P.A., Tampa, Florida, Special Disclosure Counsel.

Bond Counsel has not been engaged to, nor has it undertaken to, review (1) the accuracy, completeness or sufficiency of this Official Statement or any other offering material relating to the 2015 Bonds; provided, however, that Bond Counsel will render an opinion to the Original Purchasers of the 2015 Bonds relating to the accuracy of certain statements contained herein and under the heading "TAX MATTERS" and certain statements which summarize provisions of the Bond Resolution and the 2015 Bonds, or (2) the compliance with any federal or state securities law with regard to the sale or distribution of the 2015 Bonds.

DISCLOSURE REQUIRED BY FLORIDA BLUE SKY REGULATIONS

Rule 3E-400.003, rules of Government Securities, promulgated by the Florida Department of Banking and Finance, division of Securities, under Section 517.051, Florida Statutes ("Rule 3E-400.003") requires that the City make a full and fair disclosure of any bonds or other debt obligations that it has issued or guaranteed and that are or have been in default as to principal or interest at any time after December 31, 1975 (including bonds or other debt obligations for which it has served only as a conduit issuer such as industrial development or private activity bonds issued on behalf of private businesses). Rule 3E-400.003 further provides that if the City in good faith believes that such disclosures would not be considered material by a reasonable investor, such disclosures may be omitted. The City is not, and has not since December 31, 1975, been in default as to principal and interest on bonds or other debt obligations for which ad valorem or non-ad valorem revenues of the City are pledged. Pursuant to Rule 3E-400.003, no investigation of possible defaults by conduit issuers of bonds was made by the City because such information is not considered to be material to a reasonable investor of 2015 Bonds as the City is not obligated to pay principal and/or interest on such bonds.

ORIGINAL PURCHASERS

The 2015 Bonds are being purchased by _____ (the "Original Purchaser"). The Original Purchaser has agreed to purchase the 2015 Bonds at an aggregate purchase price of \$ _____ (which includes the Original Purchaser's underwriting discount of \$ _____ plus [less] a net original issue premium [discount] of \$ _____).

ADVISORS AND CONSULTANTS

The City has retained certain advisors and consultants in connection with the issuance of the 2015 Bonds. These advisors and consultants may be compensated from a portion of the proceeds of the 2015 Bonds, identified as "Costs of Issuance" under the heading "ESTIMATED SOURCES AND USES OF FUNDS" herein; and their compensation is, in some instances, contingent upon the issuance of the 2015 Bonds and the receipt of the proceeds thereof.

Financial Advisor. The City has retained Public Financial Management, Inc., Orlando, Florida, as Financial Advisor in connection with the authorization and issuance of the 2015 Bonds. While the Financial Advisor has participated in the preparation of portions of this Official Statement, it has not been engaged and is not obligated to undertake, and has not undertaken to make, an independent verification of the accuracy, completeness, or fairness of the information contained in this Official Statement.

Bond Counsel. Bryant Miller Olive P.A., Tampa, Florida, represents the City as Bond Counsel with respect to the issuance of the 2015 Bonds.

Special Disclosure Counsel. GrayRobinson, P.A., Tampa, Florida, represents the City as Special Disclosure Counsel with respect to the issuance of the 2015 Bonds. As Special Disclosure Counsel, GrayRobinson, P.A. is not obligated to undertake, and has not undertaken to make, an independent verification of the accuracy, completeness, or fairness of the information contained in the Official Statement.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of bondholders to provide certain financial information and operating data relating to the System and the 2015 Bonds in each year (the "Annual Report"), and to provide notices of the occurrence of certain enumerated material events. Such covenant shall only apply so long as the 2015 Bonds remain outstanding under the Bond Resolution. The covenant shall also cease upon the termination of the continuing disclosure requirements of Securities and Exchange Commission Rule 15c2-12(b)(5) (the "Rule") by legislative, judicial or administrative action. The Annual Report will be filed by the City as required with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System ("EMMA").

The City has retained Digital Assurance Certification, L.L.C. ("DAC") as its dissemination agent. The specific nature of the information to be contained in the Annual Report and the notices of material events are described in APPENDIX G – "Form of Disclosure Dissemination Agent Agreement," which shall be executed by the City and DAC at the time of issuance of the 2015 Bonds. These covenants have been made in order to assist the Original Purchaser(s) in complying with the Rule.

With respect to the 2015 Bonds, no party other than the City is obligated to provide, nor is expected to provide, any continuing disclosure information with respect to the Rule. The City has not failed to comply in all material respects with its continuing disclosure undertakings pursuant to the Rule during the last five (5) years. However, a review of filings made pursuant to prior undertakings indicated that certain filings did not include all the operating information specifically required. Upon realizing the failure to comply, the City reported such circumstances in accordance with the requirements of the Rule, and as of December 3, 2012 had cured such failure. In the years 2010, 2011, 2012, 2013 and 2014, the City was not notified by National Public Finance Guarantee Corp. (formerly MBIA Insurance Corporation) nor the municipal rating agencies of rating downgrades/upgrades with respect to the City's outstanding Public Utility Refunding Revenue Bonds, Series 2006 and Public Utility Revenue Bonds, Series 2005 by Moody's and S&P and accordingly failed to file notices thereof. In the years 2010, 2011,

2013 and 2014, the City was also not notified by Assured Guaranty Municipal Corp. (formerly FSA) nor the municipal rating agencies of rating downgrades/upgrades with respect to the City's outstanding Professional Sports Facility Sales Tax Refunding Revenue Bonds, Series 2003 by Fitch, Moody's and S&P and accordingly failed to file notices thereof. DAC as the City's dissemination agent filed a notice with EMMA that indicates the current ratings of the municipal bond insurers which insure such outstanding bonds of the City. The City fully anticipates satisfying all future disclosure obligations required pursuant to the Rule.

MISCELLANEOUS

The references, excerpts and summaries of all documents referred to herein do not purport to be complete statements of the provisions of such documents, and reference is directed to all such documents for full and complete statements of all matters of fact relating to the 2015 Bonds, the security for the payment of the 2015 Bonds, and the rights and obligations of holders thereof.

The information contained in this Official Statement involving matters of opinion or of estimates, whether or not so expressly stated, are set forth as such and not as representations of fact, and no representation is made that any of the estimates will be realized. Neither this Official Statement nor any statement which may have been made verbally or in writing is to be construed as a contract with the holders of the 2015 Bonds.

The execution and delivery of this Official Statement by its Mayor and its Finance Director have been duly authorized by the City Council.

CITY OF ST. PETERSBURG, FLORIDA

Richard D. Kriseman
Mayor

Anne A. Fritz
Finance Director

APPENDIX A

General Description of the City and Selected Statistics

APPENDIX B

General Purpose Financial Statements

APPENDIX C

Public Utilities System

APPENDIX D

FY 2016 Utility Rate Study

APPENDIX E

Composite of the Bond Resolution

APPENDIX F

Form of Proposed Bond Counsel Opinion

APPENDIX G

Form of Disclosure Dissemination Agent Agreement

APPENDIX H

DTC Information

Book-Entry Only System

The information under this caption concerning The Depository Trust Company, New York, New York ("DTC") and DTC's book entry system has been obtained from DTC and the City makes no representation or warranty or takes any responsibility for the accuracy or completeness of such information.

DTC will act as securities depository for the 2015 Bonds. The 2015 Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered certificate will be issued for each maturity of each series of the 2015 Bonds and deposited with DTC.

DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants (the "Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions, in deposited securities, through electronic computerized book entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's of rating AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of the 2015 Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for such 2015 Bonds on DTC's records. The ownership interest of each actual purchaser of each 2015 Bond (the "Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the 2015 Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the 2015 Bonds, except in the event that use of the book entry system for the 2015 Bonds is discontinued.

To facilitate subsequent transfers, all 2015 Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co. or such other name as may be requested by an authorized representative of DTC. The deposit of 2015 Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the 2015 Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such 2015 Bonds are credited, which

may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of the 2015 Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the 2015 Bonds, such as redemptions, tenders, defaults, and proposed amendments to the Bond Resolution. For example, Beneficial Owners of the 2015 Bonds may wish to ascertain that the nominee holding the 2015 Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Bond Registrar and request that copies of the notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of a maturity of the 2015 Bonds are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such 2015 Bonds to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the 2015 Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the City as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts 2015 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds, distributions, and interest payments on the 2015 Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts, upon DTC's receipt of funds and corresponding detail information from the City or the Paying Agent, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the City, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the City or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the 2015 Bonds at any time by giving reasonable notice to the City or the Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, 2015 Bonds are required to be printed and delivered.

The City may, pursuant to the procedures of DTC, decide to discontinue use of the system of book entry-only transfers through DTC (or a successor securities depository). In that event, the 2015 Bonds will be printed and delivered to DTC.

SO LONG AS CEDE & CO. IS THE REGISTERED OWNER OF THE 2015 BONDS, AS NOMINEE OF DTC, REFERENCES HEREIN TO THE HOLDER OF THE 2015 BONDS OR REGISTERED OWNERS OF THE 2015 BONDS SHALL MEAN CEDE & CO. AND SHALL NOT MEAN THE BENEFICIAL OWNERS OF THE 2015 BONDS.

The City can make no assurances that DTC will distribute payments of principal of, redemption premium, if any, or interest on the 2015 Bonds to the Direct Participants, or that Direct and Indirect Participants will distribute payments of principal of, redemption price, if any, or interest on the 2015 Bonds or redemption notices to the Beneficial Owners of such 2015 Bonds or that they will do so on a timely basis, or that DTC or any of its Participants will act in a manner described in this Official Statement. The City is not responsible or liable for the failure of DTC to make any payment to any Direct Participant or failure of any Direct or Indirect Participant to give any notice or make any payment to a Beneficial Owner in respect to the 2015 Bonds or any error or delay relating thereto.

The rights of holders of beneficial interests in the 2015 Bonds and the manner of transferring or pledging those interests is subject to applicable state law. Holders of beneficial interests in the 2015 Bonds may want to discuss the manner of transferring or pledging their interest in the 2015 Bonds with their legal advisors.

For every transfer of ownership interests in the 2015 Bonds, the Beneficial Owner may be charged a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in relation thereto.

APPENDIX G

FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT

This Disclosure Dissemination Agent Agreement (the "Disclosure Agreement"), dated as of _____, 2015, is executed and delivered by City of St. Petersburg, Florida (the "Issuer") and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent (the "Disclosure Dissemination Agent" or "DAC") for the benefit of the Holders (hereinafter defined) of the Bonds (hereinafter defined) and in order to provide certain continuing disclosure with respect to the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time (the "Rule").

The services provided under this Disclosure Agreement solely relate to the execution of instructions received from the Issuer through use of the DAC system and do not constitute "advice" within the meaning of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the "Act"). DAC will not provide any advice or recommendation to the Issuer or anyone on the Issuer's behalf regarding the "issuance of municipal securities" or any "municipal financial product" as defined in the Act and nothing in this Disclosure Agreement shall be interpreted to the contrary.

SECTION 1. Definitions. Capitalized terms not otherwise defined in this Disclosure Agreement shall have the meaning assigned in the Rule or, to the extent not in conflict with the Rule, in the Official Statement (hereinafter defined). The capitalized terms shall have the following meanings:

"Annual Report" means an Annual Report described in and consistent with Section 3 of this Disclosure Agreement.

"Annual Filing Date" means the date, set in Sections 2(a) and 2(f), by which the Annual Report is to be filed with the MSRB.

"Annual Financial Information" means annual financial information as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(a) of this Disclosure Agreement.

"Audited Financial Statements" means the financial statements (if any) of the Issuer for the prior fiscal year, certified by an independent auditor as prepared in accordance with generally accepted accounting principles or otherwise, as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(b) of this Disclosure Agreement.

"Bonds" means the bonds as listed on the attached Exhibit A, with the 9-digit CUSIP numbers relating thereto.

"Certification" means a written certification of compliance signed by the Disclosure Representative stating that the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure required to be submitted to the MSRB under this Disclosure Agreement. A Certification shall accompany each such document submitted to the Disclosure

Dissemination Agent by the Issuer and include the full name of the Bonds and the 9-digit CUSIP numbers for all Bonds to which the document applies.

"Disclosure Representative" means Anne A. Fritz, Director of Finance, or his or her designee, or such other person as the Issuer shall designate in writing to the Disclosure Dissemination Agent from time to time as the person responsible for providing Information to the Disclosure Dissemination Agent.

"Disclosure Dissemination Agent" means Digital Assurance Certification, L.L.C, acting in its capacity as Disclosure Dissemination Agent hereunder, or any successor Disclosure Dissemination Agent designated in writing by the Issuer pursuant to Section 9 hereof.

"Failure to File Event" means the Issuer's failure to file an Annual Report on or before the Annual Filing Date.

"Force Majeure Event" means: (i) acts of God, war, or terrorist action; (ii) failure or shutdown of the Electronic Municipal Market Access system maintained by the MSRB; or (iii) to the extent beyond the Disclosure Dissemination Agent's reasonable control, interruptions in telecommunications or utilities services, failure, malfunction or error of any telecommunications, computer or other electrical, mechanical or technological application, service or system, computer virus, interruptions in Internet service or telephone service (including due to a virus, electrical delivery problem or similar occurrence) that affect Internet users generally, or in the local area in which the Disclosure Dissemination Agent or the MSRB is located, or acts of any government, regulatory or any other competent authority the effect of which is to prohibit the Disclosure Dissemination Agent from performance of its obligations under this Disclosure Agreement.

"Holder" means any person (a) having the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries) or (b) treated as the owner of any Bonds for federal income tax purposes.

"Information" means, collectively, the Annual Reports, the Audited Financial Statements (if any), the Notice Event notices, the Failure to File Event notices, the Voluntary Event Disclosures and the Voluntary Financial Disclosures.

"MSRB" means the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934.

"Notice Event" means any of the events enumerated in paragraph (b)(5)(i)(C) of the Rule and listed in Section 4(a) of this Disclosure Agreement.

"Obligated Person" means any person, including the Issuer, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all, or part of the obligations on the Bonds (other than providers of municipal bond insurance, letters of credit, or other liquidity facilities), as shown on Exhibit A.

"Official Statement" means that Official Statement prepared by the Issuer in connection with the Bonds, as listed on Appendix A.

"Voluntary Event Disclosure" means information of the category specified in any of subsections (e)(vi)(1) through (e)(vi)(11) of Section 2 of this Disclosure Agreement that is accompanied by a

Certification of the Disclosure Representative containing the information prescribed by Section 7(a) of this Disclosure Agreement.

"Voluntary Financial Disclosure" means information of the category specified in any of subsections (e)(vii)(1) through (e)(vii)(9) of Section 2 of this Disclosure Agreement that is accompanied by a Certification of the Disclosure Representative containing the information prescribed by Section 7(b) of this Disclosure Agreement.

SECTION 2. Provision of Annual Reports.

(a) The Issuer shall provide, annually, an electronic copy of the Annual Report and Certification to the Disclosure Dissemination Agent not later than the Annual Filing Date. Promptly upon receipt of an electronic copy of the Annual Report and the Certification, the Disclosure Dissemination Agent shall provide an Annual Report to the MSRB not later than April 30 commencing with the report for the 2015 fiscal year. Such date and each anniversary thereof is the Annual Filing Date. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 3 of this Disclosure Agreement.

(b) If on the fifteenth (15th) day prior to the Annual Filing Date, the Disclosure Dissemination Agent has not received a copy of the Annual Report and Certification, the Disclosure Dissemination Agent shall contact the Disclosure Representative by telephone and in writing (which may be by e-mail) to remind the Issuer of its undertaking to provide the Annual Report pursuant to Section 2(a). Upon such reminder, the Disclosure Representative shall either (i) provide the Disclosure Dissemination Agent with an electronic copy of the Annual Report and the Certification no later than two (2) business days prior to the Annual Filing Date, or (ii) instruct the Disclosure Dissemination Agent in writing that the Issuer will not be able to file the Annual Report within the time required under this Disclosure Agreement, state the date by which the Annual Report for such year will be provided and instruct the Disclosure Dissemination Agent that a Failure to File Event has occurred and to immediately send a notice to the MSRB in substantially the form attached as Exhibit B, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 6:00 p.m. Eastern time on Annual Filing Date (or, if such Annual Filing Date falls on a Saturday, Sunday or holiday, then the first business day thereafter) for the Annual Report, a Failure to File Event shall have occurred and the Issuer irrevocably directs the Disclosure Dissemination Agent to immediately send a notice to the MSRB in substantially the form attached as Exhibit B without reference to the anticipated filing date for the Annual Report, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(d) If Audited Financial Statements of the Issuer are prepared but not available prior to the Annual Filing Date, the Issuer shall, when the Audited Financial Statements are available, provide in a timely manner an electronic copy to the Disclosure Dissemination Agent, accompanied by a Certification, together with a copy for the Trustee, for filing with the MSRB.

(e) The Disclosure Dissemination Agent shall:

- (i) verify the filing specifications of the MSRB each year prior to the Annual Filing Date;
- (ii) upon receipt, promptly file each Annual Report received under Sections 2(a) and 2(b) with the MSRB;

- (iii) upon receipt, promptly file each Audited Financial Statement received under Section 2(d) with the MSRB;
- (iv) upon receipt, promptly file the text of each Notice Event received under Sections 4(a) and 4(b)(ii) with the MSRB, identifying the Notice Event as instructed by the Issuer pursuant to Section 4(a) or 4(b)(ii) (being any of the categories set forth below) when filing pursuant to Section 4(c) of this Disclosure Agreement:
 - 1. "Principal and interest payment delinquencies;"
 - 2. "Non-Payment related defaults, if material;"
 - 3. "Unscheduled draws on debt service reserves reflecting financial difficulties;"
 - 4. "Unscheduled draws on credit enhancements reflecting financial difficulties;"
 - 5. "Substitution of credit or liquidity providers, or their failure to perform;"
 - 6. "Adverse tax opinions, IRS notices or events affecting the tax status of the security;"
 - 7. "Modifications to rights of securities holders, if material;"
 - 8. "Bond calls, if material;"
 - 9. "Defeasances;"
 - 10. "Release, substitution, or sale of property securing repayment of the securities, if material;"
 - 11. "Rating changes;"
 - 12. "Tender offers;"
 - 13. "Bankruptcy, insolvency, receivership or similar event of the obligated person;"
 - 14. "Merger, consolidation, or acquisition of the obligated person, if material;" and
 - 15. "Appointment of a successor or additional trustee, or the change of name of a trustee, if material;"
- (v) upon receipt (or irrevocable direction pursuant to Section 2(c) of this Disclosure Agreement, as applicable), promptly file a completed copy of Exhibit B to this Disclosure Agreement with the MSRB, identifying the

filing as "Failure to provide annual financial information as required" when filing pursuant to Section 2(b)(ii) or Section 2(c) of this Disclosure Agreement;

(vi) upon receipt, promptly file the text of each Voluntary Event Disclosure received under Section 7(a) with the MSRB, identifying the Voluntary Event Disclosure as instructed by the Issuer pursuant to Section 7(a) (being any of the categories set forth below) when filing pursuant to Section 7(a) of this Disclosure Agreement:

1. "amendment to continuing disclosure undertaking;"
2. "change in obligated person;"
3. "notice to investors pursuant to bond documents;"
4. "certain communications from the Internal Revenue Service;"
5. "secondary market purchases;"
6. "bid for auction rate or other securities;"
7. "capital or other financing plan;"
8. "litigation/enforcement action;"
9. "change of tender agent, remarketing agent, or other on-going party;"
10. "derivative or other similar transaction;" and
11. "other event-based disclosures;"

(vii) upon receipt, promptly file the text of each Voluntary Financial Disclosure received under Section 7(b) with the MSRB, identifying the Voluntary Financial Disclosure as instructed by the Issuer pursuant to Section 7(b) (being any of the categories set forth below) when filing pursuant to Section 7(b) of this Disclosure Agreement:

1. "quarterly/monthly financial information;"
2. "change in fiscal year/timing of annual disclosure;"
3. "change in accounting standard;"
4. "interim/additional financial information/operating data;"
5. "budget;"
6. "investment/debt/financial policy;"

7. "information provided to rating agency, credit/liquidity provider or other third party;"
8. "consultant reports;" and
9. "other financial/operating data."

(viii) provide the Issuer evidence of the filings of each of the above when made, which shall be by means of the DAC system, for so long as DAC is the Disclosure Dissemination Agent under this Disclosure Agreement.

(f) The Issuer may adjust the Annual Filing Date upon change of its fiscal year by providing written notice of such change and the new Annual Filing Date to the Disclosure Dissemination Agent, Trustee (if any) and the MSRB, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

(g) Any Information received by the Disclosure Dissemination Agent before 6:00 p.m. Eastern time on any business day that it is required to file with the MSRB pursuant to the terms of this Disclosure Agreement and that is accompanied by a Certification and all other information required by the terms of this Disclosure Agreement will be filed by the Disclosure Dissemination Agent with the MSRB no later than 11:59 p.m. Eastern time on the same business day; provided, however, the Disclosure Dissemination Agent shall have no liability for any delay in filing with the MSRB if such delay is caused by a Force Majeure Event provided that the Disclosure Dissemination Agent uses reasonable efforts to make any such filing as soon as possible.

SECTION 3. Content of Annual Reports.

(a) Each Annual Report shall contain Annual Financial Information with respect to the Issuer, including an update of the following financial information and operating data in the same format as in the Official Statement which are in tabular form:

1. Historical System Revenues, Expenses and Bond Service Coverage;
2. Residential and Commercial Water Consumption, Appendix C;
3. Water Revenue, Appendix C;
4. Ten Largest Retail Water Consumers, Appendix C;
5. Wholesale Water Customers, Appendix C;
6. Wholesale & Retail Wastewater Revenues, Appendix C;
7. Ten Largest Retail Wastewater Customers, Appendix C; and
8. Wholesale Wastewater Customers, Appendix C.

Relating to information to be provided to the MSRB, the information provided under Section 4(b) may be included by specific reference to other documents, including official statements of debt issues of the Issuer or related public entities, which have been submitted to the MSRB or the Securities and

Exchange Commission. If the document included by reference is a final official statement, it must be available from the MSRB. The Issuer shall clearly identify each such other document so included by reference.

(b) Audited Financial Statements prepared in accordance with generally accepted auditing standards applicable to municipalities as described in the Official Statement will be included in the Annual Report. If audited financial statements are not available, then, unaudited financial statements, prepared in accordance with generally accepted auditing standards applicable as described in the Official Statement will be included in the Annual Report. Audited Financial Statements (if any) will be provided pursuant to Section 2(d).

Any or all of the items listed above may be included by specific reference from other documents, including official statements of debt issues with respect to which the Issuer is an "obligated person" (as defined by the Rule), which have been previously filed with the Securities and Exchange Commission or available on the MSRB Internet Website. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The Issuer will clearly identify each such document so incorporated by reference.

Any Annual Financial Information containing modified operating data or financial information is required to explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

SECTION 4. Reporting of Notice Events.

(a) The occurrence of any of the following events with respect to the Bonds constitutes a Notice Event:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. Modifications to rights of Bond holders, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;

10. Release, substitution, or sale of property securing repayment of the Bonds, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the Obligated Person;

Note to subsection (a)(12) of this Section 4: For the purposes of the event described in subsection (a)(12) of this Section 4, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

13. The consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.

The Issuer shall, in a timely manner not in excess of ten business days after its occurrence, notify the Disclosure Dissemination Agent in writing of the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c) and shall be accompanied by a Certification. Such notice or Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(b) The Disclosure Dissemination Agent is under no obligation to notify the Issuer or the Disclosure Representative of an event that may constitute a Notice Event. In the event the Disclosure Dissemination Agent so notifies the Disclosure Representative, the Disclosure Representative will within two business days of receipt of such notice (but in any event not later than the tenth business day after the occurrence of the Notice Event, if the Issuer determines that a Notice Event has occurred), instruct the Disclosure Dissemination Agent that (i) a Notice Event has not occurred and no filing is to be made or (ii) a Notice Event has occurred and the Disclosure Dissemination Agent is to report the occurrence pursuant to subsection (c) of this Section 4, together with a Certification. Such Certification shall identify the

Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(c) If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in subsection (a) or (b)(ii) of this Section 4 to report the occurrence of a Notice Event, the Disclosure Dissemination Agent shall promptly file a notice of such occurrence with MSRB in accordance with Section 2 (e)(iv) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

SECTION 5. CUSIP Numbers. Whenever providing information to the Disclosure Dissemination Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, Notice Event notices, Failure to File Event notices, Voluntary Event Disclosures and Voluntary Financial Disclosures, the Issuer shall indicate the full name of the Bonds and the 9-digit CUSIP numbers for the Bonds as to which the provided information relates.

SECTION 6. Additional Disclosure Obligations. The Issuer acknowledges and understands that other state and federal laws, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the Issuer, and that the duties and responsibilities of the Disclosure Dissemination Agent under this Disclosure Agreement do not extend to providing legal advice regarding such laws. The Issuer acknowledges and understands that the duties of the Disclosure Dissemination Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

SECTION 7. Voluntary Filing.

(a) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Event Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Event Disclosure (which shall be any of the categories set forth in Section 2(e)(vi) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(a) to file a Voluntary Event Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Event Disclosure with the MSRB in accordance with Section 2(e)(vi) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(b) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Financial Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Financial Disclosure (which shall be any of the categories set forth in Section 2(e)(vii) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(b) to file a Voluntary Financial Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Financial Disclosure

with the MSRB in accordance with Section 2(e)(vii) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(c) The parties hereto acknowledge that the Issuer is not obligated pursuant to the terms of this Disclosure Agreement to file any Voluntary Event Disclosure pursuant to Section 7(a) hereof or any Voluntary Financial Disclosure pursuant to Section 7(b) hereof.

(d) Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Dissemination Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure in addition to that which is specifically required by this Disclosure Agreement, the Issuer shall have no obligation under this Disclosure Agreement to update such information or include it in any future Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure.

SECTION 8. Termination of Reporting Obligation. The obligations of the Issuer and the Disclosure Dissemination Agent under this Disclosure Agreement shall terminate with respect to the Bonds upon the legal defeasance, prior redemption or payment in full of all of the Bonds, when the Issuer is no longer an obligated person with respect to the Bonds, or upon delivery by the Disclosure Representative to the Disclosure Dissemination Agent of an opinion of counsel expert in federal securities laws to the effect that continuing disclosure is no longer required.

SECTION 9. Disclosure Dissemination Agent. The Issuer has appointed Digital Assurance Certification, L.L.C. as exclusive Disclosure Dissemination Agent under this Disclosure Agreement. The Issuer may, upon thirty days written notice to the Disclosure Dissemination Agent and the Trustee, replace or appoint a successor Disclosure Dissemination Agent. Upon termination of DAC's services as Disclosure Dissemination Agent, whether by notice of the Issuer or DAC, the Issuer agrees to appoint a successor Disclosure Dissemination Agent or, alternately, agrees to assume all responsibilities of Disclosure Dissemination Agent under this Disclosure Agreement for the benefit of the Holders of the Bonds. Notwithstanding any replacement or appointment of a successor, the Issuer shall remain liable until payment in full for any and all sums owed and payable to the Disclosure Dissemination Agent. The Disclosure Dissemination Agent may resign at any time by providing thirty days' prior written notice to the Issuer.

SECTION 10. Remedies in Event of Default. In the event of a failure of the Issuer or the Disclosure Dissemination Agent to comply with any provision of this Disclosure Agreement, the Holders' rights to enforce the provisions of this Agreement shall be limited solely to a right, by action in mandamus or for specific performance, to compel performance of the parties' obligation under this Disclosure Agreement. Any failure by a party to perform in accordance with this Disclosure Agreement shall not constitute a default on the Bonds or under any other document relating to the Bonds, and all rights and remedies shall be limited to those expressly stated herein.

SECTION 11. Duties, Immunities and Liabilities of Disclosure Dissemination Agent.

(a) The Disclosure Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Agreement. The Disclosure Dissemination Agent's obligation to deliver the information at the times and with the contents described herein shall be limited to the extent

the Issuer has provided such information to the Disclosure Dissemination Agent as required by this Disclosure Agreement. The Disclosure Dissemination Agent shall have no duty with respect to the content of any disclosures or notice made pursuant to the terms hereof. The Disclosure Dissemination Agent shall have no duty or obligation to review or verify any Information or any other information, disclosures or notices provided to it by the Issuer and shall not be deemed to be acting in any fiduciary capacity for the Issuer, the Holders of the Bonds or any other party. The Disclosure Dissemination Agent shall have no responsibility for the Issuer's failure to report to the Disclosure Dissemination Agent a Notice Event or a duty to determine the materiality thereof. The Disclosure Dissemination Agent shall have no duty to determine, or liability for failing to determine, whether the Issuer has complied with this Disclosure Agreement. The Disclosure Dissemination Agent may conclusively rely upon Certifications of the Issuer at all times.

The obligations of the Issuer under this Section shall survive resignation or removal of the Disclosure Dissemination Agent and defeasance, redemption or payment of the Bonds.

(b) The Disclosure Dissemination Agent may, from time to time, consult with legal counsel (either in-house or external) of its own choosing in the event of any disagreement or controversy, or question or doubt as to the construction of any of the provisions hereof or its respective duties hereunder, and shall not incur any liability and shall be fully protected in acting in good faith upon the advice of such legal counsel. The reasonable fees and expenses of such counsel shall be payable by the Issuer.

(c) All documents, reports, notices, statements, information and other materials provided to the MSRB under this Agreement shall be provided in an electronic format and accompanied by identifying information as prescribed by the MSRB.

SECTION 12. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Agreement, the Issuer and the Disclosure Dissemination Agent may amend this Disclosure Agreement and any provision of this Disclosure Agreement may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to both the Issuer and the Disclosure Dissemination Agent to the effect that such amendment or waiver does not materially impair the interests of Holders of the Bonds and would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule; provided neither the Issuer or the Disclosure Dissemination Agent shall be obligated to agree to any amendment modifying their respective duties or obligations without their consent thereto.

Notwithstanding the preceding paragraph, the Disclosure Dissemination Agent shall have the right to adopt amendments to this Disclosure Agreement necessary to comply with modifications to and interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission from time to time by giving not less than 20 days written notice of the intent to do so together with a copy of the proposed amendment to the Issuer. No such amendment shall become effective if the Issuer shall, within 10 days following the giving of such notice, send a notice to the Disclosure Dissemination Agent in writing that it objects to such amendment.

SECTION 13. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the Issuer, the Trustee of the Bonds, the Disclosure Dissemination Agent, the underwriter, and the Holders from time to time of the Bonds, and shall create no rights in any other person or entity.

SECTION 14. Governing Law. This Disclosure Agreement shall be governed by the laws of the State of Florida (other than with respect to conflicts of laws).

SECTION 15. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

[Balance of page intentionally left blank.]

The Disclosure Dissemination Agent and the Issuer have caused this Continuing Disclosure Agreement to be executed, on the date first written above, by their respective officers duly authorized.

DIGITAL ASSURANCE CERTIFICATION, L.L.C., as
Disclosure Dissemination Agent

By: _____
Name: Diana O'Brian
Title: Vice President

CITY OF ST. PETERSBURG, FLORIDA
as Issuer

(SEAL)

By: _____
Name: Richard D. Kriseman
Title: Mayor

ATTEST:

Name: Chan Srinivasa
Title: City Clerk

APPROVED AS TO FORM
AND CORRECTNESS

Name: Mark A. Winn
Title: Assistant City Attorney

EXHIBIT A

NAME AND CUSIP NUMBERS OF BONDS

Name of Issuer City of St. Petersburg, Florida
Obligated Person(s) City of St. Petersburg, Florida
Name of Bond Issue: Public Utility Revenue Bonds, Series 2015
Date of Issuance: _____, 2015
Date of Official Statement _____, 2015

CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____

Name of Issuer _____
Obligated Person(s) _____
Name of Bond Issue: _____
Date of Issuance: _____
Date of Official Statement _____

CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____

EXHIBIT B

NOTICE TO MSRB OF FAILURE TO FILE ANNUAL REPORT

Issuer: City of St. Petersburg, Florida

Obligated Person: City of St. Petersburg, Florida

Name(s) of Bond Issue(s): Public Utility Revenue Bonds, Series 2015

Date(s) of Issuance: _____, 2015

Date(s) of Disclosure Agreement: _____, 2015

CUSIP Number: _____

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by the Disclosure Agreement between the Issuer and Digital Assurance Certification, L.L.C., as Disclosure Dissemination Agent. [The Issuer has notified the Disclosure Dissemination Agent that it anticipates that the Annual Report will be filed by _____.]

Dated: _____

Digital Assurance Certification, L.L.C., as Disclosure
Dissemination Agent, on behalf of the Issuer

cc: Issuer
Obligated Person

**EXHIBIT C-1
EVENT NOTICE COVER SHEET**

This cover sheet and accompanying "event notice" will be sent to the MSRB, pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this event notice relates:

Number of pages attached: _____

Description of Notice Events (Check One):

1. _____ "Principal and interest payment delinquencies;"
2. _____ "Non-Payment related defaults, if material;"
3. _____ "Unscheduled draws on debt service reserves reflecting financial difficulties;"
4. _____ "Unscheduled draws on credit enhancements reflecting financial difficulties;"
5. _____ "Substitution of credit or liquidity providers, or their failure to perform,"
6. _____ "Adverse tax opinions, IRS notices or events affecting the tax status of the security;"
7. _____ "Modifications to rights of securities holders, if material;"
8. _____ "Bond calls, if material;"
9. _____ "Defeasances;"
10. _____ "Release, substitution, or sale of property securing repayment of the securities, if material;"
11. _____ "Rating changes;"
12. _____ "Tender offers;"
13. _____ "Bankruptcy, insolvency, receivership or similar event of the obligated person;"
14. _____ "Merger, consolidation, or acquisition of the obligated person, if material;" and
15. _____ "Appointment of a successor or additional trustee, or the change of name of a trustee, if material."

Failure to provide annual financial information as required.

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date: _____

EXHIBIT C-2
VOLUNTARY EVENT DISCLOSURE COVER SHEET

This cover sheet and accompanying "voluntary event disclosure" will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated as of _____ between the Issuer and DAC.

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:

Number of pages attached: _____

_____ Description of Voluntary Event Disclosure (Check One):

1. _____ "amendment to continuing disclosure undertaking;"
2. _____ "change in obligated person;"
3. _____ "notice to investors pursuant to bond documents;"
4. _____ "certain communications from the Internal Revenue Service;"
5. _____ "secondary market purchases;"
6. _____ "bid for auction rate or other securities;"
7. _____ "capital or other financing plan;"
8. _____ "litigation/enforcement action;"
9. _____ "change of tender agent, remarketing agent, or other on-going party;"
10. _____ "derivative or other similar transaction;" and
11. _____ "other event-based disclosures."

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date: _____

**EXHIBIT C-3
VOLUNTARY FINANCIAL DISCLOSURE COVER SHEET**

This cover sheet and accompanying "voluntary financial disclosure" will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated as of _____ between the Issuer and DAC.

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:

Number of pages attached: _____

_____ Description of Voluntary Financial Disclosure (Check One):

1. _____ "quarterly/monthly financial information;"
2. _____ "change in fiscal year/timing of annual disclosure;"
3. _____ "change in accounting standard;"
4. _____ "interim/additional financial information/operating data;"
5. _____ "budget"
6. _____ "investment/debt/financial policy;"
7. _____ "information provided to rating agency, credit/liquidity provider or other third party;"
8. _____ "consultant reports;" and
9. _____ "other financial/operating data."

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date: _____

BOND REGISTRAR AND PAYING AGENT AGREEMENT

THIS BOND REGISTRAR AND PAYING AGENT AGREEMENT, dated as of _____, 2015, by and between the CITY OF ST. PETERSBURG, FLORIDA (the "Issuer") and U.S. BANK NATIONAL ASSOCIATION, a national banking association organized under the laws of the United States of America, with a designated corporate trust office in Orlando, Florida (the "Bank").

WITNESSETH:

WHEREAS, the Issuer, by the Resolution (as hereinafter defined), has designated the Bank as Bond Registrar and Paying Agent for its \$_____ City of St. Petersburg, Florida Public Utility Revenue Bonds, Series 2015 (the "Series 2015 Bonds"); and

WHEREAS, the Issuer and the Bank desire to set forth the Bank's duties as Bond Registrar and Paying Agent and the compensation to be paid the Bank for its services.

NOW, THEREFORE, it is agreed by the parties hereto as follows:

Section 1. Duties. The Bank agrees to serve as Bond Registrar and Paying Agent for the Series 2015 Bonds and to perform the duties of Bond Registrar and Paying Agent as specified in or contemplated by Resolution No. 99-227 adopted by the City Council of the Issuer on April 22, 1999 as amended and supplemented from time to time, as particularly amended by Resolution No. 2005-559 adopted by the City Council of the Issuer on October 20, 2005, and Resolution No. 2008-256 adopted by the City Council of the Issuer on May 15, 2008, as particularly prospectively amended by Resolution No. 2013-400 adopted by the City Council of the Issuer on October 3, 2013, and as particularly supplemented by Resolution No. 2015-___ adopted by the City Council of the Issuer on September 17, 2015 (collectively, the "Resolution"), relating to the issuance of the Series 2015 Bonds.

Section 2. Deposit of Funds. The Issuer shall deposit or cause to be deposited with the Bank sufficient funds from the funds pledged for the payment of the Series 2015 Bonds under the Resolution to pay when due and payable the principal of, premium, if any, and interest on the Series 2015 Bonds.

Section 3. Use of Funds; Canceled Series 2015 Bonds. The Bank shall use the funds received from the Issuer pursuant to Section 2 of this Agreement to pay the principal of, premium, if any, and interest on the Series 2015 Bonds in accordance with the Resolution. The Bank shall destroy canceled Series 2015 Bonds and transmit to the Issuer a certificate of destruction therefor.

Section 4. Statements. The Bank shall prepare and shall send to the Issuer upon request written statements of account relating to all transactions effected by the Bank pursuant to this Agreement.

Section 5. Obligation to Act. The Bank shall be obligated to act only in accordance with the Resolution and any written instructions received in accordance therewith; provided, however, that the Bank is authorized hereby to comply with any orders, judgments, or decrees of any court with or without jurisdiction and shall not be liable as a result of its compliance with the same.

Section 6. Reliance by Bank. The Bank may rely absolutely upon the genuineness and authorization of the signature and purported signature of any party upon any instruction, notice, release, request, affidavit, or other document delivered to it purportedly pursuant to the Resolution.

Section 7. Indemnity. To the extent permitted by law and without waiving sovereign immunity, the Issuer hereby agrees to indemnify the Bank and hold it harmless from any and all claims, liabilities, losses, action, suits, or character or nature, which it may incur or with which it may be threatened by reason of its acting as Paying Agent or Bond Registrar under the Resolution, unless caused by its misconduct or negligence; and in connection therewith, to indemnify the Bank against any and all expenses, including attorneys' fees and the costs of defending an action, suit, or proceeding, or resisting any claim whether or not such claim is actually filed. The Issuer's obligations hereunder shall survive any termination of this Agreement.

Section 8. Counsel; Limited Liability. The Bank may consult with counsel of its own choice and shall have sole and complete authorization and protection for any action taken or suffered by it under the Resolution in good faith. The Bank shall otherwise not be liable for any mistakes of fact or errors of judgment, or for any acts or omissions of any kind unless caused by its misconduct or negligence.

Section 9. Fees and Expenses. In consideration of the services rendered by the Bank as Bond Registrar and Paying Agent, the Issuer agrees to and shall pay to the Bank its proper fees and all expenses, charges, attorney's fees, and other disbursements incurred by it or its attorneys, agents, and employees in and about the performance of its powers and duties as Bond Registrar and Paying Agent as set forth in the attached Exhibit A. The Bank shall not be obligated to allow and credit interest upon any unclaimed moneys in respect of principal, interest or premium, if any, due in respect of the Series 2015 Bonds, which it shall at any time receive under any of the provisions of the Resolution or this Agreement.

Section 10. Furnishing Information; Authorization. The Bank shall at all times, when requested to do so by the Issuer, furnish full and complete information pertaining to its functions as the Bond Registrar and Paying Agent with regard to the Series 2015 Bonds, and

shall without further authorization, execute all necessary and proper deposit slips, checks, certificates and other documents with reference thereto.

Section 11. Cancellation; Termination. Either of the parties hereto, at its option, may cancel this Agreement after giving thirty (30) days written notice to the other party of its intention to cancel, and this Agreement may be canceled at any time by mutual consent of the parties hereto. This Agreement shall terminate without further action upon final payment of the Series 2015 Bonds and the interest appertaining thereto. If any Series 2015 Bond shall not be presented for payment within the period of three years following the date when such Series 2015 Bond becomes due, whether by maturity or otherwise, the Paying Agent shall return to the Issuer the funds theretofore held by it for payment of such Series 2015 Bond and such Series 2015 Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the Issuer.

Section 12. Surrender of Funds, Registration Records; Notification of Series 2015 Bondholders. In the event of a cancellation of this Agreement, the Issuer shall deliver releases to the Bank (in a form acceptable to the Bank) upon demand and the Bank shall thereafter upon demand pay over the funds on deposit with the Bank as Bond Registrar and Paying Agent in connection with the Series 2015 Bonds and surrender all registration books and related records, and the Issuer may appoint and name a successor to act as Bond Registrar and Paying Agent of the Series 2015 Bonds. The Issuer shall, in such event, at its expense, notify all holders of the Series 2015 Bonds of the appointment and name of the successor, by providing notice in the manner required for the redemption of the Series 2015 Bonds.

Section 13. Non-assignability. This Agreement shall not be assigned by either party without the written consent of the other party.

Section 14. Modification. No modification of this Agreement shall be valid unless made by a written agreement, executed and approved by the parties hereto.

Section 15. Severability. Should any section or part of this Agreement be declared void, invalid, or unenforceable by any court of law for any reason, such determination shall not render void, invalid, or unenforceable any other section or other part of any section of this Agreement.

Section 16. Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida.

Section 17. Merger or Consolidation of the Bank. Any corporation into which the Bank may be merged or with which it may be consolidated, or any corporation resulting from any merger or consolidation to which the Bank shall be a party, shall be the successor Bond Registrar and Paying Agent under this Agreement, without the execution or filing of any paper

or any further act on the part of the parties hereto. The Bank shall notify the Issuer within thirty days of the occurrence of any such merger or consolidation.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers and their official seals to be hereunto affixed and attested as of the date first above written.

CITY OF ST. PETERSBURG, FLORIDA

(SEAL)

By: _____

Name: Richard D. Kriseman

Title: Mayor

ATTEST:

By: _____

Name: Chan Srinivasa

Title: City Clerk

Approved as to form and
correctness:

By: _____

Name: Mark A. Winn

Title: Assistant City Attorney

U.S. BANK NATIONAL ASSOCIATION

By: _____

Name: Leanne M. Duffy

Title: Vice President

EXHIBIT A

Fee for services as Bond Registrar and Paying Agent will be a one-time fee of \$5,500, together with reimbursement of out-of-pocket expenses actually incurred.

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

STATE OF FLORIDA :
COUNTY OF PINELLAS :

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

IN WITNESS WHEREOF, we have hereunto affixed our official signatures this 17th day of September, 2015.

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

Committee Report

**Meeting of September 10, 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

D. New/Deferred Business

1. September 10, 2015

a. Sick Leave Benefits for Part-time Employees (Guella)

Chris Guella, Human Resources Director provided the Committee with illness leave information for Part-Time Regular Employees as well as the benefits cost savings. Mr. Guella stated the City currently employs a total of 510 Part-Time employees of which, 256 is considered Part-time Regular employees. He also provided the committee with averages for the hours worked and hourly wages for same.

Mr. Guella mentioned based on the average salaries, hours worked, and illness leave accrual projections, the total annual cost to provide sick leave to a Part-Time Regular employee could be as much as \$186,446 annually. However, he added that the cost would likely double to \$372,892 because in the event 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 as well as the wages for the replacement employee.

He also mentioned based on the average salaries and hours worked, the total benefits cost savings by using part-time employees is approximately \$2.4 million. In closing, Mr. Guella stated it would be difficult to have an accurate view of this information operationally.

After some discussion, a motion was made for Part-Time Regular Employees to receive 2 hours of sick leave for every 80 hours worked. Motion failed.

b. Discussion for use of Tourist Development Tax Follow-Up (Zeoli)

Joe Zeoli, Managing Director, CDA, provided the committee an update on the Tourist Development Council (TDC). He mentioned on June 17, 2015, the TDC voted 8 to 1 to increase the Tourist Development Tax from 5% to 6% effective January 1, 2016. He also noted the increase was allowable for high tourism impact counties of which, Pinellas County qualifies based on the annual Tourist Development Tax collections which currently exceed the 30 million dollar threshold. Mr. Zeoli stated the TDC recommended the 6% increase be allocated as 60% for marketing and 40% for

capital improvements and beach renourishment. Both of these recommendations were forwarded to the Board of County Commissioners, which voted 5 to 2 at their August 4th meeting to increase the tourist development tax to 6%, but no agreement was reached on the allocation of the funds. He also mentioned the TDC will continue to work on a spending plan and bring this back to the Board of County Commissioners when completed.

Mr. Zeoli mentioned that the Tourist Development Tax has increased each month of this Fiscal Year compared to last year. He noted there was a 12.5% increase from FY14 to FY15 through July. At current collection levels, each percent of TD Tax generates approximately \$7.5 million.

Additionally, each year the TDC recommends elite events in the county. There are twelve (12) events funded for FY16 of which four (4) are in St. Petersburg. The four (4) events included the Firestone Grand Prix, East/West Shrine Football Game, Ribfest, and the St. Pete Bowl.

The next TDC meeting will be October 21, 2015 and there will be further discussion related to funding and allocations.

E. Continued Business

F. Upcoming Meetings Agenda Tentative Issues

- 1. September 24, 2015**
 - a. Third Quarter Grants Report (Ojah-Maharaj)**

- 2. October 8, 2015**
 - a. Management Evaluation Discussion (Scott)**

G. New Business Item Referrals

H. Adjournment

City of St. Petersburg
Public Services & Infrastructure Committee
Meeting of September 10, 2015 - 9:15 a.m.
City Hall, Room 100

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

Others present: Council Members Charlie Gerdes, Wengay Newton and Karl Nurse; Support Staff: Mika Nelson, Library Director and primary support staff; Michael Vineyard, Park Operations Manager and backup support staff; Jackie Kovilaritch, City Attorney; Anthony Holloway, Police Chief; Evan Mory, Transportation and Parking Management Director; Eric Carlson, St. Petersburg Downtown Partnership, Inc.; Cassandra Borchers, Pinellas Suncoast Transit Authority (PSTA).

- 1) Call to Order 9:18 A.M.
- 2) Approval of Agenda
 - a) Motion by CM Rice to adjust the order of agenda items. Passed: 4-0.
- 3) New Business
 - a) Requesting for consideration the addition of funding to the FY 2016 budget for the purpose of hiring 12 police officers to provide adequate coverage for public safety:
 - i. Chief Holloway provided a report on the hiring of 12 new officers to enhance public safety, including a description of the department's succession planning and recruiting initiatives for FY 2016 and beyond.
 - ii. Committee and staff discussed the hiring timeline from an officer attending the police academy, to their certification, and eventual hiring by the City. Benefits of hiring new officers for both zoned policing, as well as off-duty work, were discussed.
 - b) Transportation such as the Looper or PSTA as an optional add-on to City monthly parking garage customers:
 - i. Evan Mory provided updates on the *Park Once* program, which will allow City garage customers and City employees the ability to park once and ride for free or reduced rates within the downtown St. Petersburg vicinity. Potential programs, such as bike sharing, car sharing and a new downtown shuttle service were also discussed. Partnerships for transporting employees, residents and visitors within the downtown area were addressed, including updates by Eric Carlson of the St. Petersburg Downtown Partnership, Inc. and Cassandra Borchers of PSTA.
 - ii. Committee and staff discussed the traffic routes for the Looper and PSTA, the breadth of transportation routes and coverage for the downtown area, as well as the enhancements to be gained from the inclusion of a new Escot shuttle service. The discussion also included updates on PSTA's redesign phases and future program enhancements. Marketing of the programs were also addressed by the committee and staff.
 - iii. A motion supporting moving to City Council a budget appropriation to increase downtown transportation service and an Escot blanket purchase agreement (CM Kennedy) passed: 4-0.
- 4) Upcoming Meetings
 - a) September 24, 2015

Unimproved Alleys (Susan Ajoc, Community Services Director)
- 5) Adjournment 10:35 A.M.

CITY OF ST. PETERSBURG

Committee of the Whole

Thursday, September 10, 2015, 10:30 a.m.

PRESENT: Chair Charles Gerdes and Councilmembers, Jim Kennedy, Bill Dudley, Steve Kornell, Karl Nurse, Wengay Newton and Amy Foster.

ABSENT: Councilmember Darden Rice.

ALSO: Mayor Rick Kriseman, City Administrator Gary Cornwell, City Attorney Jackie Kovilaritch, Assistant City Attorney Macall Dyer, City Development Administrator Alan DeLisle, CDA Managing Director Chris Ballestra, Kem Green and Kevin Savoree, Green Savoree Racing Promotions, City Clerk Chan Srinivasa, other members of staff.

Chair Gerdes called the meeting to order and the following topic was discussed:

Firestone Grand Prix of St. Petersburg Contract:

Chair Gerdes opened the discussion and turned the meeting over to Councilmember Nurse in order to give background on the intent of the meeting and to give an overview as to what the discussion is to entail, (i) What can be done to have date certain for the race?, (ii) Should the City of St. Petersburg send out an RFP instead of extending the contract?.

Mayor Rick Kriseman made comments regarding the status of the Firestone Grand Prix of St. Petersburg, and the request for extension of the agreement.

CDA Managing Director Chris Ballestra introduced Kem Green and Kevin Savoree, Green Savoree Racing Promotions, and proceeded to give a PowerPoint presentation regarding the overall economic impact of the Firestone Grand Prix of St. Petersburg.

Members of City Council proceeded to engage with staff and the Green Savoree Racing Promotions representatives regarding the following areas:

- Councilmember Kennedy: (i) Made note to the similarities of the negotiations of that of the Tampa Bay Rays, and had concerns whether we are getting the best deal regarding economic impact and revenue generated, (ii) concerns regarding race dates, (iii) inquired if there could be a minimum courtesy of knowing the subsequent year race dates on the day of the current race, (iv) question regarding the \$150,000 of in-kind services, (v) concerns regarding the declining infrastructure of the City of St. Petersburg and a consideration of contributions for the declining infrastructure, (vi) concerns regarding the \$60,000 going to the airport, (vii) should there be a monetary contribution for the use of the City's assets, (viii) should there be a consideration for storage space, (ix) concerns regarding the need to get permission to use our (City of St. Petersburg) own assets (Jackie Kovilaritch advised that Green Savoree Race Promotions own the assets until they no longer have the race), (x) concerns regarding the way the contract is written and how the City of St. Petersburg license the use of the streets but there is no requirement to put on

a race and the City's ramification and how does the City get compensated, (xi) concerns regarding the exclusivity language in the contract regarding the race and how the City of St. Petersburg cannot entertain any other races, (xii) raised concerns regarding an RFP.

- Councilmember Dudley: (i) Had concerns regarding the dates, (ii) Inquired about the advantage of being the first race.
- Councilmember Newton: Inquired about an RFP and wants the agreement to be fair and equitable.
- Councilmember Kornell: (i) Inquired as to how we can get a certainty with the race dates. (ii) Inquired about the process of obtaining an Indy Car Race.
- Councilmember Foster: Inquired about an RFP and asked what the worst case would be if an RFP was done (Alan DeLisle indicated that an RFP could mean that we do not have a race).
- Councilmember Nurse: Inquired if the race dates can be given a year in advance
- Chair Gerdes: (i) Inquired if there was a safety net for the races if they are rained out (Kevin Savoree gave an overview of the race insurance and indicated that it is very cost prohibitive), (ii) inquired if there is a possibility in the sharing of infrastructure improvements similar to that of the Tampa Bay Rays.

There being no further business, the meeting was adjourned at 12:32 p.m.

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: ~~September 8, 2015~~

COUNCIL DATE: September 17, 2015

RE: Referral to BF&T

ACTION DESIRED:

Respectfully requesting a referral to the BF&T Committee to remove the Park Features on the Uplands of the Pier from the Weeki Wachee Project List.

James Kennedy
Council Member

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: ~~September 8, 2015~~

COUNCIL DATE: September 17, 2015

RE: Referral to BF&T

ACTION DESIRED:

Respectfully requesting a referral to the BF&T Committee to add to the Weeki Wachee Project List the installation of 3 - 5 exercise zones at a cost of approximately \$65,000 to \$75,000 per zone to various parks throughout the City, as well as Shade Shelters if needed at a cost of approximately \$20,000 to \$25,000 per zone.

James Kennedy
Council Member

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: **Members of City Council**

DATE: **September 9, 2015**

COUNCIL DATE: **September 17, 2015**

RE: ***Referral to the Public Services & Infrastructure Committee***

ACTION DESIRED:

Respectfully request a referral to the Public Services & Infrastructure Committee regarding the trimming of bushes & hedges at vacant houses. Currently, the city will mow the grass on overgrown lawns, however, not trim bushes & hedges.

Wengay Newton, Council Member
District 7

**COUNCIL AGENDA
NEW BUSINESS ITEM**

TO: Members of City Council

DATE: September 8, 2015

COUNCIL DATE: September 17, 2015

RE: Referral to BF&T

ACTION DESIRED:

Respectfully requesting a referral to the BF&T Committee to remove the Rubber Track Project for Gibbs High School from the Weeki Wachee Project List.

Wengay Newton
Council Member

ST. PETERSBURG CITY COUNCIL

MEETING OF: September 17, 2015

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for
Lot Clearing Number(s) LCA 1554

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>1554</u>
NUMBER OF STRUCTURES:	<u>193</u>
ASSESSABLE AMOUNT:	<u>\$37,700.15</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 \$37,700.15 will be fully assessable to the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

FOLLOW-UP: _____

AGENDA NO. _____

8/27/15 13:11:16:

**** City of St. Petersburg ****
Special Assessments Division
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1554 69474	HAAKSMA, ELAINE KAY 1501 14TH ST N SAINT PETERSBURG FL 337044005	13 31 16 00000 130 0300 BEG NW COR OF LOT 120 OF EDINA GARDEN OF EDEN TH N 74.25FT TH E 132.67FT TH S 74.25FT TH W 132.67FT TO	1501 14TH ST N	224.47
LCA 1554 69475	SMITH, JODIE B 3316 YALE ST N SAINT PETERSBURG FL 337132738	11 31 16 00234 000 0030 ALAMO SUB NO. 1 LOT 3	3316 YALE ST N	204.43
LCA 1554 69476	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	284.61
LCA 1554 69477	LAUS HOMES LLC 111 2ND AVE NE STE 346 SAINT PETERSBURG FL 337013464	25 31 16 00648 000 0110 ALMA HEIGHTS REV LOT 11	946 10TH AVE S	184.38
LCA 1554 69478	CENTRAL FLORIDA HOLDINGS GROUP 2552 1ST AVE N SAINT PETERSBURG FL 33713	06 31 17 01368 005 0010 ARCADIA SUB BLK E, LOT 1	4799 DR. ML KING JR ST N	204.43
LCA 1554 69479	HEATON, PATRICIA M EST 303 15TH AVE N SAINT PETERSBURG FL 337044415	06 31 17 01368 005 0020 ARCADIA SUB BLK E, LOT 2	4735 DR. ML KING JR ST N	184.38
LCA 1554 69480	BAILEY, ANGELA EST 2459 17TH AVE N SAINT PETERSBURG FL 337134903	14 31 16 01782 004 0200 AVALON BLK 4, LOT 20	2459 17TH AVE N	184.38

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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1554 69481	DANA, RUDOLPH 8513 PARROTS LANDING DR TAMPA FL 336473413	06 32 17 03798 016 0171 BAYOU BDNITA PARK BLK 16, W 1/2 OF LOT 17 & W 1/2 OF LOT 18	356 46TH AVE S	214.45
LCA 1554 69482	INTERNATIONAL COAST GROUP LLC 20 TORTUGA CAY ALISO VIEJO CA 926562317	06 32 17 03924 000 0390 BAYOU VIEW LOT 39 AND W 1/2 VAC ALLEY ADJ ON E (PER O.R. 16744/ 810)	4010 6TH ST S	224.47
LCA 1554 69483	R M F HDLDINGS LLC 320 KINGSTON ST S SAINT PETERSBURG FL 337111610	21 31 16 07182 003 0140 BELLECREST HEIGHTS BLK 3, LOT 14	5119 2ND AVE S	184.38
LCA 1554 69484	YEATES, KEVIN 1126 22ND AVE N SAINT PETERSBURG FL 337043224	13 31 16 07830 000 0220 BELL PLACE SUB W 11FT OF LOT 21 & E 37FT OF LOT 22	1126 22ND AVE N	184.38
LCA 1554 69485	LEWIS, PATRICIA 4132 PARK LN WEST PALM BEACH FL 334068538	27 31 16 09576 001 0090 BOCA CEIGA HEIGHTS BLK A, LOT 9 & S 1/2 OF LOT 8	1931 43RD ST S	214.45
LCA 1554 69486	BENSON, ROGER C 2158 BLOSSOM WAY S SAINT PETERSBURG FL 337126016	27 31 16 09576 003 0010 BOCA CEIGA HEIGHTS BLK C, LOT 1	4130 18TH AVE S	284.61
LCA 1554 69487	BENSON, ROGER C 2158 BLOSSOM WAY S SAINT PETERSBURG FL 337126016	27 31 16 09576 003 0030 BOCA CEIGA HEIGHTS BLK C, LOT 3	1826 42ND ST S	224.47

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LCA 1554 69488	LOREVIL LAND TRUST AGM NO 14 2062 15TH AVE S SAINT PETERSBURG FL 337122706	25 31 16 11502 000 0010 BRIGHTWOOD LOT 1	2062 15TH AVE S	184.38
LCA 1554 69489	CURTIS, KELLY G 4424 45TH ST S SAINT PETERSBURG FL 337114436	03 32 16 11710 017 0090 BROADWATER UNIT 2 BLOCK Q BLK Q, LOT 9	4424 45TH ST S	304.65
LCA 1554 69490	FOSTER, ROBERT E 2101 3RD AVE N SAINT PETERSBURG FL 337138005	24 31 16 11808 009 0090 BRONX BLK 9, LOT 9	2101 3RD AVE N	184.38
LCA 1554 69491	MARTIN, CYNTHIA 205 57TH AVE W BRADENTON FL 342073844	27 31 16 12474 000 0870 BRUNSON-DOWELL SUB NO. 1 LOT 87 (SEE N34-31-16)	2209 QUINCY ST S	184.38
LCA 1554 69492	BROWN, JULIA M 593 VANDERBILT AVE BROOKLYN NY 112383512	30 31 17 12708 000 0360 BUENA VISTA LOT 36	743 14TH AVE S	184.38
LCA 1554 69493	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 1554 69494	FOX FUND 6A 170 THE DONWAY W STE 14061 TORONTO ON CN M3C2E8	30 31 17 12708 000 0540 BUENA VISTA LOT 54	836 14TH AVE S	184.38

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LCA 1554 69495	LAND TRUST 810 2018 E 7TH AVE TAMPA FL 336053902	30 31 17 12708 000 0890 BUENA VISTA LOT 89	810 NEWTON AVE S	184.38
LCA 1554 69496	EMES, BRETT L IRA 9923 COUNTRY CARRIAGE CIR RIVERVIEW FL 335695693	30 31 17 12708 000 1090 BUENA VISTA E 40FT OF LOT 109	755 15TH AVE S	184.38
LCA 1554 69497	MEUNIER, DAVID M PO BOX 3982 CLEARWATER FL 337678982	25 31 16 14220 000 0230 CASLER HEIGHTS LOT 23 & N 14FT OF LOT 24	2040 UNION ST S	184.38
LCA 1554 69498	OCEANODORO INC 2961 1ST AVE N STE D SAINT PETERSBURG FL 337138605	25 31 16 14220 000 0280 CASLER HEIGHTS LOT 28	2100 UNION ST S	184.38
LCA 1554 69499	TARPON IV LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	22 31 16 14418 011 0100 CENTRAL AVENUE HEIGHTS BLK 11, LOT 10	3855 1ST AVE S	184.38
LCA 1554 69500	FLINCHBAUGH, DAWSON E 3845 1ST AVE S SAINT PETERSBURG FL 337111203	22 31 16 14418 011 0110 CENTRAL AVENUE HEIGHTS BLK 11, LOT 11	3845 1ST AVE S	184.38
LCA 1554 69501	ALFORD, SUSAN S 16 55TH ST S SAINT PETERSBURG FL 337076121	21 31 16 14454 006 0090 CENTRAL AVENUE HOMES BLK 6, LOTS 9,10 & 11 AND THAT PART OF VAC 55TH ST S BEING THE E 5 FT W OF LOT	5481 1ST AVE S	184.38

8/27/15 13:11:16:

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LCA 1554 69502	LTD FAMILY TRUST LLC 3812 N TAMPA ST TAMPA FL 33603	21 31 16 14562 006 0060 CENTRAL PARK REV BLK 6, LOT 6	4646 2ND AVE N	184.38
LCA 1554 69503	GARCIA, MANUAL 8715 SW 109TH ST MIAMI FL 33176	25 31 16 14742 000 0091 CHAMBER'S 1ST ADD TO HOLLYWOOD W 1/2 OF LOTS 9 AND 10	1231 15TH AVE S	184.38
LCA 1554 69504	AMERICAN HOME MTG 1565 13TH ST S SAINT PETERSBURG FL 337052441	25 31 16 14742 000 0220 CHAMBER'S 1ST ADD TO HOLLYWOOD LOT 22	1565 13TH ST S	184.38
LCA 1554 69505	DAVID, GROSSMAN 3797 136TH AVE LARGO FL 337714024	25 31 16 14742 000 0230 CHAMBER'S 1ST ADD TO HOLLYWOOD LOT 23	1559 13TH ST S	184.38
LCA 1554 69506	RICH PROPERTIES LLC 4376 LAIRD CIR SANTA CLARA CA 950544198	14 31 16 15174 003 0150 CHEVY CHASE BLK 3, LOT 15	2430 6TH AVE N	184.38
LCA 1554 69507	M TAMPA CORP 14824 N FLORIDA AVE TAMPA FL 336131844	27 31 16 15408 008 0011 CHILDS PARK BLK 8, S 90FT OF LOT 1 LESS S 6.67FT	1925 37TH ST S	184.38
LCA 1554 69508	HIROCK, SHARI 2840 S CIRCLE DR COLORADO SPRINGS CO 809062066	27 31 16 15732 000 0420 CLARK & BUTLER'S SUB NO. 2 LOT 42	3835 10TH AVE S	184.38

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LCA 1554 69509	WARFIELD, DIANE 3829 18TH ST N SAINT PETERSBURG FL 337144609	01 31 16 16002 001 0220 CLEARVIEW HIGHLANDS REPLAT BLK A, LOT 22	3829 18TH ST N	214.45
LCA 1554 69510	PUZYCKI, BRIAN 2611 25TH AVE N SAINT PETERSBURG FL 337133920	11 31 16 17190 008 0260 COLFAX CITY BLK 8, LOT 26	2611 25TH AVE N	234.49
LCA 1554 69511	NEW LIFE MISSIONARY BAPTIST CH PO BOX 35012 SAINT PETERSBURG FL 337050501	23 31 16 17442 006 0010 COLONIAL PLACE REV BLK 6, LOT 1	2500 2ND AVE S	184.38
LCA 1554 69512	DAVANZO, CHARLES J 5942 SKIMMER POINT BLVD S SAINT PETERSBURG FL 337073938	25 31 16 17658 002 0150 COLUMBIA HEIGHTS BLK 2, LOT 15	1325 JAMES AVE S	184.38
LCA 1554 69513	DICKEY, ARTHUR JR EST 1501 11TH AVE S SAINT PETERSBURG FL 337052218	25 31 16 17694 000 0190 COLUMBIA HEIGHTS NO. 3 LOT 19 & E 1/2 OF LOT 18	1501 11TH AVE S	244.52
LCA 1554 69514	HANKEY, RICHARD 2400 35TH AVE N SAINT PETERSBURG FL 337131817	11 31 16 17892 012 0130 COOLIDGE PARK BLK 12, E 3FT OF LOT 12 & ALL OF LOT 13	2400 35TH AVE N	184.38
LCA 1554 69515	ALVING, RALPH E 3130 COQUINA KEY DR SE SAINT PETERSBURG FL 337054151	32 31 17 18054 039 0680 COQUINA KEY SEC 1 ADD BLK 39, LOT 68	3130 COQUINA KEY DR SE	234.49

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LCA 1554 69516	BOSCO HOLDINGS LLC 2803 GULF TO BAY BLVD APT 408 CLEARWATER FL 337594014	16 31 16 18990 003 0150 CRESTMONT BLK 3, LOT 15	5426 6TH AVE N	184.38
LCA 1554 69517	19TH AVE S LAND TRUST 13799 PARK BLVD # 232 SEMINOLE FL 337763402	25 31 16 19350 004 0040 CROMWELL HEIGHTS BLK D, LOT 4	924 19TH AVE S	184.38
LCA 1554 69518	FULLER-GAINEY, ANTONISHIA L PO BOX 1057 OLDSMAR FL 346771057	28 31 16 21420 000 0110 DISSTON PARK LOT 11	4700 11TH AVE S	184.38
LCA 1554 69519	LONTOC, DOMINIC 18300 SW 134TH AVE MIAMI FL 331772521	28 31 16 21420 000 0460 DISSTON PARK LOT 46	4657 13TH AVE S	184.38
LCA 1554 69520	SURPRENANT, HELEN 83 VERMONT AVE DRACUT MA 01826	16 31 16 21456 000 0160 DISSTON RIDGE ESTATES LOT 16	5169 10TH AVE N	224.47
LCA 1554 69521	VENTURE AT MIDTOWN I LLC 2164 15TH CIR N SAINT PETERSBURG FL 337134062	30 31 17 21564 000 0110 DISTRICT FLA CORP SUB NO 1 LDT 11	847 PARIS AVE S	184.38
LCA 1554 69522	NUNNALLY, JACKIE 5202 9TH AVE S SAINT PETERSBURG FL 337072516	30 31 17 21564 000 0480 DISTRICT FLA CORP SUB NO 1 LOT 48	856 PARIS AVE S	184.38

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LCA 1554 69523	NORTHERN, WILBURN 1398 RIDGEWOOD DR SW LILBURN GA 30047	28 31 16 22338 001 0170 DOWLING-MCNAB'S REPLAT BLK 1, LOT 17	4675 19TH AVE S	184.38
LCA 1554 69524	JOHNSEN, LEONARD W PO BOX 76158 SAINT PETERSBURG FL 337346158	30 31 17 23958 000 0230 EASTERBROOK LOT 23	655 12TH AVE S	184.38
LCA 1554 69525	TRUST NO 6167 11125 PARK BLVD STE 104-157 SEMINOLE FL 337724757	20 31 16 24048 002 0210 EAST PASADENA BLK B, E 45FT OF LOT 21	6163 2ND AVE S	184.38
LCA 1554 69526	USA FED NATL MTG ASSN 950 E PACES FERRY RD STE 1900 ATLANTA GA 303261384	23 31 16 24138 002 0170 EAST ROSELAWN BLK 2, LOT 17	2901 EMERSON AVE S	184.38
LCA 1554 69527	2820 EMERSON AVE LLC 6830 CENTRAL AVE STE C SAINT PETERSBURG FL 337071208	23 31 16 24138 006 0030 EAST ROSELAWN BLK 6, LOT 3	2820 EMERSON AVE S	184.38
LCA 1554 69528	TAX CERTIFICATE REDEMPTIONS IN 925 ARTHUR GODFREY RD STE 102 MIAMI BCH FL 331403337	23 31 16 24138 006 0160 EAST ROSELAWN BLK 6, LOT 16 & W 1/2 OF LOT 17	2819 6TH AVE S	184.38
LCA 1554 69529	ZYANYA INVEST INC 9251 98TH AVE SEMINOLE FL 337771725	23 31 16 24138 006 0180 EAST ROSELAWN BLK 6, LOT 18 & E 1/2 OF LOT 17	549 28TH ST S	184.38

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LCA 1554 69530	CVS EGL CENTRAL PETERSBURG FL ONE CVS DR # 5184-01 WOONSOCKET RI 028956146	21 31 16 24290 001 0010 ECKERD DRUGS - ST PETERSBURG BLK 1, LOT 1 LESS W 95FT OF S 110FT	4901 CENTRAL AVE	424.92
LCA 1554 69531	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	184.38
LCA 1554 69532	TRUST NO 1320 11125 PARK BLVD STE 104-157 SEMINOLE FL 337724757	15 31 16 25506 005 0130 EL DORADO HILLS ANNEX BLK E, LOT 13	1320 45TH ST N	184.38
LCA 1554 69533	ADMIRE, HAZEL EST 850 44TH AVE N SAINT PETERSBURG FL 337034647	06 31 17 26316 004 0070 EUCLID MANOR BLK 4, LOT 7	850 44TH AVE N	184.38
LCA 1554 69534	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 1554 69535	CITIGROUP 399 PARK AVE NEW YORK NY 100224614	26 31 16 27918 000 0120 FISHER'S, E. C. SUB NO. 1 LOT 12	2819 12TH AVE S	184.38
LCA 1554 69536	LTD FAMILY TRUST LLC 3812 N TAMPA ST TAMPA FL 336034744	14 31 16 27954 001 0170 FLAG SUB BLK 1, LOT 17	2319 15TH AVE N	184.38

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LCA 1554 69537	BOMBICINO, JOSEPH C 3035 12TH AVE N SAINT PETERSBURG FL 337135511	14 31 16 28152 015 0220 FLORAL VILLA ESTATES BLK 15, LOT 22 & W 17FT OF LOT 21	3035 12TH AVE N	184.38
LCA 1554 69538	LARRY, DAVID L 146 2ND ST N STE 310 SAINT PETERSBURG FL 337013361	27 31 16 28890 000 0660 FOREST HEIGHTS REV PLAT LOT 66	4436 16TH AVE S	184.38
LCA 1554 69539	MURRAY, RICHARD 1500 20TH AVE S SAINT PETERSBURG FL 337052644	25 31 16 29664 003 0010 FRUITLAND HEIGHTS BLK C, LOT 1	1500 20TH AVE S	184.38
LCA 1554 69540	BRYANT, LORRAIN 1409 W HARRISON ST CHICAGO IL 606073201	25 31 16 29664 007 0050 FRUITLAND HEIGHTS BLK G, LOT 5	2035 16TH ST S	194.40
LCA 1554 69541	1901 19TH ST S FL LAND TRUST # 600 GARDENIA ST BELLEAIR FL 337561049	25 31 16 29682 013 0080 FRUITLAND HEIGHTS PLAT B BLK M, LOT 8	1901 19TH ST S	184.88
LCA 1554 69542	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	184.38
LCA 1554 69543	DUVAL, JESSICA 1026 JAMES AVE S SAINT PETERSBURG FL 337052237	25 31 16 31248 000 0210 GLENWOOD HEIGHTS LOT 21	1026 JAMES AVE S	264.56

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LCA 1554 69544	CUSTOM AFFORDABILITY INC 505 E JACKSON ST STE 308 TAMPA FL 336024935	25 31 16 31248 000 0330 GLENWOOD HEIGHTS LOT 33	957 JAMES AVE S	184.38
LCA 1554 69545	LINEAR CAPITAL LLC 324 N DALE MABRY STE 300 TAMPA FL 336091267	30 31 17 31302 002 0010 GLENWOOD PARK ADD BLK 2, LOT 1	793 21ST AVE S	184.38
LCA 1554 69546	F T G REAL ESTATE LLC PO BOX 824 INDIAN ROCKS BEACH FL 337850824	28 31 16 31536 001 0290 GOLDEN GLOW GROVE ESTATES 1ST ADD BLK A, W 9FT OF LOT 28 & ALL OF LOT 29	4801 21ST AVE S	184.38
LCA 1554 69547	TITAN DEVELOPMENT GROUP LLC 8313 SOLANO BAY LOOP STE 1511 TAMPA FL 336359596	27 31 16 33426 002 0080 GREENWICH VILLAGE BLK B, LOT 8	3443 14TH AVE S	184.38
LCA 1554 69548	H C I 4805 LLC 356 22ND AVE NE SAINT PETERSBURG FL 337043529	01 31 16 33858 003 0020 GROVEMONT SUB BLK C, LOTS 2 & 3	4829 16TH ST N	214.45
LCA 1554 69549	SPANOS, LYN EST 1444 1ST ST SUITE B SARASOTA FL 342365734	23 31 16 35082 012 0120 HALL'S CENTRAL AVE NO. 1 BLK 12, LOT 12	2535 BURLINGTON AVE N	184.38
LCA 1554 69550	R M V HOMES LLC 33 4TH ST N STE 201 SAINT PETERSBURG FL 337013806	21 31 16 35244 004 0070 HALL'S CENTRAL AVE NO. 3 BLK 4, LOT 7 SEE S 1/2 22-31-16	4048 3RD AVE S	184.38

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LCA 1554 69551	JOSEPH, FREDILIA PD BOX 6156 FORT LAUDERDALE FL 333106156	21 31 16 35244 004 0130 HALL'S CENTRAL AVE NO. 3 BLK 4, LOTS 13 AND 14 SEE S 1/2 22-31-16	4019 4TH AVE S	184.38
LCA 1554 69552	LUCIO, ANGEL 1759 TEMPLE TER S SAINT PETERSBURG FL 337112615	21 31 16 35244 005 0090 HALL'S CENTRAL AVE NO. 3 BLK 5, LOT 9 SEE S 1/2 22-31-16	4063 5TH AVE S	184.38
LCA 1554 69553	DEVINE, MIKE 4363 1ST AVE S SAINT PETERSBURG FL 337111116	21 31 16 35244 016 0090 HALL'S CENTRAL AVE NO. 3 BLK 16, LOT 9 (SEE N 22-31-16 MAP)	4363 1ST AVE S	184.38
LCA 1554 69554	BUILDERS OF HOPE INC 310 N HARRINGTON ST RALEIGH NC 276031322	25 31 16 35442 001 0010 HANCOCK'S SUB BLK 1, LOT 1	1430 14TH AVE S	214.45
LCA 1554 69555	HALL, ANGIOLETTA A 3475 COQUINA KEY DR SE SAINT PETERSBURG FL 337054113	07 32 17 36234 001 0040 HARBOR LIGHTS SUB BLK 1, LOT 4	6698 7TH ST S	184.38
LCA 1554 69556	LISTER, LORI L 19102 CORNERSTONE DR MORRISVILLE PA 190677906	31 31 17 36684 000 0910 HARBORDALE SUB LOT 91	665 26TH AVE S	224.47
LCA 1554 69557	BANC OF AMERICA ALT LOAN TRUST 1615 S CONGRESS AVE STE 200 DELRAY BEACH FL 334456326	11 31 16 38124 002 0040 HELOU, FOUAD SUB BLK B, LOT 4	2801 28TH AVE N	204.43

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LCA 1554 69558	TIGER REAL ESTATE OPPORTUNITY 601 CLEVELAND ST STE 619 CLEARWATER FL 33755	13 31 16 39672 000 0190 HILCREST LOT 19	920 16TH AVE N	184.38
LCA 1554 69559	SUNTRUST MTG INC 1001 SEMMES AVE 4TH FLR RICHMOND VA 232242245	26 31 16 41868 000 0070 IDLEWILD LOT 7	1901 WALTON ST S	184.38
LCA 1554 69560	HOOPER, JASON 875 1/2 19TH AVE S SAINT PETERSBURG FL 337052784	26 31 16 41868 000 0110 IDLEWILD LOT 11	1935 WALTON ST S	184.38
LCA 1554 69561	BOYAR, ROBERT M 5771 PARKVIEW POINT DR ORLANDO FL 328217963	30 31 17 43038 000 0190 INGRAM PLACE LOT 19 LESS W 10FT	851 17TH AVE S	184.38
LCA 1554 69562	LAND TRUST 859 2018 E 7TH AVE TAMPA FL 336053902	30 31 17 43038 000 0200 INGRAM PLACE LOT 20 & W 10FT OF LOT 19	859 17TH AVE S	264.56
LCA 1554 69563	USA FED NATL MTG ASSN 950 E PACES FERRY RD STE 1900 ATLANTA GA 303261384	14 31 16 46350 019 0060 KENWOOD SUB ADD BLK 19, LOT 6 & E 1/2 OF LOT 7	3130 7TH AVE N	214.45
LCA 1554 69564	TRUST 3918 3249 W CYPRESS ST STE C TAMPA FL 336075153	06 32 17 48096 001 0090 LAKE MAGGIORE TERRACE BLK A, LOT 9	3918 DR. ML KING JR ST S	184.38

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LCA 1554 69565	TOLBERT, WILLIAM F 2506 19TH ST S SAINT PETERSBURG FL 337123620	36 31 16 48942 000 0310 LAKEVIEW GROVE LOT 31 & N 25FT OF LOT 30	2506 19TH ST S	184.38
LCA 1554 69566	BUILDERS OF HOPE INC 310 N HARRINGTON ST RALEIGH NC 276031322	36 31 16 49014 000 0190 LAKEVIEW MANOR LOT 19	970 23RD AVE S	184.38
LCA 1554 69567	ROSE HALL INVESTMENT GROUP LP 4830 W KENNEDY BLVD STE 300 TAMPA FL 336092521	36 31 16 49176 000 0850 LAKE VISTA LOT 85	1313 26TH AVE S	184.38
LCA 1554 69568	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	184.38
LCA 1554 69569	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 1554 69570	2624 20TH ST LAND TRUST 1040 BAYVIEW DR STE 610 FORT LAUDERDALE FL 333042506	36 31 16 49644 004 0260 LAKEWOOD ESTATES SEC H BLK D, N 45FT OF LOT 26 & S 15FT OF LOT 27	2624 20TH ST S	184.38
LCA 1554 69571	LYNCH, EDWARD T III 425 MACARTHUR DR ORLANDO FL 328391441	02 32 16 49662 002 0140 LAKEWOOD ESTATES TRACTS 10-11 BLK 2, SE 68FT OF LOT 14 & NW 17FT OF LOT 15	4300 NARVAREZ WAY S	184.38

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LCA 1554 69572	NAAR, ANSELMO 500 56TH AVE S SAINT PETERSBURG FL 337055146	02 32 16 49740 000 0140 LAKEWOOD RANCH ESTATES SUB LOT 14	2636 BETHEL CT S	184.38
LCA 1554 69573	THORPE, PAUL MICHAEL 5413 BRIARDALE LN APT F DUBLIN OH 430165261	36 31 16 50418 000 0200 LAUGHNER'S LAKEVIEW ADD LOT 20 LESS W 1FT FOR ST	2517 11TH ST S	184.38
LCA 1554 69574	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 1554 69575	FORT BROOKE INVESTMENT LLC 112 S GLEN AVE TAMPA FL 336092924	25 31 16 50976 001 0160 LELAND PARK BLK 1, LOT 16	1063 QUEEN ST S	184.38
LCA 1554 69576	CHILDS, MARY J 946 QUEEN ST S SAINT PETERSBURG FL 337122422	25 31 16 50976 002 0060 LELAND PARK BLK 2, LOTS 6 AND 7	946 QUEEN ST S	204.43
LCA 1554 69577	G G H 47 LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	25 31 16 51138 000 0010 LENEVES SUB W 50FT OF LOT 1	1406 14TH AVE S	194.40
LCA 1554 69578	GORIN-LOPEZ, DORA 4500 YARDLEY AVE N SAINT PETERSBURG FL 337133250	10 31 16 51174 014 0080 LESLEE HEIGHTS SUB SEC 2 BLK 14, LOT 8	4500 YARDLEY AVE N	184.38

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LCA 1554 69579	CROWE, MARY J 4302 COBIA DR SE SAINT PETERSBURG FL 337054307	06 32 17 51444 008 0070 LEWIS ISLAND SEC 1 BLK 8, LOT 7	4302 COBIA DR SE	184.38
LCA 1554 69580	JEFFERSON, VIVIA 1710 39TH ST S SAINT PETERSBURG FL 337112514	27 31 16 52164 000 0440 LINWOOD PARK LOT 44	1710 39TH ST S	184.38
LCA 1554 69581	CANNED REAL ESTATE INC 2868 39TH AVE N SAINT PETERSBURG FL 337144524	35 31 16 52488 000 0090 LONE OAK PARK LOT 9	2234 26TH ST S	224.47
LCA 1554 69582	WILLIAMS, JASON L 6524 14TH ST N SAINT PETERSBURG FL 337027322	25 30 16 56646 029 0310 MEADOW LAWN 2ND ADD BLK 29, LOT 31	6524 14TH ST N	184.38
LCA 1554 69583	METZCAR, PHYLLIS J 1191 76TH AVE N SAINT PETERSBURG FL 337025117	25 30 16 56736 042 0080 MEADOW LAWN 7TH ADD BLK 42, W 52FT OF LOT 8 & E 16FT OF LOT 9	1191 76TH AVE N	184.38
LCA 1554 69584	USA FED NATL MTG ASSN 950 E PACES FERRY RD STE 1900 ATLANTA GA 30326	25 30 16 56808 056 0220 MEADOW LAWN 11TH ADD BLK 56, LOT 22 & S 1/2 OF VAC R/W ADJ ON N	7149 18TH ST N	184.38
LCA 1554 69585	WINKLE, RHONDA F 7515 17TH LN N SAINT PETERSBURG FL 337024911	25 30 16 56808 057 0150 MEADOW LAWN 11TH ADD BLK 57, LOT 15	7515 17TH LN N	184.38

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LCA 1554 69586	WELLS, ANTWAUN PO BOX 10366 SAINT PETERSBURG FL 337330366	26 31 16 58140 000 0270 MINNESOTA COURT REV LOT 27	1926 24TH ST S	184.38
LCA 1554 69587	HANKINS, WILLIE EARL JR 6539 MERITMOOR CIR ORLANDO FL 328182290	26 31 16 58140 000 0290 MINNESOTA COURT REV LOT 29	1942 24TH ST S	184.38
LCA 1554 69588	HEIDEL, CAROLYN J 9393 PARK BLVD SEMINOLE FL 337774140	01 31 16 58662 000 0090 MONTICELLO HEIGHTS LOT 9	1211 46TH AVE N	184.38
LCA 1554 69589	FULMELE, GREGORY J 5134 18TH AVE N SAINT PETERSBURG FL 337105212	16 31 16 59346 013 0030 MOUNT WASHINGTON 1ST SEC BLK M, LOT 3	5134 18TH AVE N	214.45
LCA 1554 69590	BURROW, MARCUS 1632 BAKER RD LUTZ FL 335593329	34 31 16 59616 000 0060 NAYLOR TERRACE LOT 6	2309 36TH ST S	184.38
LCA 1554 69591	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 1554 69592	CARR, RANDALL B 7153 58TH ST N PINELLAS PARK FL 337814204	10 31 16 61686 000 0110 NORTON SUB LOT 11	3543 40TH ST N	204.43

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LCA 1554 69593	COTTMAN, PURITY 670 26TH AVE S SAINT PETERSBURG	FL 337053112 31 31 17 62460 000 0010 OAK HARBOR W 60.48FT OF LOT 1	670 26TH AVE S	184.38
LCA 1554 69594	TRAPP, JAMES PO BOX 441 CLEMSON	SC 296330441 31 31 17 62460 000 0380 OAK HARBOR LOT 38	649 28TH AVE S	184.38
LCA 1554 69595	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 1554 69596	KASSIS, JOHN 270 83RD AVE N SAINT PETERSBURG	FL 337023736 25 31 16 64854 000 0240 OSBORNE PLACE LOT 24	1054 16TH AVE S	184.38
LCA 1554 69597	4119 12TH ST LLC 4119 12TH AVE S SAINT PETERSBURG	FL 337112442 27 31 16 65340 001 0130 PAINE'S SUB BLK A, LOT 13	4119 12TH AVE S	184.38
LCA 1554 69598	JOHNSON, HORACE L 754 27TH AVE S SAINT PETERSBURG	FL 337053031 36 31 16 65358 006 0100 PALLANZA PARK REV MAP BLK 6, LOT 10 & W 1/2 OF LOT 11	754 27TH AVE S	184.38
LCA 1554 69599	BINGHAM, JAMES M III 201 64TH ST S SAINT PETERSBURG	FL 337071433 20 31 16 66978 006 0120 PASADENA ESTATES BLK 6, LOT 12	201 64TH ST S	204.43

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LCA 1554 69600	HAMPTON, PAUL 8126 W BOUNTY CT HOMOSASSA FL 344485502	19 31 16 67734 004 0080 PASADENA TERRACE BLK 4, LOT 8	6949 4TH AVE N	184.38
LCA 1554 69601	HOME OPPORTUNITY LLC 14010 ROOSEVELT BLVD STE 701 CLEARWATER FL 337623820	25 31 16 68040 002 0160 PAYNE-HANSEN SUB BLK B, LOT 16	1645 PRESCOTT ST S	184.38
LCA 1554 69602	EXIT STRATEGY LLC 25882 ORCHARD LAKE RD STE 106 FARMINGTON MI 483361294	35 31 16 68922 005 0060 PILLSBURY PARK BLK E, LOT 6	2443 AUBURN ST S	184.38
LCA 1554 69603	KUUSELA, LYNN M EST 23 EDGEWOOD AVE A STOUGHTON MA 020724523	12 31 16 69102 012 0110 PINE CITY SUB REPLAT BLK 12, LOT 11	2700 17TH ST N	184.38
LCA 1554 69604	BLONSKI, MARK P 1820 BOUGH AVE UNIT 1 CLEARWATER FL 337601504	22 31 16 69174 009 0160 PINE CREST PARK BLK 9, LOT 16	3901 3RD AVE N	184.38
LCA 1554 69605	JONES, KATHLEEN ANN 2010 RUTHERFORD DR DOVER FL 335274933	25 31 16 69264 000 0210 PINE GROVE SUB LOT 21	2129 15TH AVE S	224.47
LCA 1554 69606	LENDHOLDERS TRUST LLC PO BOX 67261 ST PETE BEACH FL 337367261	13 32 16 71316 028 0130 PINELLAS POINT ADD SEC C MOUND SEC BLK 28, LOT 13 & W 15FT OF LOT 14	1818 KARLETON PL S	184.38

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LCA 1554 69607	BLUE MARLIN ADVENTURES LLC 2963 GULF TO BAY BLVD STE 300 CLEARWATER FL 337594255	13 32 16 71316 029 0150 PINELLAS PDINT ADD SEC C MOUND SEC BLK 29, LOTS 15,16,17 AND E 1/2 OF LDT 18	1801 KARLETDN PL S	364.79
LCA 1554 69608	PARKER, MAUREEN M 3522 2ND AVE N SAINT PETERSBURG FL 337138404	22 31 16 72756 017 0030 POWERS CENTRAL PARK SUB BLK 17, LOT 3	3522 2ND AVE N	184.38
LCA 1554 69610	M N L PROPERTIES LLC 7937 9TH AVE S SAINT PETERSBURG FL 337072732	26 31 16 73026 000 0141 PRATHER'S REVISED W 150FT OF LDT 14 LESS RD	1770 31ST ST S	224.47
LCA 1554 69611	HIGH POINT CAPITAL INVESTMENTS 356 22ND AVE NE SAINT PETERSBURG FL 337043529	12 31 16 74286 000 0010 RENWICK, ERLE SUB NO. 1 LOTS 1 AND 2	1227 28TH AVE N	194.40
LCA 1554 69612	WILLIAMS, GERALDINE EST 3475 QUEENSBORO AVE S SAINT PETERSBURG FL 337112848	27 31 16 75402 000 0600 RIDGWOOD TERRACE LOT 60	3475 QUEENSBORO AVE S	184.38
LCA 1554 69613	FORD, LAURITA J 4102 13TH AVE S SAINT PETERSBURG FL 337112447	27 31 16 75402 000 0780 RIDGWOOD TERRACE LOT 78	3468 17TH AVE S	184.38
LCA 1554 69614	VERONA V LLC 18305 BISCAYNE BLVD STE 400 NORTH MIAMI BEACH FL 331602172	27 31 16 75402 000 0790 RIDGWOOD TERRACE LOT 79	3474 17TH AVE S	184.38

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LCA 1554 69615	JARVIS, RITA N 6715 TRIXIE DR SEFFNER FL 335842543	27 31 16 75402 000 1070 RIDGEWOOD TERRACE LDTS 107 & 108	3459 17TH AVE S	184.38
LCA 1554 69616	BOWDRY, HARRIET S 1225 45TH ST S SAINT PETERSBURG FL 33711	27 31 16 75510 000 0070 RIO TAN LOT 7 & N 1/2 DF LOT 8 & 1/2 VAC ALLEY ON W	1225 45TH ST S	184.38
LCA 1554 69617	KREMINA, JAROSLAV 11601 4TH ST N APT 2715 SAINT PETERSBURG FL 337162746	30 30 17 75636 012 0090 RIO VISTA BLK 12, LOT 9	311 80TH AVE NE	184.38
LCA 1554 69618	BRIDEGD INVEST CORP 1201 N ORANGE ST SUITE 7190 WILMINGTON DE 198011155	23 31 16 76613 001 0011 ROOSEVELT PARK BEAUPRE REP BLK 1, E 45FT OF LOT 1	3321 5TH AVE S	184.38
LCA 1554 69619	ATLANTIC CAPITAL/MARCO BANK 1770 SAN MARCO RD MARCO ISLAND FL 341455138	27 31 16 76806 000 0400 ROSEMDNT LOT 40	3811 10TH AVE S	184.38
LCA 1554 69620	SPILLANE, LINDA K 4042 DARTMOUTH AVE N SAINT PETERSBURG FL 337137426	22 31 16 77562 006 0060 RUSSELL PARK BLK 6, LOT 6	4042 DARTMDUTH AVE N	184.38
LCA 1554 69621	SMESH LLC 5347 3RD AVE S SAINT PETERSBURG FL 33707	22 31 16 77562 012 0160 RUSSELL PARK BLK 12, LOT 16	4001 BURLINGTON AVE N	184.38

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LCA 1554 69622	A R L P TRUSTY 2 225 E ROBINSON ST STE 660 ORLANDO FL 328014321	18 31 17 77814 002 0090 SAFFORD'S ADD REVISED BLK 2, LOT 9	829 5TH ST N	184.38
LCA 1554 69623	RICH PROPERTIES LLC 4376 LAIRD CIR SANTA CLARA CA 950544198	23 31 16 78390 002 0140 ST PETERSBURG INVESTMENT CO SUB BLK 2, LOT 14	2321 DARTMOUTH AVE N	284.61
LCA 1554 69624	TIGER REAL ESTATE OPPORTUNITY 601 CLEVELAND ST STE 618 CLEARWATER FL 33755	23 31 16 78390 026 0020 ST PETERSBURG INVESTMENT CO SUB BLK 26, LOT 2	2310 1ST AVE S	184.38
LCA 1554 69625	CITIGROUP 399 PARK AVE NEW YDRK NY 100224614	23 31 16 78390 028 0040 ST PETERSBURG INVESTMENT CO SUB BLK 28, LOT 4	2424 2ND AVE S	184.38
LCA 1554 69626	BRDCK, KATHLEEN M 900 MANDARIN DR CLEARWATER FL 337644934	14 31 16 79002 001 0150 SCHOOL PARK ADD BLK A, LOT 15	2619 8TH AVE N	184.38
LCA 1554 69627	VERONA V LLC 18305 BISCAYNE BLVD STE 400 NDRTH MIAMI BEACH FL 331602172	30 31 17 79038 002 0130 SCHOOLEY'S HOMEVILLE NO. 2 BLK 2, LOT 13	2021 8TH ST S	184.38
LCA 1554 69628	SMILEMOON LLC 2021 1ST AVE N SAINT PETERSBURG FL 337138801	25 31 16 80226 000 0050 SERVISS REPLAT LOT E	922 11TH ST S	184.38

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LCA 1554 69629	G M A C-R F C MASTER 2901 STIRLING RD STE 300 FORT LAUDERDALE FL 333126529	27 31 16 80385 001 0110 SHADOW LAWN BLK 1, LOT 11	1934 45TH ST S	184.38
LCA 1554 69630	BURROW, MARCUS 1632 BAKER RD LUTZ FL 335593329	27 31 16 80385 001 0120 SHADOW LAWN BLK 1, LOT 12	1940 45TH ST S	184.38
LCA 1554 69631	1820 7TH AVE S LAND TRUST 13799 PARK BLVD # 232 SEMINOLE FL 337763402	25 31 16 81126 000 0030 SHEWMAN, JOHN LOT 3	1820 7TH AVE S	184.38
LCA 1554 69632	GREEN-PIERRE, BEVERLY 2831 IVANHOE WAY S SAINT PETERSBURG FL 337053602	25 31 16 83142 000 0150 SMITH'S, S.V. REVISED LOT 15	827 21ST ST S	184.38
LCA 1554 69633	USA FED NATL MTG ASSN 950 E PACES FERRY RD STE 1900 ATLANTA GA 303261384	18 31 17 83216 031 0120 SNELL & HAMLETT'S NORTH SHORE ADD BLK 31, LOT 12	1408 LOCUST ST NE	224.47
LCA 1554 69634	CHRISTOPOULOS, GEORGIA 1906 DOLPHIN BLVD S SAINT PETERSBURG FL 337073810	24 31 15 84042 010 0060 SOUTH CAUSEWAY ISLE 3RD ADD BLK 10, LOT 6	7925 3RD AVE S	184.38
LCA 1554 69635	SEABROOK, LORI K 1415 GOLDEN SQUIRREL WAY SEFFNER FL 335845555	34 31 16 84420 008 0040 SOUTH SHADOW LAWN BLK H, LOTS 4 AND 5	4534 24TH AVE S	184.38

**** City of St. Petersburg ****
 Special Assessments Division
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 9-17-2015

ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1554 69636	T J ENTERPRISES OF YBOR LLC 2210 E 9TH AVE TAMPA FL 336054005	31 31 17 84456 000 0450 SOUTH SHORE PARK LOT 45	315 TAYLOR AVE S	264.56
LCA 1554 69637	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	184.38
LCA 1554 69638	BELLA GENTE LLC 1720 LONGVIEW LN TARPON SPRINGS FL 346891977	25 31 16 85140 000 0070 STANLEY HEIGHTS LDT 7	932 MELROSE AVE S	184.38
LCA 1554 69639	GULLEY, TAMMY MIRA 7523 BAY PINES DR WESLEY CHAPEL FL 335442810	25 31 16 85140 000 0300 STANLEY HEIGHTS LOT 30	1045 MELROSE AVE S	184.38
LCA 1554 69640	WEENA BUCAY-COUTA 46 PEACH ORCHARD RD BURLINGTON MA 018033237	25 31 16 85140 000 0330 STANLEY HEIGHTS LOT 33	1050 MELROSE AVE S	184.38
LCA 1554 69641	TC DEVELOPING COMMUNITIES INC 4905 34TH ST S STE 195 SAINT PETERSBURG FL 337114511	25 31 16 85140 000 0360 STANLEY HEIGHTS LOT 36 LESS N 36FT	1111 MELROSE AVE S	184.38
LCA 1554 69642	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

**** City of St. Petersburg ****
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1554 69643	BOSON TAMPA I LLC 40 RICHARDS AVE 3RD FL NORWALK CT 068542320	25 31 16 86274 000 0100 SUMNER'S SUB, R.H. LOT 10 & S 5 FT OF LOT 11 & N 2 FT OF LOT 9	1740 17TH ST S	184.38
LCA 1554 69644	BUILDERS OF HOPE INC 310 N HARRINGTON ST RALEIGH NC 276031322	26 31 16 89640 001 0040 TANGERINE HIGHLANDS BLK A, LOT 4	1820 AUBURN ST S	184.38
LCA 1554 69645	WELLS, FRANK 1830 20TH ST SAINT PETERSBURG FL 337123148	25 31 16 89658 000 0060 TANGERINE PARK REPLAT LOTS 6 AND 7	1830 20TH ST S	184.38
LCA 1554 69646	LOCKETT, ANDREW 4150 VETERANS MEMORIAL DR TALLAHASSEE FL 323098620	26 31 16 89676 001 0030 TANGERINE TERRACE BLK 1, LOT 3	3119 OAKLEY AVE S	184.38
LCA 1554 69647	SNYDER, GLENN C 3330 BRIAN RD N PALM HARBOR FL 346852103	27 31 16 90954 000 0090 TIGUES SUB NO. 2 LOT 9	3456 14TH AVE S	184.38
LCA 1554 69648	S V HOMES LLC 33 4TH ST N STE 201 SAINT PETERSBURG FL 337013806	27 31 16 91062 001 0110 TIOGA SUB BLK A, LOT 11	4160 12TH AVE S	184.38
LCA 1554 69649	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	224.47

**** City of St. Petersburg ****
 Special Assessments Division
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ASSESSMENT NUMBER	DWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1554 69650	ROBINSON, FLOSSIE EST 1836 KINGS ROW CONYERS GA 300127025	25 31 16 94968 000 0220 WASHINGTON'S SUB, J.G. LOTS 22 AND 23	1000 UNION ST S	184.38
LCA 1554 69651	HAWKINSON, MICHAEL 5346 61ST TER N SAINT PETERSBURG FL 337092063	10 31 16 95274 003 0170 WAYNE HEIGHTS REPLAT BLK 3, LOT 17	3621 ITHACA ST N	184.38
LCA 1554 69652	ALESSANDRINI, BERNARD 910 43RD ST S SAINT PETERSBURG FL 337111925	27 31 16 95382 000 0620 WEBB'S SUB REPLAT, T.E. LOT 62	910 43RD ST S	184.38
LCA 1554 69653	VAZQUEZ, HEATHER GUILD 1639 EAGLE CREEK CIR ORLANDO FL 328074206	27 31 16 95382 000 0630 WEBB'S SUB REPLAT, T.E. LOT 63	918 43RD ST S	184.38
LCA 1554 69654	WALTERS, MARY A 208 7TH ST E SAINT PETERSBURG FL 337152244	22 31 16 96192 003 0100 WEST CENTRAL AVE SUB BLK C, LOT 10 LESS ST	3655 1ST AVE S	184.38
LCA 1554 69655	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	184.38
LCA 1554 69656	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

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 Special Assessments Division
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1554 69657	BRANSON, CHRISTOPHER A 3194 57TH ST N SAINT PETERSBURG FL 337102532	09 31 16 96390 001 0060 WESTGATE MANOR 1ST ADD BLK 1, LOT 6	3194 57TH ST N	184.38
LCA 1554 69658	DO PROPERTY GROUP LLC 2211 ASHLEY OAKS CIR WESLEY CHAPEL FL 33544	21 31 16 96588 006 0150 WESTMINSTER PLACE BLK 6, LOT 15	5211 3RD AVE S	184.38
LCA 1554 69659	REIDEL, RUTH EST 890 AMELIA CT NE SAINT PETERSBURG FL 337022784	21 31 16 96588 012 0120 WESTMINSTER PLACE BLK 12, LOT 12	5239 5TH AVE S	184.38
LCA 1554 69660	V & V CORPORATE INVESTMENTS IN PO BOX 4925 CLEARWATER FL 337584925	33 31 16 96714 001 0170 WEST SHADOW LAWN BLK A, LOTS 17 & 18	4682 22ND AVE S	184.38
LCA 1554 69661	LE PRETRE, JEAN-CLAUDE R 4366 RIDGEMDOR DR PALM HARBOR FL 346851165	27 31 16 96966 000 0090 WEYLMAN SUB F.W. LOT 9	3717 11TH AVE-S	184.38
LCA 1554 69662	CARROLL, MICHAEL B 2226 46TH AVE N SAINT PETERSBURG FL 337143204	02 31 16 97146 000 0040 WHITE, D.C. 22ND ST ADD LOT 4	2226 46TH AVE N	214.45
LCA 1554 69663	TAX CERTIFICATE REDEMPTIONS IN 925 ARTHUR GODFREY RD STE 102 MIAMI BCH FL 331403337	26 31 16 97560 000 0690 WILDWOOD SUB LOT 69	2720 13TH AVE S	184.38

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**** City of St. Petersburg ****
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
LCA 1554 69664	KRAMPITZ, SONIA 1200 ENCLAVE PKWY HOUSTON TX 770771764	26 31 16 97560 000 0910 WILOWOOD SUB LOTS 91 & 92	2706 12TH AVE S	224.47
LCA 1554 69665	KRAMPITZ, SONIA SHIRLEY 2706 12TH AVE S SAINT PETERSBURG FL 337122032	26 31 16 97560 000 0920 WILOWOOD SUB LOT 92	2708 12TH AVE S	224.47
LCA 1554 69666	WADE, JAMES M 1838 24TH AVE N SAINT PETERSBURG FL 337134440	12 31 16 98748 000 0900 WOODHURST EXT LOT 90	1828 24TH AVE N	184.38
LCA 1554 69667	BANK OF AMERICA N A 9000 SOUTHSIDE BLVD BLDG 400 JACKSONVILLE FL 322560787	12 31 16 98874 000 0102 WOODLAWN ESTATES E 60FT OF S 1/2 OF LOT 10	2500 19TH ST N	184.38

TOTAL NUMBER OF ASSESSMENTS: 193

TOTAL ASSESSMENT AMOUNT: 37,700.15

LOT CLEARING NUMBER 1554
COST / FUNDING / ASSESSMENT INFORMATION

CATEGORY ASSESSED

AMOUNT TO BE ASSESSED

LOT CLEARING COST	\$ 25,155.15
ADMINISTRATIVE FEE	<u>\$ 12,545.00</u>
TOTAL:	\$ 37,700.00

LOT CLEARING NUMBER 1554
COST / FUNDING / ASSESSMENT INFORMATION

CATEGORY ASSESSED

AMOUNT TO BE ASSESSED

LOT CLEARING COST

\$ 25,155.15

ADMINISTRATIVE FEE

\$ 12,545.00

TOTAL:

\$ 37,700.15

A RESOLUTION CONFIRMING AND APPROVING PRELIMINARY ASSESSMENT ROLLS FOR LOT CLEARING NO. 1554; PROVIDING FOR AN INTEREST RATE ON UNPAID ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, preliminary assessment rolls for Lot Clearing No. 1554 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. 1554 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: September 17, 2015

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for
Building Securing Number **SEC 1203**

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>1203</u>
NUMBER OF STRUCTURES	<u>12</u>
ASSESSABLE AMOUNT:	<u>\$1,407.50</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 **\$1,407.50** will be fully assessable to
the property owners.

ATTACHMENTS:

MAYOR: _____

COUNCIL ACTION: _____

FOLLOW-UP: _____

AGENDA NO. _____

8/12/15 14:44:41:

**** City of St. Petersburg ****
Special Assessments Division
FINAL ASSESSMENT ROLL
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1203 07419	EDMOND, JABBAR 1501 38TH ST S SAINT PETERSBURG FL 337112544	28 31 16 02052 000 0040 BACK BAY MANOR LOT 4	4816 18TH AVE S	207.74
SEC 1203 07420	ALFORD, SUSAN S 16 55TH ST S SAINT PETERSBURG FL 337076121	21 31 16 14454 006 0090 CENTRAL AVENUE HOMES BLK 6, LOTS 9,10 & 11 AND THAT PART OF VAC 55TH ST S BEING THE E 5 FT W OF LOT	5481 1ST AVE S	78.50
SEC 1203 07421	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	136.96
SEC 1203 07422	MC NEIL, AYONNA 3989 NO HWY 17 AWENDAW SC 294295911	30 31 17 31284 001 0060 GLENWOOD PARK BLK A, LOT 6	857 20TH AVE S	110.81
SEC 1203 07423	PEAR LAKE VENTURES LLC 700 BEACH DR STE 302 SAINT PETERSBURG FL 33701	25 31 16 33804 000 0170 GROVE HEIGHTS REV LOT 17	1037 9TH AVE S	127.46
SEC 1203 07424	TOLBERT, WILLIAM F 2506 19TH ST S SAINT PETERSBURG FL 337123620	36 31 16 48942 000 0310 LAKEVIEW GROVE LOT 31 & N 25FT OF LOT 30	2506 19TH ST S	141.24
SEC 1203 07425	FIELDS, FRANK W 13020 95TH ST LARGO FL 337731135	25 31 16 56988 000 0570 MEARE'S, G.W. REV. MAP LOTS 57 AND E 40 FT OF LOT 58 (SEE S26 MAP)	2201 21ST AVE S	78.50

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8/12/15 14:44:41:

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Special Assessments Division
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
SEC 1203 07426	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	91.96
SEC 1203 07427	MORGAN, KATHERINE A 9257 50TH AVE N ST PETERSBURG FL 337083905	11 31 16 85626 000 0280 STUART, GEO. SUB LOT 28	3154 33RD AVE N	95.81
SEC 1203 07428	ELLIOTT, SCOTT E 9543 TREASURE LN NE SAINT PETERSBURG FL 337022668	19 30 17 87192 003 0020 SUN PLAZA ISLES BLK C, LOT 2 & RIP RTS	9543 TREASURE LN NE	74.97
SEC 1203 07429	USA FED NATL MTG ASSN 950 E PACES FERRY RD STE 1900 ATLANTA GA 303261384	25 31 16 89658 000 0100 TANGERINE PARK REPLAT N 40FT OF LOT 10 & S 10FT OF 9	1908 20TH ST S	160.24
SEC 1203 07430	BANK OF AMERICA N A 9000 SOUTHSIDE BLVD BLDG 400 JACKSONVILLE FL 32256	12 31 16 98874 000 0102 WOODLAWN ESTATES E 60FT OF S 1/2 OF LOT 10	2500 19TH ST N	103.31

TOTAL NUMBER OF ASSESSMENTS: 12

TOTAL ASSESSMENT AMOUNT: 1,407.50

SAS805R

BUILDING SECURING NUMBER SEC 1203

COST/FUNDING/ASSESSMENT INFORMATION

<u>CATEGORY</u>	<u>AMOUNT TO BE ASSESSED</u>
SECURING COST	\$ 430.00
MATERIAL COST	\$ 168.00
LEGAL AD	\$ 269.50
ADMIN. FEE	\$ <u>540.00</u>
TOTAL:	\$ 1,407.50

A RESOLUTION ASSESSING THE COSTS OF SECURING LISTED ON SECURING BUILDING NO. 1203 ("SEC 1203") 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. 1203 ("SEC 1203"); and

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

WHEREAS, the City Council has held a public hearing on September 17, 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. 1203 ("SEC 1203") 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: September 17, 2015

TO: COUNCIL CHAIR AND MEMBERS OF CITY COUNCIL

SUBJECT: Confirming Preliminary Assessment for
Building Demolition Number **DMO 430**

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>430</u>
NUMBER OF STRUCTURES:	<u>8</u>
ASSESSABLE AMOUNT:	<u>\$74,987.44</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 **\$74,987.44** 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
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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
OMD 0430 03132	QUINTAXX INVESTMENTS LLC 3945 WELLINGTON PKWY PALM HARBOR FL 346851172	30 31 17 31284 001 0050 GLENWOOD PARK BLK A, LOT 5	865 20TH AVE S	789.10
OMD 0430 03133	PEOPLES, SAMUEL L 2936 38TH AVE N SAINT PETERSBURG FL 337131621	25 31 16 47142 000 0020 KRAMER & WALKER'S SUB LOT 2	1010 11TH AVE S	11,762.61
OMD 0430 03134	CANYON CAPITAL LLC 2803 GULF TO BAY BLVD UNIT 408 CLEARWATER FL 33759	25 31 16 50022 000 0210 LA PLAZA LOT 21	1761 19TH ST S	1,014.45
OMD 0430 03135	CAMPBELL, ANNIE L EST 2133 22ND AVE S SAINT PETERSBURG FL 337123159	25 31 16 79704 000 0150 SEMINOLE HEIGHTS ADD LOT 15	2133 22ND AVE S	10,358.59
OMD 0430 03136	1820 7TH AVE S LAND TRUST 13799 PARK BLVD # 232 SEMINOLE FL 337763402	25 31 16 81126 000 0030 SHEWMAN, JOHN LOT 3	1820 7TH AVE S	14,293.59
OMD 0430 03137	DAWSON, EMORY 1428 14TH ST S SAINT PETERSBURG FL 337052412	27 31 16 90540 000 0250 THOMPSON HEIGHTS SUB NO. 1 LOTS 25 AND 26	3725 21ST AVE S	13,128.97
OMD 0430 03138	BROWN, OOZIE 1146 JAMES AVE S SAINT PETERSBURG FL 337052239	25 31 16 90936 000 0061 TIFFANY'S ADD N 1/2 OF LOT 6	1146 JAMES AVE S	10,511.59

8/13/15 14:21:21:

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ASSESSMENT NUMBER	OWNER NAME /MAILING ADDRESS	PARCEL ID /LEGAL DESCRIPTION	PROPERTY ADDRESS	ORIGINAL ASSESSMENT
DMO 0430 03139	U S BANK NATL ASSN TRE 4500 AMON CARTER BLVD FORT WORTH TX 761552202	25 30 16 98442 013 0010 WINSTON PARK UNIT 3 BLK 13, LOT 1	8297 14TH ST N	13,128.54

TOTAL NUMBER OF ASSESSMENTS: 8

TOTAL ASSESSMENT AMOUNT: 74,987.44

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BUILDING DEMOLITION NUMBER DMO 430
COST/FUNDING/ASSESSMENT INFORMATION

<u>CATEGORY</u>	<u>AMOUNT TO BE ASSESSED</u>
Demolition Cost	\$ 32,208.00
Asbestos Cost	\$ 38,209.31
Legal Ad	\$ 1,903.40
Engineer's Chg	\$ 350.00
Administrative Fee	\$ <u>2,316.73</u>
TOTAL:	\$ 74,987.44

A RESOLUTION ASSESSING THE COSTS OF DEMOLITION LISTED ON BUILDING DEMOLITION NO. 430 ("DMO NO. 430") 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. 430 ("DMO No. 430"); and

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

WHEREAS, the City Council has held a public hearing on September 17, 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. 430 ("DMO No. 430") 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)



September 17, 2015

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

FROM: Mayor Rick Kriseman 

SUBJECT: Utility Rates for FY2016 (Public Hearing)

Attached are three reports recommending rates associated with water, wastewater, reclaimed water, sanitation services and stormwater. These reports were reviewed at BF&T on August 27th and the first reading was held on September 3rd. Today's Public Hearing is being held to proceed with final adoption of utility rates for fiscal year 2016.

The attached reports provide detailed information for the proposed rates in each of the enterprise operations. The water, wastewater, and reclaimed water increases are proposed at 3.75% for all three services. There are no increases proposed for stormwater or sanitation service in either residential or commercial services.

Last year at this time, we anticipated a 4.75% overall increase in FY16 for water, wastewater and reclaimed water. However, based on a revenue sufficiency analysis, the rate study recommends an overall increase of 3.75% for FY16.

The primary factors allowing for a zero percent (0%) increase in the sanitation fees include operational efficiencies and reduced tonnage being taken to the County waste disposal site. The stormwater rate will remain the same as last year for several reasons including operational efficiencies. Fund balances in both the Sanitation Operating and Stormwater Utility Funds will remain above the target fund balance levels.

In the case of each of the utility fees, our effort has been to minimize the cost increases due to the impacts already felt by our residents of the difficult national economy. The impact to the typical customer is that they will see their utility bill increase by \$2.85 per monthly bill, or a 2.71% overall increase. For customers with reclaimed water they will see an additional \$.74 increase.

Gallons of Water & Sewer Use/Month: 4,000					
	<u>FY15</u>	<u>FY16</u>	<u>Difference</u>	<u>Difference Percent</u>	<u>Difference Water & Sewer Only</u>
SANITATION	\$22.33	\$22.33	\$0.00	0.00%	
POTABLE WATER	\$25.97	\$26.94	\$0.97	3.75%	
WASTEWATER	\$30.40	\$31.54	\$1.14	3.75%	3.75%
STORMWATER	<u>\$6.84</u>	<u>\$6.84</u>	<u>\$0.00</u>	<u>0.00%</u>	
SUBTOTAL	\$85.54	\$87.65	\$2.11	2.47%	
RECLAIMED	<u>\$19.68</u>	<u>\$20.42</u>	<u>\$0.74</u>	<u>3.75%</u>	
TOTAL	\$105.22	\$108.07	\$2.85	2.71%	

The revised rates for water, wastewater, and reclaimed water will begin to appear on the bills sent to customers in November (since those rates would be applied against October consumption).

Attachments

MEMORANDUM



August 31, 2015

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

FROM: Steven K. Leavitt, PE, Water Resources Director *SKL*

SUBJECT: FY16 Utility Rates Additional Backup

As requested at the Budget, Finance and Taxation Committee on August 27, 2015, attached and below, please find additional backup. The attached pie chart shows Water Resources' Operating Expenses by functional categories. As you can see from the chart, a significant portion of the department's operating expenses are required to provide service, meet regulatory requirements or are fixed due to debt or transfer requirements and therefore are not discretionary.

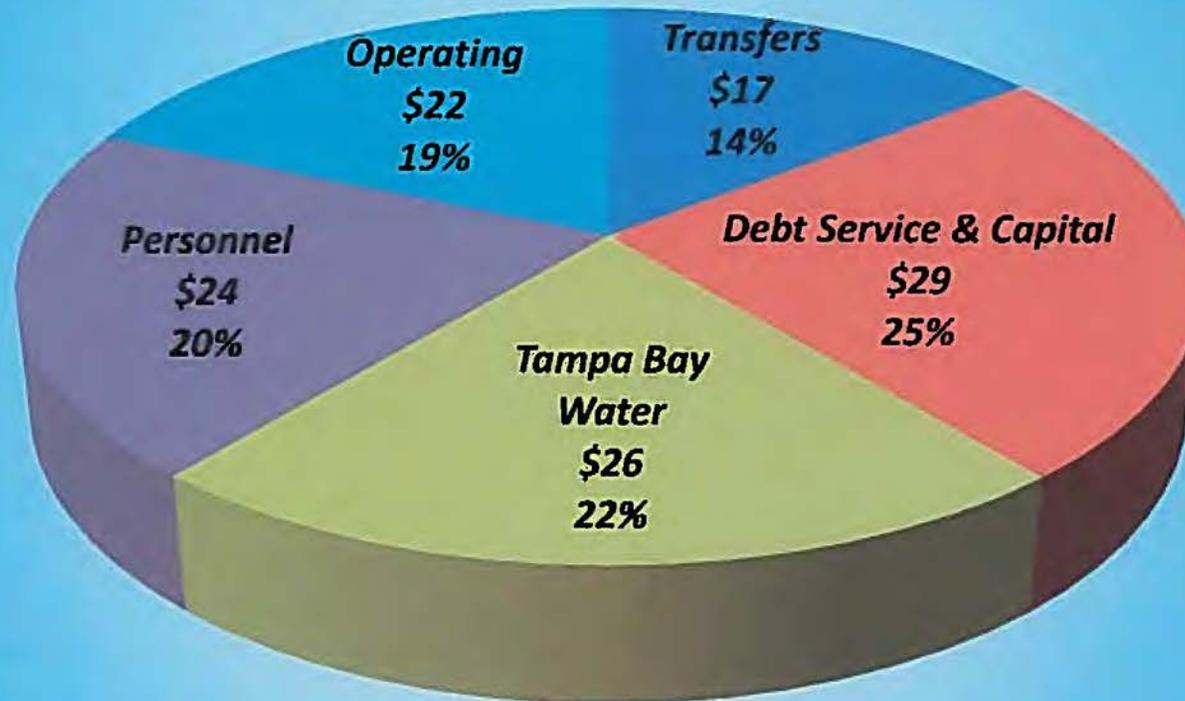
As discussed by Andy Burnham with Burton & Associates, in our BFT presentation, they perform a 5-year rate plan. Below is that plan based on the 3.75% increase to water, wastewater and reclaimed water rates recommended in FY16. We understand that the rates for FY16 could change based on recommendations made by City Council members to increase wastewater maintenance capital efforts going forward. As is customary, we perform a rate study annually and bring recommended rate adjustments to City Council on a yearly basis.

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Water	3.75%	3.75%	1.50%	3.25%	3.25%
Wastewater	3.75%	3.75%	1.50%	3.25%	3.25%
Reclaimed	3.75%	3.75%	1.50%	3.25%	3.25%

If you have additional questions, we will have our rate consultant available at the First Reading on September 3rd and then again at the Public Hearing on September 17th.

FY 2016 EXPENDITURE DISTRIBUTION

FY 2016 Budget = \$118M (\$ in Millions)



- 1) Inter-fund transfers, debt service and capital transfers, and Tampa Bay Water expenses are essentially fixed.
- 2) Significant portion of operating expenses (electricity and chemicals) are required to provide service and are not discretionary.
- 3) Similarly, a significant portion of personnel expenses are associated with regulatory staffing requirements.



MEMORANDUM

TO: Mayor Rick Kriseman

FROM: Michael J. Connors, P.E. 
Public Works Administration

DATE: August 27, 2015

SUBJECT: FY2016 Water Resources Rate Study

Executive Summary

City staff and the financial rate team of McKim & Creed, P.A. and Burton & Associates have conducted a revenue sufficiency analysis and cost of service rate study for our water, wastewater and reclaimed water systems in conjunction with the FY16 budget development process. The rate study included an analysis of FY15 and FY16 projected costs of maintaining the utility system, revenues and expenses, customer water consumption, wastewater flows, capital and debt service requirements, and the cost of purchasing raw water through Tampa Bay Water.

Last year at this time, we anticipated a 4.75% overall increase in FY16 to help meet projected costs and service demands. Based on the revenue sufficiency analysis, the rate study recommends an overall increase of 3.75% for retail water, wastewater and reclaimed water customers in FY16. For a typical single-family retail customer using 4,000 gallons, the overall monthly bill will go up \$2.11; of that \$0.97 is for water and \$1.14 is for wastewater.

State Statute 180.136 establishes certain notification requirements when municipal utilities propose rate increases. The City has met those requirements through inserts in the utility billing process (see Attachment 1). Letters have also been sent to wholesale water and wastewater customers notifying them of proposed adjustments. Following review by the Budget, Finance, and Taxation Committee on August 27, 2015, it is anticipated that the proposed rates will be considered at a First Reading on September 3, 2015 and a Public Hearing on September 17, 2015. If the proposed rates are approved on September 17th, they would go into effect October 1st and would appear on customer bills beginning November 2015.

We are currently working on a program that provides an alternate sewer rate for commercial customers. Customers whose operation utilizes potable water and either consumes most or all of the water as part of their process, may install sub-meters to determine the net amount of water going into the wastewater collection system. An ordinance with the proposed rates and program details will be brought to City Council in the near future for consideration.

Brief Methodology Overview

The methodology utilized in this study began by allocating the Water Resources FY16 budget costs between the water, wastewater, and reclaimed water systems. In addition, the costs of

providing customer services such as meter reading, billing, collection, etc., were isolated and placed into a separate functional component (Customer Costs).

Once all of the costs (including reclaimed water residual costs) were allocated to the water and wastewater systems, they were then allocated to retail-specific, wholesale-specific, and joint cost categories. These allocations were performed separately for the Utility's operating costs and capital costs (debt service and annual transfer to the Water Resources Capital Projects Fund). The annual capital costs were allocated to these cost categories based upon the Utility's capital investment in these categories.

These allocated costs were then assigned to customers in proportion to their use of that system function. Thus, all retail-specific costs were allocated to retail users, and wholesale specific costs were allocated entirely to wholesale users. Joint costs were allocated to both wholesale and retail customers in proportion to their share of total system water consumption or sewer flows, as appropriate.

The wholesale water and wastewater rates are calculated based on a cost of service analysis established using the FY16 budget. Unlike with the retail rates, which are established using a multi-year blending of rates between the water and wastewater utilities, wholesale rates are established on an annual basis looking at those allocable costs attributed to the wholesale costs of each respective utility, as described above.

Summary of Current and Proposed Wholesale Rates				
<u>Wholesale Customer</u>	<u>Current Rate</u>	<u>Proposed Rate</u>	<u>Variance</u>	<u>% Change</u>
Water (per MG)	\$4,705	\$4,824	\$119	2.5%
Wastewater (per MG) (Treasure Island, South Pasadena, Tierra Verde, Gulfport, Pinellas County, Pinellas Park)	\$2,865	\$2,956	\$91	3.2%
St. Pete Beach				
Capital Charge (Monthly)	\$49,651	\$52,082	\$2,431	4.9%
O&M Rate (per MG)	\$2,058	\$2,052	(\$6)	-0.3%
Average Monthly Bill (using 89.82 MG)	\$234,503	\$236,395	\$1,892	0.8%

Reclaimed Water

We are also proposing an increase in the flat rate for reclaimed water service. If approved, the monthly reclaimed water rate would be increased by 3.75% to \$20.42 from the current monthly rate of \$19.68.

Since the costs incurred to provide reclaimed water service cannot be fully recovered through the charges to reclaimed water customers, the residual costs in excess of total reclaimed water revenues were split evenly between the water and wastewater systems, given the benefits the reclaimed water provides to both the water and wastewater systems. Those benefits to the water system are primarily associated with the conservation of water use that translates to cost avoidance in developing new raw water supplies. In addition to the use of this alternative water source to irrigate grass and landscape, reclaimed water is used to support air conditioning cooling towers and provide increased fire protection with the addition of 310 fire hydrants. Benefits to the wastewater system is based on the treated wastewater disposal option provided, in

lieu of total discharge to the deep wells or advanced water treatment required for surface water discharge.

With the proposed increases, revenue generated from the reclaimed water fees is \$3,361,340 and the cost to operate is \$4,733,700. As mentioned earlier, the anticipated revenue does not fully cover the cost to operate the reclaimed water system. However the residual amount has been decreasing steadily since 2011. We will continue to evaluate this rate on an annual basis. Additionally, these costs are allocated solely to the retail customers of those systems.

Projected FY16 System Requirements

During this year's rate analysis, we looked at projected FY16 expense requirements and anticipated revenue. The operating budget for the Water Resources Department is projected at \$117,985,717 in FY16, an increase of 3.4% over the FY15 approved operating budget. Continuing in FY16, we are increasing the transfer to the Capital Improvement Fund by \$1,000,000. Last year, we transferred \$3,000,000; however, the bond rating agencies expressed concern that this amount had remained unchanged while we continued to issue new debt. In FY15, we are transferring \$4,000,000 to the Capital Improvement Fund and will transfer \$5,000,000 in FY16. Debt Service is programmed into the rate analysis based on debt issuance in FY16 (\$79.0 million), FY17 (\$25.4 million), FY18 (\$17.6 million), FY19 (\$17.3 million) and FY20 (\$18.8 million). The larger than normal borrowing in FY16 is mostly attributable to the Biosolids to Energy project, which is expected to yield annual operating savings of \$5.0 million beginning in FY19. Of the FY16 borrowing, \$50 million is likely to come from State Revolving Funds (SRF), which will allow us to enjoy lower interest rates and deferred repayment to coincide with proposed operational savings. Additionally, with the decommissioning of the Albert Whitted Water Reclamation Facility, we have seen annual operating savings of \$1.5 million since mid-fiscal year 2015. Full year operating savings have been reflected in the FY16 budget. Lastly, there was an increase in TBW costs due to a slight increase of 1% in consumption projected for FY16.

On June 15, 2015, the Tampa Bay Water Board (TBW) approved its FY16 budget at a public hearing. The cost of purchasing raw water from TBW is anticipated to increase slightly for FY16 (2.1%), due to estimated increased consumption. We have budgeted \$26,471,772 in anticipation of the final FY16 TBW budget, which is put in place in October following the completion of the current fiscal year. The Master Agreement with TBW members allows the approved budget to be re-allocated based on the prior year's actual water usage by each member government, rather than the estimated usage on which the June budget is based. The amount assigned by TBW in October can be higher or lower than the amount budgeted by the City through its normal budget process. The rate consultant has provided their projection of consumption by member governments and has recommended a slightly higher budget than projected by Tampa Bay Water. As of June of this year, TBW projects a potential true-up that would cost the City an additional \$143,776. This amount is subject to change based on actual water usage by member governments by the end of September 2015. This amount is influenced, in large part, by the amount of water the City of Tampa needs to purchase from TBW.

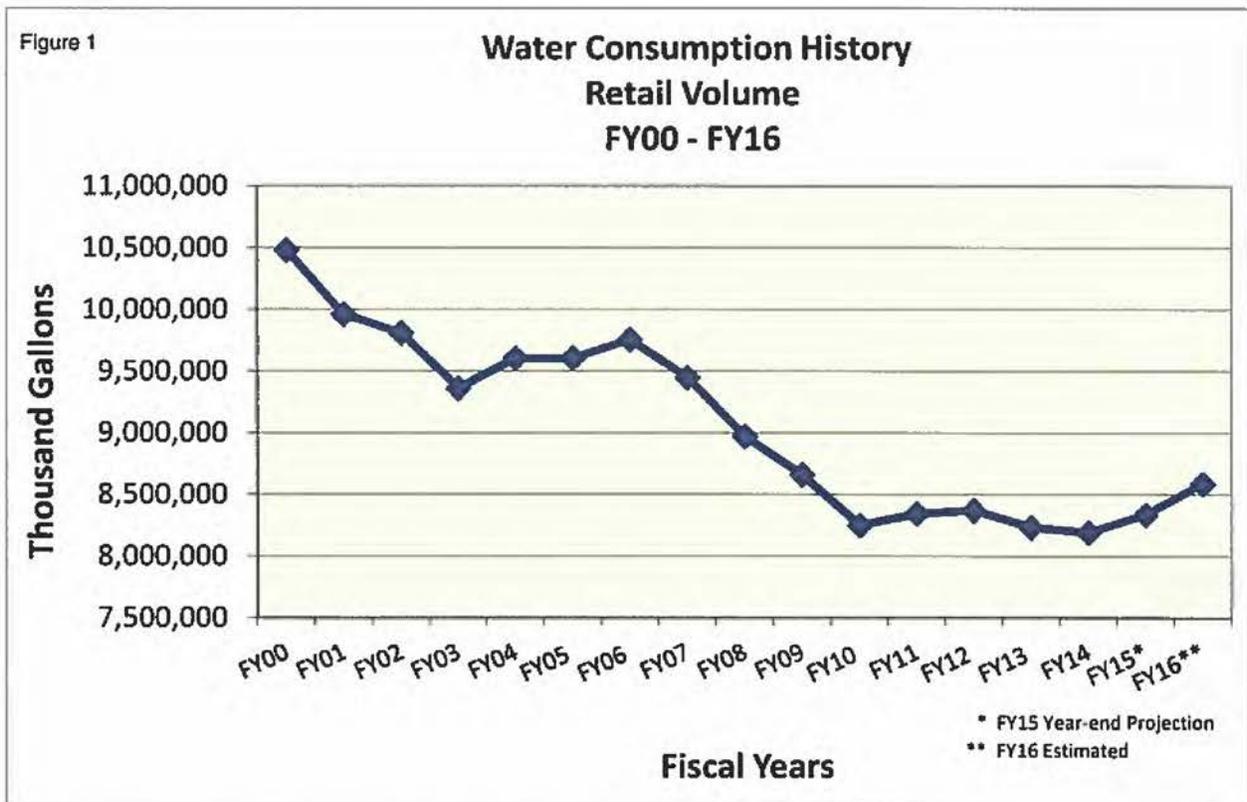
Interest earnings from the Rate Stabilization Fund continue to be used to help offset the cost of water. The anticipated earnings in FY16 are budgeted at \$1,292,000, which is slightly more than last year. The TBW pass-thru rate, shown on customer bills for FY16, is projected to remain at

\$2.44 per thousand gallons. Although costs increased slightly, the increased interest revenue offset along with the higher anticipated consumption will keep the rate the same as in F15.

The proposed rate increase for FY16 is mitigated by the use of the Water Cost Stabilization Fund to meet the Target Fund Balance for three (3) months of operating expenses associated with water, wastewater and reclaimed water. Two (2) months of the Target Fund Balance are proposed to be met by a portion of the Water Cost Stabilization Fund reserve while one (1) month will be met by the Operating Fund reserve. The target fund balance excludes the transfer to capital share of expenses.

Consumption

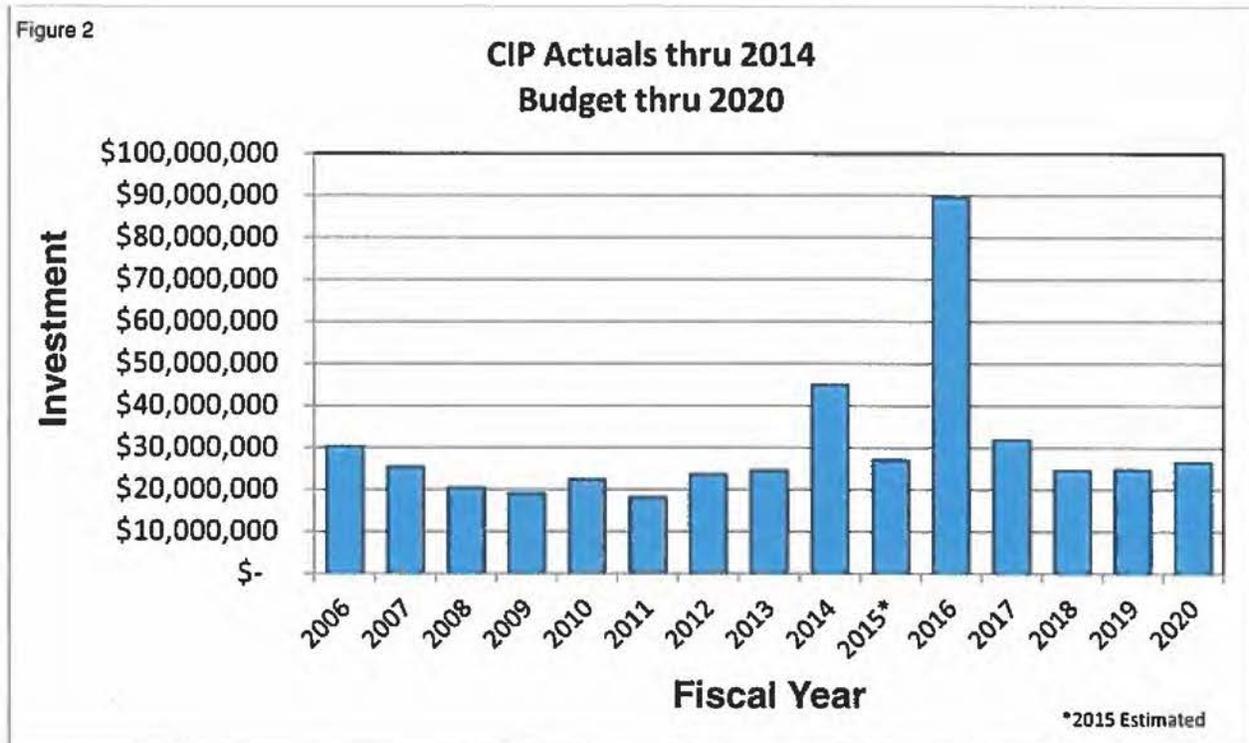
In FY2006, we began seeing a decline in water consumption due to housing and commercial development declines. However, consumption by our retail customers has been level since FY10. Consumption so far this year is trending higher than last year by 0.7% compared to last year's levels and is projected to be 1% higher next year. Figure 1 shows the consumption history trend line between 2000 and estimated 2016.



Capital Improvement Program

Over the past several years, the Water Resources Department has experienced increased debt service related to the Capital Improvement Program. Figure 2 shows a history of actual capital improvement dollars between FY06 and FY14 as well as the projected capital investment through FY20. The proposed CIP plan between FY16 and FY20 totals \$197,247,000 (not including inflation).

Figure 2

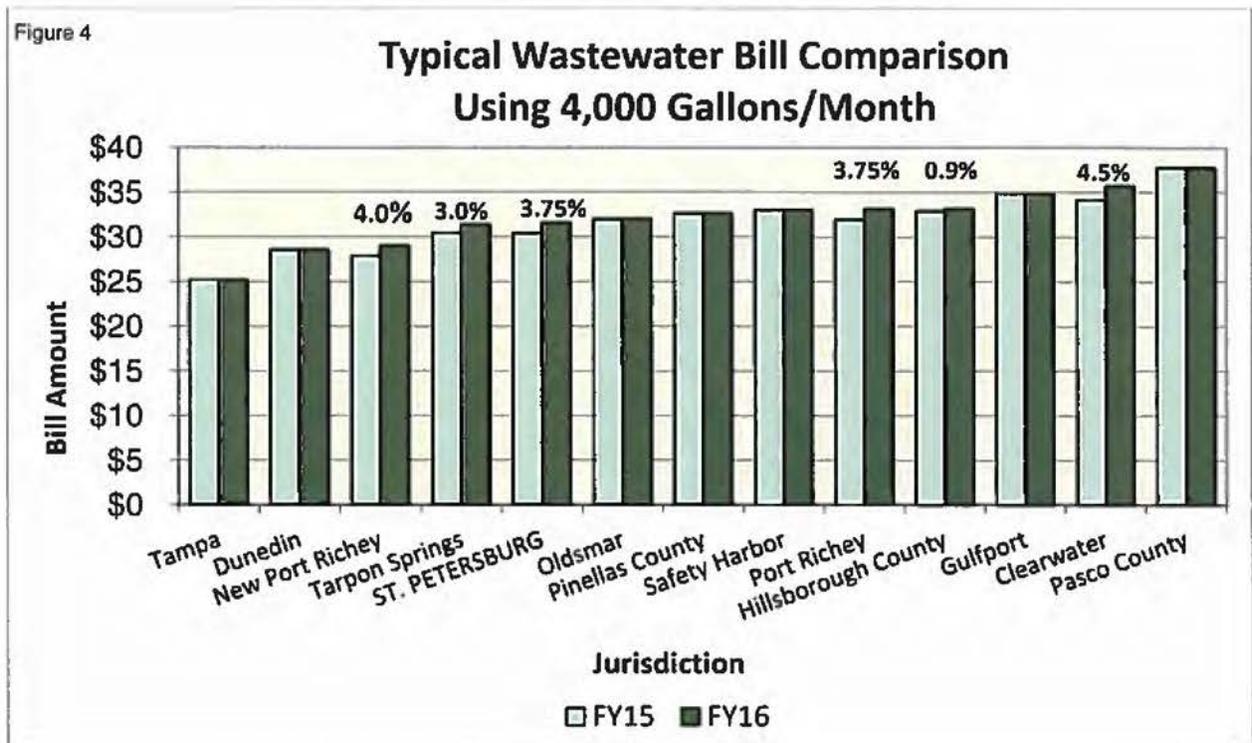
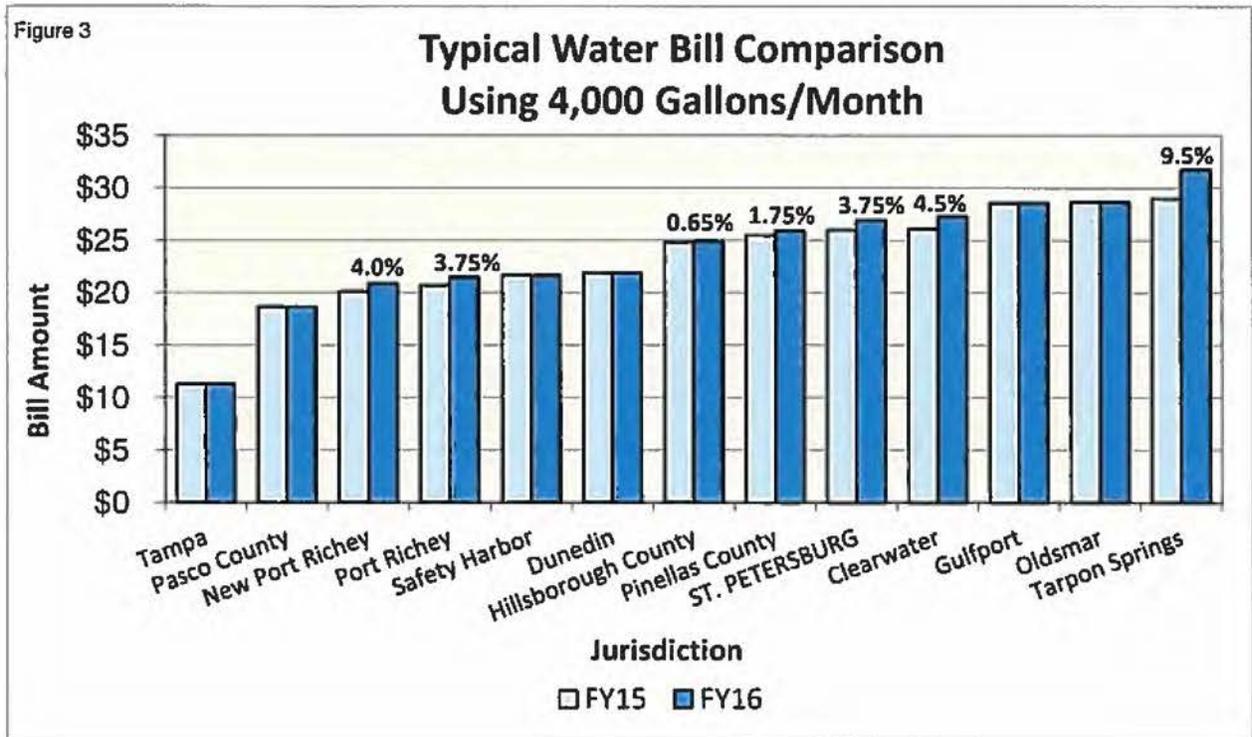


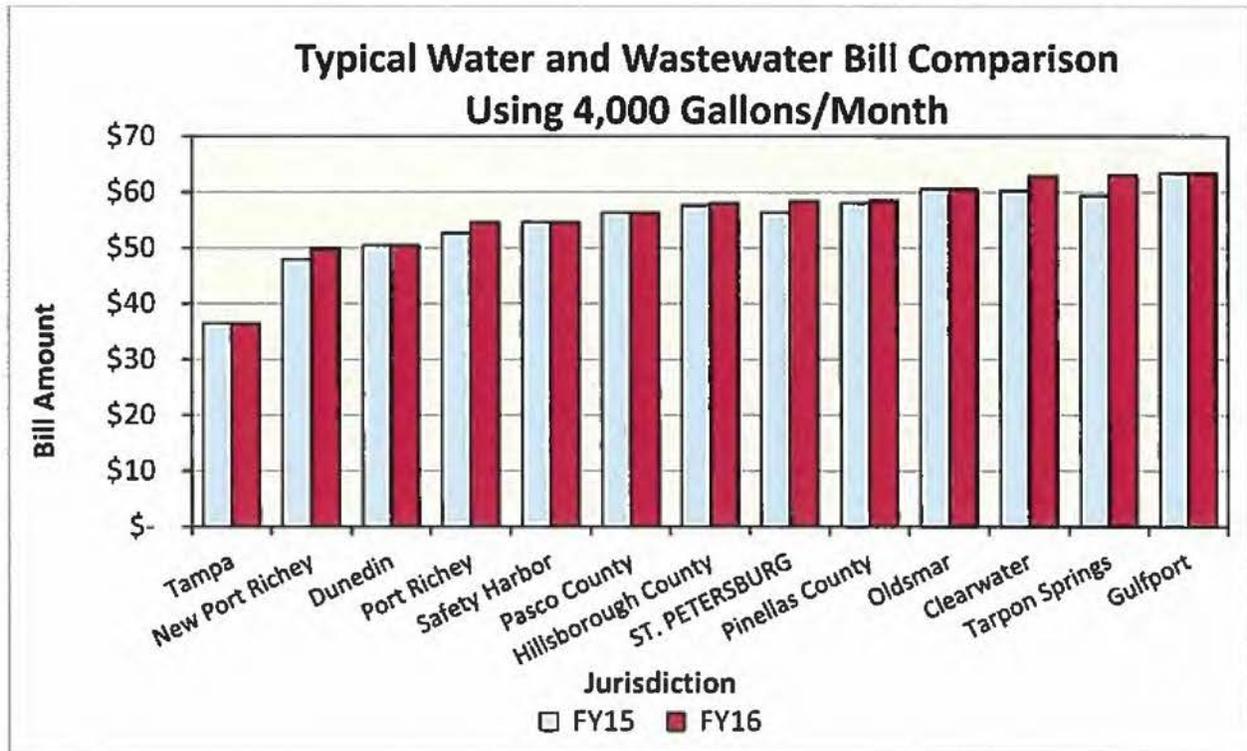
This CIP will continue the program of proactive replacing of aging pipes and infrastructure. Additionally, we have included a Biosolids to Energy project, whose construction will begin in FY16. This significant effort to consolidate biosolids from all water reclamation facilities and convert the biosolids to energy will result in a savings to rate payers in the future. As mentioned earlier, Water Resources is in the process of applying for a State Revolving Fund (SRF) loan to pay for the Biosolids to Energy project in FY16. The lower interest rate and associated debt service resulting from this loan is incorporated in the 5-year operating budget. Repayment of the SRF loan does not begin until substantial construction completion. The following project categories are included in the 5-year CIP.

Capital Improvement Plan Projects and Programs (in thousands)						
	FY16	FY17	FY18	FY19	FY20	TOTAL
Water Treatment & Distribution/RW	\$7,727	\$12,492	\$7,339	\$6,460	\$6,845	\$40,863
Wastewater Collection	\$8,361	\$5,475	\$5,745	\$5,950	\$7,550	\$33,081
Water Reclamation Facilities	\$5,623	\$10,970	\$8,350	\$10,400	\$9,450	\$44,793
Biosolids to Energy	\$63,360	\$0	\$0	\$0	\$0	\$63,360
Lift Stations	\$4,250	\$2,610	\$3,085	\$1,800	\$2,450	\$14,195
Other	\$185	\$350	\$100	\$150	\$170	\$955
TOTAL	\$89,506	\$31,897	\$24,619	\$24,760	\$26,465	\$197,247

Rate Data on Other Local Entities

Assuming that the recommended rates are implemented, the City's water and wastewater rates are shown in Figures 3, 4 and 5 in comparison to other local governments. Please note that the rates of the other governmental entities have been adjusted to reflect proposed rate increases for FY16 as advised by each entity. No increase is shown for those communities whose rate analysis is not complete as of this writing or do not intend to increase their rates at this time.





Base and Meter Charges

On an annual basis, it is recommended that the Base Meter charges for retail water and wastewater customers be compared to the American Water Works Association (AWWA) recommendation for the incremental meter cost based on meter flow capacities. It is recommended that the meter base charges be adjusted to more closely follow the AWWA factors. The net impact on revenue has already been factored into the 3.75% rate increase.

Recommended Action

Attached is the rate ordinance, which reflects the proposed base, variable and wholesale rate changes for water and wastewater. It also includes the changes to the reclaimed water rates, charges and services. Deposits, Connection Fees, and Fire Service Fees are proposed to remain the same in FY16 with the potential to update during next year’s rate study.

It is recommended that City Council conduct a first reading of the proposed rate ordinance on September 3, 2015 and consider the proposed rate for final adoption following a public hearing on September 17, 2015. This will allow the rates to be effective as of October 1, 2015, as included within the FY16 revenue projections.

MJC/ER

- Attachment 1: Customer Notification
 - Attachment 2: Variable Rates including TBW pass-thru
 - Attachment 3: Recommended Base Rates
 - Attachment 4: Wholesale Rates
 - Attachment 5: History of Rate Increases
- Rate Ordinance

NOTICE TO CUSTOMERS



ST. PETERSBURG UTILITY CUSTOMERS

Notice is hereby given that at the date and time shown below, the St. Petersburg Council will consider increases to water, wastewater, and reclaimed water utility rates and charges.

- Thursday, September 3, 2015
8:30 a.m. (First Reading)
- Thursday, September 17, 2015
6 p.m. (Public Hearing)

Meetings will be held in:

City Council Chamber
St. Petersburg City Hall
175 Fifth Street North
St. Petersburg, Florida

The proposed rate adjustments will be published at First Reading and made available on the City's website www.stpete.org

For additional information, contact the Water Resources Department at 893-7297.



Water Resources Department
727-893-7297
www.stpete.org/water/water_conservation

RECOMMENDED VARIABLE RATES

WATER BLOCK RATES

(Single-Family Residential and Multifamily Residential: Per Dwelling Unit)
Per 1,000 Gallons

	FY15	TBW	FY15 Total	FY16	TBW	FY16 Total
First 5,600 Gallons/month	\$1.40	\$2.44	\$3.84	\$1.54	\$2.44	\$3.98
Next 2,400 Gallons/month	\$2.38	\$2.44	\$4.82	\$2.56	\$2.44	\$5.00
Next 7,000 Gallons/month	\$4.10	\$2.44	\$6.54	\$4.35	\$2.44	\$6.79
Next 5,000 Gallons/month	\$6.21	\$2.44	\$8.65	\$6.53	\$2.44	\$8.97
Over 20,000 Gallons/month*	\$14.86	\$2.44	\$17.30	\$15.51	\$2.44	\$17.95

* Applies to Single-Family Residential Customers only

(Commercial)
Per 1,000 Gallons

	FY15	TBW	FY15 Total	FY16	TBW	FY16 Total
Up to the Average	\$1.40	\$2.44	\$3.84	\$1.54	\$2.44	\$3.98
Average to 1.4 Times Average	\$2.80	\$2.44	\$5.24	\$3.00	\$2.44	\$5.44
1.4 to 1.8 Times Average	\$4.10	\$2.44	\$6.54	\$4.35	\$2.44	\$6.79
Over 1.8 Times Average	\$5.27	\$2.44	\$7.71	\$5.56	\$2.44	\$8.00

WASTEWATER VARIABLE RATE

(Per 1,000 Gallons)

	FY15	FY16
WASTEWATER	\$4.60	\$4.77

RECOMMENDED BASE RATES

WATER BASE RATES

Meter Size	FY15	FY16	Difference	Equivalent Ratios	Percent Difference*
5/8"	\$10.61	\$11.01	\$0.40	1	3.75%
1"	\$26.53	\$27.52	\$0.99	2.5	3.73%
1½"	\$53.06	\$55.04	\$1.98	5	3.73%
2"	\$84.89	\$88.06	\$3.17	8	3.74%
3"	\$169.78	\$176.13	\$6.35	16	3.74%
4"	\$265.28	\$275.20	\$9.92	25	3.74%
6"	\$530.56	\$550.39	\$19.83	50	3.74%
8"	\$848.89	\$880.63	\$31.74	80	3.74%
10"	\$1,220.29	\$1,265.91	\$45.62	115	3.74%
12"	\$2,281.40	\$2,366.69	\$85.29	215	3.74%

WASTEWATER BASE RATES

Meter Size	FY15	FY16	Difference	Equivalent Ratios	Percent Difference*
5/8"	\$12.00	\$12.45	\$0.45	1	3.75%
1"	\$30.01	\$31.13	\$1.12	2.5	3.73%
1½"	\$60.02	\$62.25	\$2.23	5	3.72%
2"	\$96.03	\$99.60	\$3.57	8	3.72%
3"	\$192.07	\$199.20	\$7.13	16	3.71%
4"	\$300.11	\$311.25	\$11.14	25	3.71%
6"	\$600.22	\$622.50	\$22.28	50	3.71%
8"	\$960.35	\$996.00	\$35.65	80	3.71%
10"	\$1,380.50	\$1,431.75	\$51.25	115	3.71%
12"	\$2,580.94	\$2,676.75	\$95.81	215	3.71%

*Equivalent Ratios factor is applied to adjusted rate

WHOLESALE RATES

WHOLESALE WATER: 2.5% increase

Customer: City of Gulfport

FY15: \$4,705/million gallons

FY16: \$4,824/million gallons

WHOLESALE WASTEWATER:

Customers: City of Gulfport; City of South Pasadena; Bear Creek Sanitary Sewer District, Pinellas County; Ft. Desoto, Pinellas County; City of Treasure Island; and Tierra Verde Utilities, Inc.

3.2% increase

FY15: \$2,865/million gallons

FY16: \$2,956/million gallons

Customer: City of St. Pete Beach

0.81% increase

FY15: \$2,058/million gallons, \$49,651/month for capital projects

FY16: \$2,052/million gallons, \$52,082/month for capital projects

HISTORY OF RATE INCREASES

CONSUMPTION OF WATER AND SEWER AT 4,000 GALLONS PER MONTH

(FY 94 – 15)

Fiscal Years	Amount Prior to Increase	Bill After Increase	Amount Change	Percent Change
95-96	\$21.34	\$22.52	\$1.18	5.5%
96-97	\$22.52	\$24.01	\$1.49	6.6%
97-98	\$24.01	\$24.01	\$0.00	0.0%
98-99	\$24.01	\$25.35	\$1.34	5.6%
99-00	\$25.35	\$27.01	\$1.66	6.5%
00-01	\$27.01	\$28.42	\$1.41	5.2%
01-02	\$28.42	\$30.75	\$2.33	8.2%
02-03	\$30.75	\$34.37	\$3.62	11.8%
03-04	\$34.37	\$37.58	\$3.21	9.3%
04-05	\$37.58	\$39.25	\$1.67	4.4%
05-06	\$39.25	\$40.19	\$0.94	2.4%
06-07	\$40.19	\$41.27	\$1.08	2.7%
07-08	\$41.27	\$42.72	\$1.45	3.5%
08-09	\$42.72	\$44.03	\$1.31	3.1%
09-10	\$44.03	\$44.90	\$0.87	2.0%
10-11	\$44.90	\$48.25	\$3.35	7.5%
11-12	\$48.25	\$50.53	\$2.28	4.7%
12-13	\$50.53	\$51.89	\$1.36	2.7%
13-14	\$51.89	\$53.83	\$1.94	3.74%
14-15	\$53.83	\$56.37	\$2.56	4.75%
15-16	\$56.37	\$58.48	\$2.11	3.75%
Total Increase/Average Percentage			\$37.16	5.0%

ORDINANCE NO. _____

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTIONS 27-141 (a), 27-142 (a), 27-144 (c), 27-177 (a), 27-283 (a), AND SUBSECTIONS 27-284 (a) AND 27-284 (d) OF THE ST. PETERSBURG CITY CODE; AMENDING BASE CHARGES AND VOLUME CHARGES FOR WATER SERVICE; AMENDING WHOLESALE WATER SERVICE CHARGES FOR THE CITY OF GULFPORT; AMENDING BASE AND VOLUME CHARGES FOR IRRIGATION ONLY ACCOUNTS; AMENDING RECLAIMED WATER RATES AND CHARGES; AMENDING BASE AND VOLUME CHARGES FOR WASTEWATER SERVICE; AMENDING WASTEWATER SERVICE CHARGES FOR WHOLESALE CUSTOMERS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTABLISHING A DATE TO BEGIN CALCULATING NEW RATES FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Subsection 27-141 (a) of the St. Petersburg City Code is hereby amended as follows:

Sec. 27-141. Established; amount; service categories defined; surcharge.

(a) *Monthly use rate.* City water customers will be charged monthly base and volume charges as set forth in the following subsections:

(1) *Base charges.* The base charges, determined by meter size, are listed in the following table:

Meter Size (in inches)	Base Charge
5/8 or 3/4	\$ 40.64 <u>11.01</u>
1	26.53 <u>27.52</u>
1½	53.06 <u>55.04</u>
2	84.89 <u>88.06</u>

Meter Size (in inches)	Base Charge	
3	169.78	<u>176.13</u>
4	265.28	<u>275.20</u>
6	530.56	<u>550.39</u>
8	848.89	<u>880.63</u>
10	1,220.29	<u>1,265.91</u>
12	2,281.40	<u>2,366.69</u>

(2) *Volume charges.* Volume charges, determined by gallons used, are listed in the following tables:

- a. For single-family dwelling customers, \$2.44 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Single-Family Dwelling Customer
Rates Per 1,000 Gallons
by Gallonage Increments*

First 5,600	\$1.40	<u>1.54</u>
Next 2,400	2.38	<u>2.56</u>
Next 7,000	4.10	<u>4.35</u>
Next 5,000	6.21	<u>6.53</u>
Over 20,000	14.86	<u>15.51</u>

- b. For multifamily dwelling customers, \$2.44 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Multifamily Dwelling Customer
Rates Per 1,000 Gallons
Total Volume Divided by Number of Dwelling Units Served by Meter*

First 5,600 per unit	\$1.40 <u>1.54</u>
Next 2,400 per unit	2.38 <u>2.56</u>
Next 7,000 per unit	4.10 <u>4.35</u>
Over 15,000 per unit	6.21 <u>6.53</u>

- c. For commercial customers, \$2.44 for each 1,000 gallons consumed as cost of water from Tampa Bay Water and an inverted rate as follows:

*Volume Charges
Commercial Customer
Rates Per 1,000 Gallons
Gallage Based on Monthly Average per Commercial Customer*

Up to average	\$1.40 <u>1.54</u>
Average to 1.4 times average	2.80 <u>3.00</u>
1.4 to 1.8 times average	4.10 <u>4.35</u>
Over 1.8 times average	5.27 <u>5.56</u>

A monthly average of a 12-month period will be calculated per commercial customer for each fiscal year beginning October 1. The 12-month period utilized will be October through September of the preceding fiscal year and will be updated annually. For new commercial customers without consumption history, the lowest block rate will be utilized until a 12-month period between October and September is completed.

A commercial customer who experiences changed business conditions which would necessitate a revised calculation of the monthly average, may request a water use evaluation by the City. The City may calculate a new average based on that evaluation. After receiving notice of the results of the evaluation, the customer may appeal these results to the Utility Billing Review Committee within 14 days by filing notice of appeal with the City Clerk.

SECTION 2. Subsection 27-142 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-142. - Wholesale water customers.

(a) Wholesale water service shall be provided to the City of Gulfport at a uniform volume rate of ~~\$4,705.00~~ 4,824.00 per million gallons effective October 1, ~~2014~~ 2015. Additional charges and surcharges shall be added to the uniform volume rate in accordance with the City of Gulfport's water service agreement with the City of St. Petersburg.

SECTION 3. Subsection 27-144 (c) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-144. Irrigation only accounts.

(c) *Monthly irrigation only account charges.*

Customers with an irrigation only account shall not be charged fees for wastewater services for that account but shall pay a base charge based on the meter connection size, and also shall pay the Tampa Bay Water volume charge and the a tiered volume rate based on water consumption as follows:

Irrigation Only Base and Volume Charges							
Meter Size (inches)	Base Fee ₁	Volume Rates (per 1,000 Gallons)			Consumption Ranges (in Gallons)		
		Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
¾	\$13.61 \$14.01	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-15,000	15,001-20,000	>20,000
1	\$29.53 \$30.52	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-37,000	37,001-50,000	>50,000
1½	\$56.06 \$58.04	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-75,000	75,001-100,000	>100,000
2	\$87.89 \$91.06	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-120,000	120,001-160,000	>160,000
3	\$172.78 \$179.13	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-240,000	240,001-320,000	>320,000
4	\$268.28 \$278.20	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-375,000	375,001-500,000	>500,000
6	\$533.56 \$553.39	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-750,000	750,001-1,000,000	>1,000,000
8	\$851.89 \$883.63	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-1,200,000	1,200,001-1,600,000	>1,600,000
10	\$1,223.29 \$1,268.91	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-1,750,000	1,750,001-2,300,000	>2,300,000
12	\$2,284.40 \$2,369.69	\$4.07 \$4.22	\$6.19 \$6.42	\$14.84 \$15.40	0-3,225,000	3,225,001-4,300,000	>4,300,000
Tampa Bay Water:		\$2.44 per 1,000 Gallons					

SECTION 4. Subsection 27-177 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-177. - Rates

- (a) A rate shall be charged to the customers of the reclaimed water system in accordance with the following schedule:
 - (1) For nonmetered service for tracts of one acre in size or smaller, the monthly charge shall be ~~\$19.68~~ 20.42.
 - (2) For nonmetered service for larger tracts an additional monthly charge of ~~\$11.28~~ 11.70 per each additional acre, or portion thereof in excess of one acre, shall be added to the fee of ~~\$19.68~~ 20.42 per month.
 - (3) For customers on metered service, the charge shall be ~~\$0.56~~ 0.58 per 1,000 gallons per month, but in no case shall the charge be less than ~~\$19.68~~ 20.42 per month.
 - (4) A surcharge of 25 percent will be added for service outside the City.
 - (5) The customer shall be required to obtain a reclaimed water permit, the charge shall be \$25.00 per permit issued. All reclaimed water permits shall be issued by the Reclaimed Water section of the Water Resources Department.

SECTION 5. Subsection 27-283 (a) of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-283. - Wastewater service charge.

(a) *Established, amount.* There is hereby established and imposed upon the owners and/or occupants of all premises which are connected to the sewer system a charge, to be designated "wastewater service charge," which charge shall be based upon the amount of water used on the premises except for that amount of water used for irrigation only accounts as established pursuant to Section 27-144, as shown by the following schedule:

- (1) A base charge per month based upon meter size in accordance with the following table:

Meter Size (inches)	Base Charge
5/8 or 3/4	\$ 12.00 <u>12.45</u>

Meter Size (inches)	Base Charge	
1	30.01	<u>31.13</u>
1½	60.02	<u>62.25</u>
2	96.03	<u>99.60</u>
3	192.07	<u>199.20</u>
4	300.11	<u>311.25</u>
6	600.22	<u>622.50</u>
8	960.35	<u>996.00</u>
10	1,380.50	<u>1,431.75</u>
12	2,580.94	<u>2,676.75</u>

(2) In addition to the base charge, there shall be a charge of ~~\$4.60~~ 4.77 for each 1,000 gallons of potable water registered on the water meter.

(3) Rates charged to customers outside the City in accordance with subsections (1) and (2) of this section shall have added to the rate a surcharge of 25 percent of the total wastewater charge.

(4) The base charge and any volume charge will apply on all active services; the base charge will apply to all service in standby status; only when a service has been removed will the base charge not be in effect.

SECTION 6. Subsections 27-284 (a) and 27-284 (d) of the St. Petersburg City Code are hereby amended to read as follows:

Sec. 27-284. - Wholesale wastewater customers.

(a) Wholesale wastewater service shall be provided to the City of Gulfport; the City of South Pasadena; Bear Creek Sanitary Sewer District, Pinellas County; Ft. Desoto, Pinellas County; the City of Treasure Island; and Tierra Verde Utilities, Inc. at a uniform volume rate of ~~\$2,865.00~~ 2,956.00 per million gallons for wholesale wastewater service effective October 1, ~~2014~~ 2015, based upon metered wastewater flows.

(d) Wholesale wastewater service shall be provided to the City of St. Pete Beach at an estimated rate including a uniform operation and maintenance volume rate of ~~\$2,058.00~~ 2,052.00 per million gallons and a monthly capital charge of ~~\$49,651.00~~ \$52,082 for wholesale wastewater service effective October 1, ~~2014~~ 2015. At the end of each fiscal year, actual rates for the fiscal year will be determined in accordance with the terms of the agreement for wholesale wastewater service between the City of St. Petersburg and the City of St. Pete Beach.

SECTION 7. That the unconstitutionality or invalidity of any word, sentence, or portion of this ordinance shall not affect the validity of the remaining portions.

SECTION 8. That words in ~~struck through~~ type are deletions from the existing St. Petersburg City Code and words that are underlined are additions.

SECTION 9. That the rates and charges established by this ordinance shall be utilized in calculating customers' bills beginning on November 1, 2015 for water consumed during the preceding month.

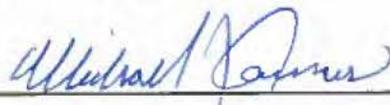
SECTION 10. In the event that this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

LEGAL:



City Attorney (designee)

ADMINISTRATION:





MEMORANDUM

TO: Mayor Rick Kriseman

THRU: Michael Connors, Public Works Administrator *MC*

FROM: Ben Shirley, Sanitation Director *BS*

DATE: August 17, 2015

SUBJECT: FY2016 Sanitation Rate Study

Introduction

I am pleased to report that no rate increase is being proposed in the 2016 Operating budget. This will be our seventh consecutive year with no rate increase for solid waste collection and disposal. Our continuing efforts have helped match revenues with expenses. In our current operating year increases in demolition costs have been partially offset by reduced fuel expenses due to the replacement of 17 diesel trucks with CNG.

In 2008 City Council approved a sanitation rate increase for FY2009 of 2.6% for residential and commercial customers. This was only the fourth rate increase in sanitation rates since 1988. For the period FY1988 through FY2005 rates remained stable as the City intentionally drew down the Sanitation Operating and Rate Stabilization Fund balances. With the increase approved by City Council for FY2009 the residential rate increased to \$22.33 per month and will remain there through FY2016.

Without a proposed increase the recommended rates will continue to be very competitive with other cities in the greater St. Petersburg area. In addition, it should be noted that the Sanitation Department provides a number of support functions such as graffiti and snipe sign removal, lot clearing, funding for the N-Team and Building Demolition, alley trimming, and other costs controlled by Parks and Codes Administration. These programs all play a major role in the cleanliness and appearance of our community and may exceed the service level of other providers.

Projected FY2016 Requirements

The Sanitation Department currently operates 17 CNG Collection trucks. The 2016 budget includes the purchase of an additional 8 CNG trucks. The gradual conversion of the diesel fueled fleet to CNG is in an effort to lower Sanitation's operating costs, increase efficiency and lower air emissions.

Sanitation costs have generally mirrored inflationary trends and reflect staff's effort to control costs when possible.

In November of 2014 City Council approved an ordinance providing for the creation, administration and management of a universal residential curbside recycling service. This service was instituted in July of 2015. The rate for the service of \$2.95 per month will not change in FY 2016. It is in addition to the current \$22.33 that is charged for regular garbage service.

Rate Data on Other Local Entities

The residential rate will be competitive with other large cities in the local area, as shown below:

<i>City</i>	<i>Monthly Residential Rate</i>
St. Petersburg (FY16 Proposed Rate)	\$22.33**
Tampa (FY16 Proposed Rate)	\$34.91*
Clearwater (FY16 Proposed Rate)	\$27.46*

* includes \$3.00 (Tampa) & \$2.60 (Clearwater) respectively for curbside recycling costs ** Includes \$ 36 for centralized recycling costs

Proposed Changes to City Code

None pursuant to no increase in rates proposed.

Recommended Action

No action is necessary pursuant to no increase in rates proposed.



TO: Mayor Rick Kriseman

FROM: Michael J. Connors, P.E. *MJC*
Public Works Administration

DATE: August 17, 2015

SUBJECT: FY2016 Stormwater Rate Recommendation

Introduction

The Stormwater Utility Fee was implemented by the City of St. Petersburg in November 1989. The utility fee remained constant until 2005 when City Council amended the ordinance providing for an automatic annual rate adjustment pursuant to the prior year's Consumer Price Index. The ordinance was amended by City Council in FY13 to eliminate the automatic adjustment provision and allow for a specific rate to be adopted in accordance with the annual rate analysis.

An analysis for FY16 has been conducted. Based on (1) revenues estimated as constant, (2) expenses projected to be approximately 2.65% more than the FY15 budget, and (3) the projected fund balance to exceed the target, no rate increase is proposed for FY16. The City's stormwater rates would be held at \$6.84 for the typical single family account.

The Stormwater Utility Department oversees the operation, maintenance, reconstruction, and capital improvements of stormwater facilities in the City of St. Petersburg. Stormwater capital improvement projects are supplemented by Penny for Pinellas funds as well as grant funds. Revenues for the utility have continued to come in as budgeted and expenses have been controlled. The fund balance for the utility remains above target and is projected to cover ongoing needs. Additionally, the economic conditions in our community warrant keeping rates stable.

The department over the last several years has continued to improve operating efficiencies to include among others initiatives, staff and fleet reductions resulting in modest, if any, increases in expenses. A FY2015 operating expense increase in the amount of \$310,111 results from an increase in the transfer to the C.I.P. (\$200,000), vehicle replacement charges (\$153,949) and salaries/benefits (\$229,226) as offset by reductions in General Administrative charges (\$194,516) and (\$78,548) in a multitude of different line items.

Recommended Action

No action is necessary pursuant to no increase in rates proposed.

**MEMORANDUM
CITY OF ST. PETERSBURG**

To: Honorable Chair Charlie Gerdes and Members of City Council
From: Rick Kriseman, Mayor 
Date: September 10, 2015
Re: Adoption of FY 2016 Millage Rate and Budget Appropriations Ordinance and Adoption of Multi-Year Capital Improvement Program 2016-2020

Background: On September 17, 2015, at 6:30 P.M. City Council will hold the second public hearing on the fiscal year 2016 budget. This memorandum contains material related to the second public hearing. Following the hearing, Council will adopt the final Millage Rate Resolution, the final Fiscal Year 2016 Budget/Appropriations Ordinance as well as the Multi-Year Capital Improvement Program Resolution. Florida Statutes require that a specific process be followed for the adoption of the budget. Various documents are attached to ensure compliance with these statutory requirements.

Explanation: On September 3, 2015, City Council approved the tentative millage rate of 6.7700 mills and the fiscal year 2016 tentative budget. On September 17, 2015, City Council will hold the second public hearing for final adoption of the millage rate and fiscal year 2016 budget.

Recommendation/Action Required: It is recommended that City Council adopt by resolution a property tax millage rate of 6.7700 mills in order to fund the fiscal year 2016 Budget. It is further recommended that City Council approve the Fiscal Year 2016 Budget/Appropriations Ordinance and Resolution Adopting the Final Budget for fiscal year 2016 following the procedure set out in F.S. 200.065. At the conclusion of these actions, it is recommended that City Council adopt by resolution the Multi-Year Capital Improvement Program 2016 – 2020 for the City.

Attachments:

- (A) Agenda for the September 17, 2015, public hearing - providing statutory requirements.
- (B) Recap of Changes Between the Tentative Budget and Final Budget Ordinance.
- (C) Resolution Setting the Property Tax Millage as approved at the first public hearing on September 3, 2015.
- (D) Fiscal Year 2016 Budget/Appropriations Ordinance as approved and modified at the first public hearing on September 3, 2015.
- (E) Resolution Adopting the Multi-Year Capital Improvement Program 2016 – 2020.

ATTACHMENT A

SECOND PUBLIC HEARING ON THE FISCAL YEAR 2016 MILLAGE RATE and BUDGET CITY OF ST. PETERSBURG, FLORIDA

City Council Chamber
St. Petersburg City Hall
Thursday, September 17, 2015
6:30 P.M.

AGENDA

- | | | |
|---|---|---|
| 1. Call to Order;
Announcement of Purpose
of Hearing; Opening of
Public Hearing. | Honorable
Chair
Charlie
Gerdes | PUBLICLY ANNOUNCE: "THIS IS THE START OF
THE PUBLIC HEARING. This Public Hearing
is on the final budget, the final millage
rate, and the Budget/Appropriations
Ordinance for Fiscal Year 2016 which has
been amended for second reading to include
the intent of the requests made by City
Council at the first public hearing. This
is also a public hearing on the proposed
multi-year CIP program for the city of St.
Petersburg. Prior to public comment, the
first substantive issue discussed shall be
the percentage increase in millage over
the rolled-back rate necessary to fund the
budget, if any, and the specific purposes
for which ad valorem tax revenues are
being increased. That issue will be
discussed by the Mayor and his staff after
the title to the Budget/appropriation
ordinance is read." |
| 2. Second Reading of Budget/
Appropriations Ordinance
Title. | City Clerk | Read title of Budget/ Appropriations
Ordinance. |
| 3. Introductory Remarks | Mayor Rick
Kriseman | General remarks. |
| 4. Presentation on the
Proposed FY 2016 Budget
and Rolled Back Rate. | Budget Director
Tom Greene | Brief power point presentation. First
substantive issue to be discussed is
percent increase, <u>if any</u> , in millage over
the rolled-back rate necessary to fund the
budget...The millage is 6.7700. This rate
represents an increase of 5.51% over the
rolled back rate of 6.4164 <i>FS 200.065 (2)</i>
(e).The reasons for the increase should
be discussed at this point. The changes
from first reading should also be
explained. |
| 5. Receipt of Public Comment | Honorable
Chair
Charlie
Gerdes

Honorable
Chair | PUBLICLY ANNOUNCE THAT "THIS IS THE
BEGINNING OF THE PUBLIC COMMENT PORTION
OF THE HEARING." The general public shall
be allowed to speak and ask questions
prior to the adoption of the final millage
rate and final budget by City Council. <i>FS</i>
<i>200.065(2)(e)</i> |

ATTACHMENT A

- | | | | |
|-----|--|--------------------------------|---|
| 6. | Close Public Comment | Charlie Gerdes | PUBLICLY ANNOUNCE THAT "THE PUBLIC COMMENT PORTION OF THE HEARING IS NOW CLOSED" |
| 7. | Council Comments and Discussion and Adoption of amendments to the PROPOSED BUDGET. | Mayor and Council | If Council amends the budget so that there will be a requirement for there to be a change in the millage go to step 8, otherwise go to step 9. |
| 8. | Re-compute millage rate if necessary. | Budget Staff | Compute millage rate and make changes to resolutions and Ordinance as required. <i>FS 200.065(2)(e)</i> |
| 9. | Announcement of Final Millage Rate compared to the Rolled-back rate | Honorable Chair Charlie Gerdes | PUBLICLY ANNOUNCE: "THE FINAL MILLAGE RATE FOR THE CITY OF ST. PETERSBURG IS 6.7700 MILLS WHICH IS A 5.51% INCREASE OVER THE ROLLED BACK RATE OF 6.4164 MILLS." |
| 10. | Adopt millage resolution. | City Council | Adopt resolution setting final millage rate. This must be done before adopting final budget and must have separate votes. <i>FS 200.065(d) & (e)</i> |
| 11. | Adoption by Resolution of the Budget/Appropriations Ordinance as amended as the Final Budget | City Council | Adopt final budget (with any amendments that have been approved) after millage rate is adopted.

a) Amend the budget/appropriation ordinance, if necessary;
b) Pass the budget/appropriation ordinance as amended;
c) Approve the resolution adopting the multi-year CIP program for the City of St. Petersburg |
| 12. | Closing of public hearing | Honorable Chair Charlie Gerdes | PUBLICLY ANNOUNCE: "THE PUBLIC HEARING ON THE BUDGET, THE MILLAGE RATE, THE BUDGET/APPROPRIATION ORDINANCE AND THE MULTI-YEAR CIP PROGRAM IS NOW CLOSED". |

EXCERPTS FROM F.S. 200.065:

Paragraph 2(c): "Within 80 days of the certification of value pursuant to subsection (1), but not earlier than 65 days after certification, the governing body of each taxing authority shall hold a public hearing on the tentative budget and proposed millage rate. Prior to the conclusion of the hearing, the governing body of the taxing authority shall amend the tentative budget as it sees fit, adopt the amended tentative budget, recompute its proposed millage rate, and publicly announce the percent, if any, by which the re-computed proposed millage rate exceeds the rolled-back rate computed pursuant to subsection (1). That percent shall be characterized as the percentage increase in property taxes tentatively adopted by the governing body."

Paragraph 2(e): "1. In the hearings required pursuant to paragraphs (c) and (d), the first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for

ATTACHMENT A

which ad valorem tax revenues are being increased. During such discussion, the governing body shall hear comments regarding the proposed increase and explain the reasons for the proposed increase over the rolled-back rate. The general public shall be allowed to speak and to ask questions prior to adoption of any measures by the governing body. The governing body shall adopt its tentative or final millage rate prior to adopting its tentative or final budget."

**RECAP OF CHANGES BETWEEN THE TENTATIVE BUDGET AND FINAL
BUDGET ORDINANCE**

**** CHANGES IN REVENUES ****

FUND	RECOMMENDED BUDGET	PROPOSED CHANGE	ORDINANCE	REASONS
General Operating Fund				
Charges for Services-Traffic	175,000	20,348	195,348	This change reflects funding provided by an interlocal agreement with Kenneth City to perform traffic signal and device maintenance services for a five year term; funding \$20,348 annually. The offsetting expenses are listed below.
Total General Fund Revenue	<u><u>224,279,108</u></u>	<u><u>20,348</u></u>	<u><u>224,299,456</u></u>	

Other Funds

Economic Stability	1,348,000	(500,000)	848,000	This transfer is being reduced to partially fund the salary increases included in the recently approved labor agreement with the Police Union.
Stormwater, Pavement and Traffic Operations	12,114,885	10,000	12,124,885	This change reflects funding included in an interlocal agreement with Pinellas County for the maintenance of regulatory zone signage, time extension and other modifications. The offsetting expenses are listed below.
Building Permit Special Revenue	4,703,000	229,300	4,932,300	This change to the Building Permit Special Revenue Fund is required due to the projected increase in the number of inspections in FY16. This will fulfill the Mayor's performance goals related to the next day inspection services.
Total Other Funds Revenue	<u><u>18,165,885</u></u>	<u><u>(260,700)</u></u>	<u><u>17,905,185</u></u>	

**** CHANGES IN REQUIREMENTS ****

FUND	TENTATIVE BUDGET	PROPOSED CHANGE	ORDINANCE	REASONS
General Operating Fund				
Marketing	2,880,740	26,932	2,907,672	This change provides funding for Marketing's portion of the the Information Specialist II position in Water Resources. This position is funded 50% by Water Resources and 50% by Marketing.
Police	96,159,595	743,174	96,902,769	This is the net change in requirements to provide \$38,498 to fund ten additional Reserve Officers (these positions are retired officers who work 10 hours per month) and \$860,000 in salary that is needed due to the recently approved labor agreement. Partially offsetting these increases is \$155,324 in department-wide salary savings.
Mayor's Office	2,919,901	(3,000)	2,916,901	This net change provides \$30,000 for the Poynter Institute's Write Field program in the Cultural Affairs division of the Mayor's Office and removes \$33,000 budgeted in the Mayor's Office for Public Art insurance policy and repairs and maintenance as funds are appropriated for these purposes in the Art in Public Places Fund (1901).
Stormwater, Pavement and Traffic Operations	3,324,006	20,348	3,344,354	This change reflects funding included in an interlocal agreement with Kenneth City to provide traffic signal and device maintenance services for a five year term; funding \$20,348 annually. The offsetting revenue change is included above.
Transfer to Economic Stability	1,000,000	(500,000)	500,000	This transfer is being reduced to partially fund the salary increases included in the recently approved labor agreement with the Police Union.
Contingency	636,106	(267,106)	369,000	This is the net change in contingency needed to balance the General Fund.
Total General Fund Requirements	<u><u>224,279,108</u></u>	<u><u>20,348</u></u>	<u><u>224,299,456</u></u>	

**RECAP OF CHANGES BETWEEN THE TENTATIVE BUDGET AND FINAL
BUDGET ORDINANCE**

Other Funds

Parking	6,178,526	164,000	6,342,526	This increase is added to provide funds to purchase a new downtown trolley.
Water Resources Fund	117,939,466	38,553	117,978,019	This increase is due to the addition of an Information Specialist II position during FY15. This position is a shared with Marketing and will assist in the public relations issues/efforts needed by the Water Resources Department.
Stormwater, Pavement and Traffic Operations	12,231,462	10,000	12,241,462	This change reflects funding included in an interlocal with Pinellas County for the maintenance of regulatory zone signage, time extension and other modifications. The offsetting revenue change is included above.
Building Permit Special Revenue	4,448,120	229,308	4,677,428	This increase is to fund additional inspections during FY16, two new Building Inspectors (\$184,308), and two inspection vehicles (\$45,000). These expenses are offset with revenue included above.
Total Other Funds Requirements	<u><u>140,797,574</u></u>	<u><u>441,861</u></u>	<u><u>141,239,435</u></u>	

CAPITAL IMPROVEMENT FUNDS

**** CHANGES IN REQUIREMENTS ****

FUND	RECOMMENDED	PROPOSED	ORDINANCE	REASONS
	BUDGET	CHANGE		
LS#87 Child Park Force Main	4,000,000	(500,000)	3,500,000	This funding is being moved within the Sanitary Sewer Collection System project category to provide for additional annual pipe repair lining.
Annual Pipe Repair Lining Contract	1,000,000	500,000	1,500,000	This funding is being moved within the Sanitary Sewer Collection System project category to provide for additional annual pipe repair lining.

RESOLUTION NO. _____

**A RESOLUTION ADOPTING A FINAL
MILLAGE RATE FOR THE FISCAL YEAR
ENDING SEPTEMBER 30, 2016; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the amounts of money necessary to be raised from taxation to carry on the government of the City of St. Petersburg for the fiscal year ending September 30, 2016, have been tentatively determined.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that it has been determined that in order to raise and produce the funds necessary to carry on the government of the City of St. Petersburg for the fiscal year ending September 30, 2016, there is hereby levied for said year, the various taxes set out in Sections 1 and 2, inclusive of this Resolution, to wit:

SECTION 1. The final millage rate for the fiscal year ending September 30, 2016, is hereby fixed and adopted at 6.7700 mills on the dollar of the assessed value of property of every kind liable for or subject to taxation by the City of St. Petersburg, Florida.

SECTION 2. The final millage rate referred to in the preceding Section shall be levied for the following purposes:

<u>Purpose</u>	<u>Mills</u>
General Fund Operating Levy	6.7700

SECTION 3. The final millage rate adopted herein represents an increase of 5.51% over the rolled back rate of 6.4164 mills computed pursuant to the TRIM Act (Section 200.065, Florida Statutes, 2015, as amended).

This resolution shall become effective immediately upon its adoption.

APPROVED BY DEPARTMENT



Budget Department

APPROVED AS TO FORM AND SUBSTANCE



City Attorney

ATTACHMENT D

ORDINANCE NO. 196-H

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016; MAKING APPROPRIATIONS FOR THE PAYMENT OF THE OPERATING EXPENSES OF THE CITY OF ST. PETERSBURG, FLORIDA, INCLUDING ITS UTILITIES, AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST OF REVENUE BONDS, AND OTHER OBLIGATIONS OF THE CITY OF ST. PETERSBURG, FLORIDA; MAKING APPROPRIATIONS FOR THE CAPITAL IMPROVEMENT PROGRAM OF THE CITY OF ST. PETERSBURG, FLORIDA; MAKING APPROPRIATIONS FOR THE DEPENDENT SPECIAL DISTRICTS OF THE CITY; ADOPTING THIS APPROPRIATION ORDINANCE AS THE BUDGET FOR THE CITY FOR FISCAL YEAR ENDING SEPTEMBER 30, 2016; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. That for payment of operating expenses and obligations of the City of St. Petersburg, Florida, for the fiscal year ending September 30, 2016, there is hereby appropriated out of any money in the Treasury of the City and any accruing revenues of the City available for said purposes to the Funds and for the purposes hereinafter set forth, the sum of monies shown in the following schedules:

OPERATING FUNDS

GENERAL FUND

Police	96,902,769
Fire	31,681,378
Leisure Services Administration	41,540,624
Neighborhood Affairs Administration	6,176,922
General Government Administration	30,714,795
Public Works Administration	9,925,473
City Development Administration	<u>7,357,495</u>
Total – General Fund	\$224,299,456

ENTERPRISE FUNDS

Water Resources	117,985,865
Water Cost Stabilization	1,317,000
Stormwater	12,241,462
Sanitation	45,360,561
Sanitation Equipment	3,775,000
Parking	6,342,526
Mahaffey Theater	3,811,542
Coliseum	797,893
Sunken Gardens	1,083,514
Tropicana Field	2,350,896

ATTACHMENT D

Airport	1,145,615
Marina	3,915,416
Golf Courses	3,722,513
Jamestown	578,161
Port	<u>350,082</u>
Total - Enterprise Funds	\$204,778,046

SPECIAL REVENUE FUNDS\OPERATING

Emergency Medical Services	12,798,165
Local Assistance Housing (SHIP)	350,000
Law Enforcement Fund	99,600
Grant Funds (CDBG, HOME, ESG, NSP)	3,097,526
Miscellaneous Donation Funds	1,000,000
Building Permit Special Revenue Fund	<u>4,677,428</u>
Total Special Revenue Funds\Operating	\$22,022,719

INTERNAL SERVICE FUND RESERVES

Municipal Office Buildings	197,011
Billing and Collections	<u>1,003,356</u>
Total-Internal Service Fund Reserves	\$1,200,367

TOTAL - ALL OPERATING FUNDS **\$452,300,588**

SPECIAL REVENUE FUNDS\NON OPERATING

Assessments Revenue	14,304
School Crossing Guard Trust	300,000
Weeki Wachee	298,000
Arts in Public Places	35,000
Professional Sports Facility Sales Tax	<u>2,000,004</u>
Total - Special Revenue Funds\Non-Operating	\$2,647,308

DEBT SERVICE FUNDS

JP Morgan Chase	3,244,565
First Florida Government Financing Commission Notes	2,699,250
Bank of America Notes	195,259
BB&T Notes	774,922
Stadium (Excise Tax) Debt Service	16,924,490
Pro Sport Facility Sales Tax Debt	429,742
Water Resources Debt	24,113,550
Stormwater Debt	1,055,930
Sanitation Debt	<u>1,274,024</u>
Total - Debt Service Funds	\$50,711,732

TOTAL - OPERATING BUDGET APPROPRIATIONS **\$505,659,628**

ATTACHMENT D

SECTION 2. For the payment of capital improvements as set forth in the Capital Improvement Program, there is hereby appropriated from the monies in the Treasury of the City and any accruing revenues of the City available for said purposes to the funds and for the purposes heretofore set forth, the sum of monies as shown in the following schedules:

CAPITAL IMPROVEMENT FUNDS

GENERAL CAPITAL IMPROVEMENT FUND

Intown Streetscape Improvements	200,000
Municipal Office Building Repairs & Improvements	740,000
General Capital Total	\$940,000

HOUSING CAPITAL IMPROVEMENT FUND

Legal Collection Expense	50,000
Construction Warranty	50,000
Housing Initiatives South St. Pete CRA	<u>100,000</u>
Housing Total	\$200,000

PUBLIC SAFETY CAPITAL IMPROVEMENT FUND

Police Take Home Cruisers	760,000
Fire Engine 13 Replacement	372,000
Fire Ladder Truck 11 Replacement	569,000
Fossil Park Fire Station 7 Replacement	<u>3,580,000</u>
Public Safety Total	\$5,281,000

NEIGHBORHOOD & CITYWIDE INFRASTRUCTURE IMPROVEMENT

Special Assessments Administration	100,000
Neighborhood Partnership Grants	175,000
Neighborhood Enhancements	175,000
Street & Road Improvements	4,500,000
Curb Replacement/Ramps	500,000
Sidewalk Reconstruction/Expansion	600,000
Roser Park Street Improvements	450,000
Alley Reconstruction - Unpaved	300,000
Lighted LED Street Signs	115,000
Roadway Ride-Ability Improvements	247,000
Bicycle Pedestrian Facilities	100,000
Comp Streetscaping/Greenscaping	250,000
Skyway Marina Pedestrian Lighting	600,000
Intersection Modification	50,000
Neighborhood Transportation Management Program	100,000
Sidewalks-Neighborhood & ADA Ramp	70,000
Sidewalks-Pinellas County Interlocal	1,700,000
Wayfinding Signage and Sign Replacement	150,000
Bridge Reconstruction/Load Testing	250,000
Emergency Dredging Small Boat Channels	50,000
4th St & 14 A/N to Crescent Lake SDI	700,000
8 th Avenue S at 44 th Street South	750,000

ATTACHMENT D

Drainage Line Rehab/Replacement	700,000
Stormwater Vaults	300,000
Seawall Renovation & Replacement	<u>400,000</u>
Neighborhood & Citywide Total	\$13,332,000

RECREATION & CULTURE CAPITAL IMPROVEMENT

Frank Pierce Center Renovations/Improvements	500,000
Mirror Lake Complex Upgrades	150,000
Recreation Center Improvements	175,000
Sunshine Center Improvements	50,000
Swimming Pool Improvements	300,000
Athletic Complex Restrooms/Concessions	415,000
Athletic Facilities Improvements	200,000
Dugout Improvements	60,000
Indian Mounds Restoration/Improvements	750,000
Boyd Hill Preserve Boardwalk Replacement	100,000
Lake Maggiore/Boyd Hill Park	500,000
Park Facilities Improvements	250,000
Parking Lot Improvements	125,000
Parks Lighting Improvements	125,000
Play Equipment Replacement	250,000
Playlot Improvements	130,000
Restoration to Park Fountains/Statues	100,000
Sunken Gardens Park Improvements	160,000
Main Library Parking Improvements & Expansion	450,000
Radio Frequency Identification System	325,000
Library Improvements	200,000
Mahaffey Theater Improvements	400,000
Mahaffey Theater Banquet Facility Improvements	350,000
Coliseum Improvements	<u>200,000</u>
Recreation and Culture Total	\$6,265,000

CITY FACILITIES CAPITAL IMPROVEMENT FUND

Dwight Jones Neighborhood Center Improvements	55,000
Fire Station Major Improvements	100,000
Jamestown-Pinellas County Interlocal	2,000,000
City Facilities Roof Waterproofing	200,000
City Facility HVAC Replace/Upgrade	150,000
Fire Station 4 HVAC	185,000
Leisure Services Complex HVAC	400,000
Infrastructure to be Determined	200,000
Airport Southwest Hangar Redevelopment	50,000
Environmental Cleanup Projects	<u>50,000</u>
City Facilities Total	\$3,390,000

DOWNTOWN PARKING CAPITAL PROJECTS

ATTACHMENT D

Sundial Garage Elevator Upgrade	132,000
Sundial Garage Lighting Upgrade	100,000
Sundial Garage Technology Upgrade	100,000
New Meter Technology	200,000
South Core Garage Technology Upgrades	<u>250,000</u>
Downtown Parking Total	\$782,000

WATER RESOURCES CAPITAL PROJECTS FUND

Water Treatment/Supply	213,000
Water Distribution System Improvements	7,389,000
Sanitary Sewer Collection System	8,361,000
Lift Station Improvements	4,250,000
Water Reclamation Facilities Improvements	68,664,000
Reclaimed Water System Improvements	125,000
Water Resources Building Improvements	85,000
SRF Arts Projects	319,000
Computerized Systems Improvements	<u>100,000</u>
Water Resources Total	\$89,506,000

STORMWATER DRAINAGE CAPITAL PROJECTS

4 th Street & 14 th Avenue North to Crescent Lake SDI	800,000
8 th Avenue South at 44 th Street South	500,000
Stormwater Vaults	200,000
Minor Storm Drainage	250,000
Drainage Line Rehab Replacement	<u>800,000</u>
Storm Drainage Total	\$2,550,000

AIRPORT CAPITAL PROJECTS FUND

Airport SW Hanger Redevelopment (Phase 3 & 4)	700,000
Taxiway C Rehab	<u>121,000</u>
Airport Total	\$821,000

MARINA CAPITAL PROJECTS FUND

Marina Facility Improvements	<u>165,000</u>
Marina Total	\$165,000

BICYCLE/PEDESTRIAN SAFETY GRANTS

Bicycle Facility 30 th Avenue North; MLK to 58 th Street	2,734,000
Sexton Elementary Sidewalk	<u>48,000</u>
Bicycle/Pedestrian Grants Total	\$2,782,000

TRANSPORTATION IMPACT FEES CAPITAL PROJECTS

28 th Street Trail – GATISAF	500,000
City Trails – Bicycle Trails	500,000
Complete Streets	450,000
Downtown Intersection Pedestrian Facilities	250,000

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Traffic Signal Mast Arm Program	300,000
Sidewalk Expansion Program	200,000
Traffic Safety Program	<u>250,000</u>
Transportation Total	\$2,450,000

TOTAL CIP FUNDS **\$128,464,000**

SECTION 3. For dependent districts of the City, for the fiscal year ending September 30, 2016, there are hereby appropriated from the monies and revenues of said districts the sum of monies shown on the following schedule:

DEPENDENT DISTRICTS

Health Facilities Authority	14,000
Downtown Redevelopment District	<u>4,111,147</u>
Total - Dependent Districts	\$4,125,147

SECTION 4. Within the appropriations in Section 1, the following allocations are authorized:

INTERNAL SERVICE ALLOCATIONS

Fleet Management	16,069,685
Equipment Replacement	6,918,227
Municipal Office Buildings	2,855,809
Technology Services	10,692,266
Technology and Infrastructure	1,744,478
Supply Management	491,425
Health Insurance	46,116,760
Life Insurance	790,711
Self Insurance	3,472,424
Commercial Insurance	5,143,673
Workers Compensation	11,159,132
Billing & Collections	<u>7,266,230</u>
Total - Internal Services	\$112,720,820

COMMUNITY SUPPORT ALLOCATIONS

Social Services	487,800
Pinellas Hope/Emergency Beds	100,000
Homeless Services	179,435
St. Vincent DePaul	120,565
Turning Point	125,000
Arts	250,000
Write Field	30,000
St. Petersburg Festival	35,000
First Night	25,000
Dr. Carter G. Woodson Museum	32,000
Museum of History	12,000

ATTACHMENT D

MLK Parade Free Speech Event	17,000
MLK Event	35,000
Blue Ocean Film Festival	25,000
Early Childhood Development Program	50,000
Florida Orchestra	38,000
Reads to Me	50,000
Economic Development	1,026,950
Main Streets	176,000
Workforce Readiness	35,000
Neighborhood Grants	30,000
After School Work Program	125,000
Summer Youth Intern	<u>300,000</u>
Total-Community Support	\$3,304,750
Subsidies:	
Mahaffey Theater	439,587
Coliseum	253,500
Sunken Gardens	170,000
Tropicana Field	1,400,000
Jamestown	64,500
Port	<u>222,500</u>
Total-Subsidies	\$2,550,087
Transfers:	
Economic Stability	500,000
South St. Petersburg TIF	285,773
Downtown TIF	6,473,439
Bayboro TIF	45,666
Intown West TIF	<u>458,454</u>
Total-Transfers	\$7,763,332
Contingency	<u>369,000</u>
Total – Non-Departmental	\$13,987,169

SECTION 5. The following categories are established as committed fund balances for future appropriation in the General Fund. The final amount will be determined subsequent to year-end when the actual results and ending balances for all funds has been determined. Commitment amounts can be changed by a resolution of City Council in accordance with the City Charter:

Operating Re-appropriations—Funds that are rolled over for purchases that could not be made in the previous year due to timing or other issues.

Land Sale Proceeds—This category was created to provide a funding source for acquiring property. Proceeds from the sale of city properties valued at less than \$20,000 are deposited

ATTACHMENT D

in the General Operating Fund and are to be used for acquiring property according to Resolution 2002-126 adopted by the City Council on February 21, 2002.

Qualified Target Industry (QTI) Tax Refund Program—This category was established to provide the city's share of payments over the next five years for the QTI program, which provides funds to local businesses for the purpose of stimulating economic growth and employment.

Local Agency Program (LAP)-This category is established to provide the city's share of commitments for maintenance of city roads and trails as a result of grant agreements with the Florida Department of Transportation (FDOT).

FY15 General Fund Operating Surplus -This category represents funds that will be applied first toward youth employment programs and then secondly to the Economic Stability Fund.

These commitment categories are effective as of the date of this ordinance which is prior to the end of the Fiscal Year 2015.

SECTION 6. After passage of this ordinance, changes to the allocation amounts listed in Section 4 may be accomplished in the same manner as changes to appropriations pursuant to City Charter Section 3.14.

SECTION 7. This appropriation ordinance is hereby adopted as the budget for the City of St. Petersburg for the fiscal year ending September 30, 2016.

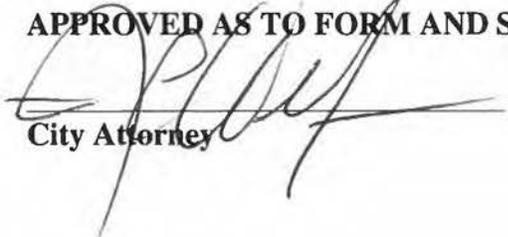
SECTION 8. In the event this Ordinance, or any line item, is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk 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, or any line item, 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 BY DEPARTMENT:



Budget Department

APPROVED AS TO FORM AND SUBSTANCE:



City Attorney

RESOLUTION NO.

**A RESOLUTION ADOPTING THE
RECOMMENDED MULTI-YEAR CAPITAL
IMPROVEMENT PROGRAM FOR THE CITY
OF ST PETERSBURG, FLORIDA; AND
PROVIDING AN EFFECTIVE DATE.**

BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the recommended multi-year Capital Improvement Program covering the Fiscal Years 2016 through 2020 is approved.

BE IT FURTHER RESOLVED, that appropriations for the Capital Improvement Program for FY 2016 have been incorporated into the annual budget/appropriation ordinance.

BE IT FURTHER RESOLVED, that City Council may amend this program by approval of subsequent supplemental appropriation resolutions or appropriation transfer resolutions, as provided by the City Charter.

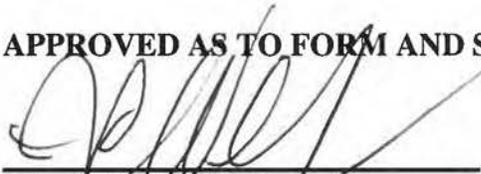
This resolution shall become effective immediately upon its adoption.

APPROVED BY DEPARTMENT:



Budget Department

APPROVED AS TO FORM AND SUBSTANCE:



City Attorney (Designee)

Document No. 181725

AN ORDINANCE AMENDING THE HISTORIC AND ARCHAEOLOGICAL PRESERVATION OVERLAY SECTION OF THE ST. PETERSBURG CITY CODE; PROVIDING FOR SUBSTANTIAL INCREASES IN THE REQUIREMENTS OF MANY ASPECTS OF HISTORIC PRESERVATION; DECREASING THE REQUIREMENTS FOR DESIGNATION OF AN HISTORIC DISTRICT; ADDING NOTIFICATION REQUIREMENTS FOR NON-OWNER INITIATED APPLICATIONS; PROVIDING FOR ADDITIONAL CONSIDERATION OF THE SEVEN FACTORS OF INTEGRITY; PROVIDING FOR DESIGNATION OF SPECIAL PROPERTIES; PROVIDING FOR A PROCESS TO MODIFY HISTORIC DISTRICTS; PROVIDING FOR ADDITIONAL REQUIREMENTS BEFORE ALLOWING THE DEMOLITION OF EXISTING STRUCTURES; PROVIDING FOR ADDITIONAL REQUIREMENTS FOR GROUND DISTURBING ACTIVITY AT ARCHAEOLOGICAL SITES; REQUIRING A CERTIFICATE TO DIG FOR POSSIBLE ARCHAEOLOGICAL SITES; PROVIDING FOR PROHIBITED PRACTICES AT ARCHAEOLOGICAL SITES; MODIFYING PROCEDURES AND REQUIREMENTS TO OBTAIN AD VALOREM TAX EXEMPTIONS; AMENDING DEFINITIONS AND PROVIDING FOR NEW DEFINITIONS; MODIFYING PROCEDURES AND REQUIREMENTS FOR TRANSFERS OF DEVELOPMENT RIGHTS FOR HISTORIC PROPERTIES; PROVIDING FOR FEES; PROVIDING FOR PENALTIES; PROVIDING FOR CLARIFICATION OF EXISTING LANGUAGE; CORRECTING TYPOGRAPHICAL INCONSISTENCIES; PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. Section 16.30.070 of the St. Petersburg City Code is hereby amended to read as follows:

SECTION 16.30.070. HISTORIC AND ARCHAEOLOGICAL PRESERVATION OVERLAY

16.30.070.1. Generally

- A. The City Council declares as a matter of public policy that the preservation, protection, perpetuation and use of local landmarks, ~~landmark sites and historic districts~~ is a public necessity because they have a special historic, architectural, archaeological, aesthetic or

cultural interest and value and thus serve as visible and tangible reminders of the history and heritage of this eCity, the state and nation. The eCouncil finds that this section benefits the City's residents and property owners and declares as a matter of public policy that this section is required in the interest of the health, prosperity, safety, welfare and economic well-being of the people.

B. The purpose of this section is to:

1. Effect and accomplish the preservation, protection, perpetuation and use of local landmarks, landmark sites, thematic groupings and historic districts having a special historic, architectural, archaeological, aesthetic or cultural interest and value to this eCity, the state and nation;
2. Promote the educational, cultural, economic and general welfare of the people and to safeguard the City's history and heritage as embodied and reflected in such local landmarks, sites and districts;
3. Stabilize and improve property values in historic districts and in the City as a whole;
4. Foster civic pride in the value of notable accomplishments of the past;
5. Strengthen the economy of the City;
6. Protect and enhance the City's attractions to residents, tourists and visitors and serve as a support and stimulus to business and industry;
7. Enhance the visual and aesthetic character, diversity and interest of the City;
8. Provide for incentives to renovate or rehabilitate historic structures by implementing State law (currently F.S. §§ 196.1997 and 196.1998) relating to exemption of certain ad valorem taxes for historic properties.

16.30.070.2.2. Definitions.

Definitions shall be as provided in the rules of interpretation and definitions section and Chapter 1.

16.30.070.2.3. Designation of Community Planning and Preservation Commission.

It is hereby established that the Community Planning and Preservation Commission shall serve as the Commission responsible for matters pertaining to historic and archaeological preservation as provided in this overlay section. It is the City Council's intent that this Commission shall meet the requirements of the state and federal ~~e~~Certified ~~H~~Local ~~g~~Government program. When a new member is appointed by the Mayor and confirmed by City Council, the professional education and qualifications of the new member should be considered to ensure that the requirements of the ~~e~~Certified ~~H~~Local ~~g~~Government program are met. When necessary, persons serving on the Commission shall attend educational meetings to develop a special interest, experience or knowledge in history, architecture, or related disciplines.

16.30.070.2.4. Powers and duties of the Commission.

- A. In addition to the powers and duties stated elsewhere, the Commission shall take action necessary and appropriate to accomplish the purposes of this section. These actions may include, but are not limited to:
1. Continuing the survey and inventory of historic buildings and areas and archaeological sites and the plan for their preservation;
 2. Recommending the designation of ~~historic and thematic districts and individual~~ local landmarks and landmark sites;
 3. Regulating alterations, demolitions, relocations, and new construction to local landmarks designated property;
 4. Recommending specific design review criteria for local landmarks designated property;
 5. Working with and advising the federal, state and county governments and other departments or commissions of the City ~~city government~~;
 6. Advising and assisting property owners and other persons and groups including neighborhood organizations who are interested in historic preservation;
 7. Initiating plans for the preservation and rehabilitation of individual historic buildings; and
 8. Undertaking educational programs including the preparation of publications and placing of historic markers.

- B. The Commission shall review all nominations of a local property to the National Register of Historic Places (NRHP) following the regulations of the Florida Division of Historical Resources ~~state division of historical resources of the department of state~~. The Commission shall also ask the Mayor and the chairman of the board of county commissioners for their written opinion as to whether or not each property should be nominated to the NRHP National Register. The Commission shall conduct a public hearing to consider the nomination and publish and mail notice as provided in the supplemental notice section of the application and procedures ~~appeals~~ section. When necessary, the Commission shall seek expert advice before evaluating the nomination. The Commission shall forward to the state historic preservation officer its action on the nomination and the recommendations of the local officials.

When a property owner objects to having their property nominated to the National Register, a notarized written statement from the property owner must be requested by the POD ~~submitted to the Commission~~ before the nomination is considered. The Commission may then continue its review, forwarding its recommendation to the state historic preservation officer noting the property owner's objection or it may cease any further review process and notify the state historic preservation officer of the property owner's objection to the proposed listing.

- C. In the development of the certified local government program, the City Council may ask the Commission to perform other responsibilities that may be delegated to the City under the National Historic Preservation Act.
- D. The Commission shall conduct at least four public hearings a year to consider historic preservation issues. ~~Applicants shall be given written notification of the Commission's decisions.~~ The Commission shall prepare and keep on file available for public inspection a written annual report of its historic preservation activities, cases, decisions, qualifications of members and other historic preservation work.
- E. The Commission shall receive assistance in the performance of its historic preservation responsibilities from the POD ~~who~~ which shall provide expertise in historic preservation or a closely related field. Other ~~e~~City staff members may be asked to assist the Commission by providing technical advice or helping in the administration of this section.

16.30.070.2.5. Designation of local landmarks, ~~landmark sites and historic districts and thematic groupings.~~

A. *Generally.* Upon recommendation of the Commission, the City Council shall consider local landmark designation by ordinance of individual buildings, structures, objects, landmarks, landmark archaeological sites, thematic groupings and local historic districts and multiple property landmarks. An application for the creation of TDR, H credits and/or for a historic ad valorem tax exemption may be processed simultaneously with an application for designation. ~~Each designation of a landmark shall include a designation of a landmark site. When an owner objects to an application involving designation of their property, other than a historic district, approval by the Commission and City Council shall require a super majority vote.~~

B. *Application requirements.* Consideration of the designation of a local landmark and landmark site, thematic grouping or a historic district shall be initiated by the filing of an application for designation by the property owner, any resident of the City or any organization in the City, including the City. The City shall charge a fee for each application, ~~which reflects processing costs for the application except that such~~ Such fee shall be waived for eCity-initiated applications and properties listed in, or, upon demonstration of a pending application, proposed to be listed in the NRHP. The POD shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

1. Generally. The applicant shall complete an application form provided by the POD which shall include:

1a. A written description of the architectural, historical, or archaeological significance of the proposed local landmark and landmark site or structures in the proposed thematic grouping or historic district and specifically addressing and documenting those related points contained in the criteria of this section;

2b. The date Date of construction of each of the structures on the property;

3c. Photographs of the property; and

4d. The Legal description and a map of the property to be designated as a local landmark or upon which the local landmark is located, landmark site, thematic grouping or historic district.

2. Additional requirements for historic districts. On applications for the designation of historic districts, the applicant shall also submit:

- 1a. Evidence of the approval support of the historic district from the owners of fifty percent plus one tax parcel (50%+1) (e.g. if there are 201 tax parcels, 50% = 100 ½ tax parcels, plus one would equal 101 ½ which would mean 102 tax parcels must vote in favor), two-thirds of the properties tax parcels within the proposed district except for eCity initiated applications. Such evidence shall be obtained in the following manner: the City shall mail to all property owners of each tax parcel within the proposed historic district, as listed in the Public Records of Pinellas County, a City issued ballot requesting the owner to return by mail a signed ballot showing support or opposition/nonsupport for the application; the POD shall obtain a certificate of mailing on the date of the mailing, and only City issued ballots that have a postmark within 60 days of the date of mailing, or have been physically received by the POD within 60 days the date of mailing and have been date stamped by the City, shall be counted; the response for each tax parcel shall be counted as one vote, if more than one owner of a tax parcel responds and one or more owners show opposition/nonsupport then the property shall not be found to support the application; each tax parcel (which may be more than one lot) shall be a 'property'; City owned tax parcels shall not have a vote and shall not be counted toward the total number of tax parcels; the POD shall not accept an application which does not meet this requirement; once a signed ballot is received by the City, the signor's position may not be changed for the purposes of meeting the requirements of the application minimum (such persons may express any change of opinion or vote in any other legal manner); applications must be filed within six months of a determination by the City that the requirements of this subparagraph have been complied with in their entirety;
- 2b. Justification for the formation of the historic district based on the criteria for designation;
- c. A written description of the boundaries of the district which shall include a map;
and
- 3d. A list of contributing and noncontributing resources.

~~The POD shall determine when an application is complete and may request additional information when such application is determined to be incomplete.~~

C. Additional requirements.

1. When an owner objects to an application involving designation of their property, other than when in a local historic district, approval by the Commission and City Council shall require a super majority vote.
2. A designation application made by a nonowner shall not be made or accepted for a property with an unexpired site plan approval.
3. If a designation application for an individual property has been made by a nonowner and has been denied, no application to designate the same property (unless it is part of a local historic district designation application) shall be accepted by the POD for five (5) years from the date of the final public hearing unless initiated by the property owner.
4. One complete copy of a nonowner initiated designation application for an individual property shall be provided by the applicant to each property owner (and may be made to any legal person of interest) as shown in the Public Records of Pinellas County, by certified mail. The application shall not be complete until proof of mailing has been provided to the POD and the POD shall not process the application until complete. The applicant of a nonowner initiated designation application for an individual property shall mail notice of each public hearing at least thirty (30) days prior to each public hearing, to each property owner as shown in the Public Records of Pinellas County by regular mail. The applicant shall provide proof of mailing to the POD at least fourteen (14) days prior to the public hearing.
5. If a ballot process to initiate a designation application for a historic district has failed, no ballot process to designate the same or a substantially similar district may be undertaken by the City for five (5) years from the date of the initiation of the prior failed ballot.

~~Public hearings for designations. The Commission shall schedule a public hearing on the proposed designation within 60 days of the submission of a completed application. Notice of the public hearing and notice to the owner shall state clearly the boundaries for the proposed historic district or the proposed landmark and landmark site.~~

D. *Criteria for designation of property.*

1. The Commission shall recommend the designation of property as a local landmark, landmark site, thematic grouping or historic district after the public hearing based upon if the principal structure is at least fifty (50) years old and it meets one or more of the following criteria:

- 1a. Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation;
 - 2b. Its location is a site of a significant local, state, or national event;
 - 3c. It is identified with a person who significantly contributed to the development of the City, state, or nation;
 - 4d. It is identified as the work of a master builder, designer, or architect whose individual work has influenced the development of the City, state, or nation;
 - 5e. Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance;
 - 6f. It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials;
 - 7g. Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development;
 - 8h. Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development; or
 - 9i. It has contributed, or is likely to contribute, information important to the prehistory or history of the City, state, or nation.
2. If a property meets the criteria for designation set forth in paragraph (1) above, then the Commission shall also consider the following seven (7) factors of integrity as they apply to the property:
- a. Location - the place where the historic property was constructed or the place where the historic event occurred.
 - b. Design - the combination of elements that create the form, plan, space, structure, and style of a property.
 - c. Setting - the physical environment of a historic property.
 - d. Materials - the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

- e. Workmanship - the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- f. Feeling - the property's expression of the aesthetic or historic sense of a particular period of time.
- g. Association - the direct link between an important historic event or person and a historic property.

In order to be designated as a local landmark, a property shall meet at least one (1) of the foregoing factors of integrity; however, feeling and association, without meeting at least one other factor, are insufficient to support designation.

- 2. Special Properties: Cemeteries, birthplaces, or graves of historical figures, structures that have been moved from their original locations, reconstructions of historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty (50) years shall not be considered eligible for designation unless it is an integral part of a historic district that meets the criteria above or if it falls within the following categories;
 - a. A cemetery which derives its primary significance from graves of persons of significance either from its age, from its distinctive design features, or from its association with historic events;
 - b. A birthplace or grave of a historical figure of significance if there is not an appropriate building or site directly associated with the historical figure's life;
 - c. A building or structure removed from its original location but which is significant primarily for its architectural value or which is the surviving structure most importantly associated with a historic person or event;
 - d. An accurate reconstruction of an historic building or structure which was destroyed by catastrophic causes, located in an environment which is compatible with its historic location, presented in an academic manner, and no other building or structure with the same historic significance has survived;
 - e. A property primarily commemorative in intent if its design, age, tradition, or symbolic value has created its own exceptional significance; or
 - f. A property achieving significance within the past fifty (50) years if it is of exceptional importance and meets one or more of the general criteria.
- E. 4. Additional criteria for designation of hexagon block sidewalk preservation areas.

- 1a. Evidence of approval of the property owners of ~~51~~ greater than 50 percent of the linear ~~lineal~~ front footage of property abutting the sidewalks (right-of-way) within the area designated in the application at the time the application is submitted to the POD. For the purposes of this subsection and unless otherwise directed by City Council, the City shall be presumed to approve of the application for designation of hexagon block sidewalk preservation areas for all eCity owned property, excluding rights-of-way, within an area designated in the application. This presumption shall not affect the power of City Council to deny an application. City Council may initiate the designation of a hexagon block sidewalk preservation area without the approval of any owners.
- 2b. The hexagon block sidewalk preservation area contributes an aesthetic or cultural interest and value which enhances the character of the City.
- 3c. A proposed hexagon block sidewalk preservation area shall contain a minimum of four abutting city blocks or a minimum of 1,500 linear ~~lineal~~ feet of sidewalk. Preservation areas should contain at least 66 percent of the total linear ~~lineal~~ feet in hexagon block sidewalk after measuring all sidewalks along the streets within the proposed district.

E. Updating and modifying historic districts.

- 1. The status of properties as either contributing or non-contributing resources within a historic district may be changed by following the same process as required for the initial designation.
- 2. The boundaries of a historic district may be expanded to include (an) adjoining property(ies) at the request of the property owner if the property(ies) meet(s) the designation criteria.
- 3. The boundaries of a historic district may be contracted to exclude (a) property(ies) if the property(ies) no longer meet(s) the criteria for designation and if the contraction does not create an 'enclave' within the historic district or make any portion of the historic district noncontiguous with the remainder of the historic district.
- 4. Approval of the expanded or contracted boundaries shall follow the same process as required for the initial designation, as described in this section. The Commission and City Council shall only consider the properties to be added or removed and shall not re-evaluate the designation of the entire historic district or other properties which are not included in the request.

F. Public hearings for designations. The Commission shall schedule a public hearing on the proposed designation within sixty (60) days of the submission of a completed application. Notice of the public hearing and notice to the owner(s) shall clearly state the boundaries

for the proposed local landmark and notice shall include mailed notice to the owner, and written and posted notice as provided in the applications and procedures section except that no posted notice for an application for a historic district shall be required.

G. *Commission recommendation decision.* After evaluating the testimony, evidence, survey information and other material presented to the Commission at the public hearing, the Commission shall:

1. Recommend approval, denial or approval with modifications of approve, modify, defer or deny the application within sixty (60) days. The Commission may consider the relationship of the proposed designation to the existing and future plans for the development of the City. The
2. Within this sixty (60) day period, the Commission may vote to defer its recommendation decision if adequate information is not available to make a recommendation decision but shall reconsider the application at the earliest opportunity after adequate information is made available.
3. A written report to the City Council on the Commission's recommendation shall be sent for Council's ~~their~~ review and action. If the Commission recommends a designation, it shall explain how the proposed local landmark, thematic grouping or historic district qualifies for designation under the criteria contained in this section. This evaluation may include references to other buildings and areas in the City and shall identify the significant features of the proposed local landmark and landmark site, thematic grouping or historic district. The report shall include a discussion of on the relationship between the proposed designation and existing and future plans for the development of the City. The POD shall promptly notify the applicant and the property owner of the Commission recommendation decision.

GH. *Permit issuance.* ~~If the Commission recommends designation,~~ When a complete (as determined by the POD) application for designation of a local landmark has been submitted, no permits shall be issued for any exterior alteration, new construction, demolition, or relocation on the property which is the subject of the recommendation until one ~~or~~ of the following has occurred:

1. City eCouncil designates the property and a certificate of appropriateness is issued; ~~or~~
2. The application is withdrawn; or
3. The designation is denied by City Council.

4. This prohibition shall not apply to a noncontributing resource within the boundaries of an application for local landmark designation for a local historic district nor shall it apply to permits for ordinary repair and maintenance of contributing resources, as determined by the POD.

HI. City Council review and designation. The City Council shall schedule a public hearing on the proposed designation within sixty (60) days of the Commission recommendation. Notice of the public hearing and notice to the owner(s) shall clearly state the boundaries for the proposed local landmark and notice shall include mailed notice to the owner, and written and posted notice as provided in the applications and procedures section except that no posted notice for an application for a historic district shall be required. After evaluating the testimony, evidence, and other material presented to the Council, and considering the criteria for designation, the Council shall:

1. Approve, deny or approve with modifications of the Commission recommendation.
2. Within this sixty (60) day period, the Council may vote to defer its decision if adequate information is not available to make a decision, but shall reconsider the application at the earliest opportunity after adequate information is made available.
3. In addition to the criteria for designation, Council may also consider the relationship of the proposed designation to the existing and future plans for the development of the City.

~~The City Council shall approve, modify conditions and/or the designation application, defer or disapprove the proposed designation within 60 days of the Commission recommendation. The City Council may vote to defer its decision if adequate information is not available to make a decision but shall reconsider the Commission recommendation at the earliest opportunity after adequate information is made available.~~

4. A decision to reverse a eCommission recommendation, or to approve the designation over an owner objection shall be by a super majority vote. Modification of the boundaries of a proposed local landmark is not a reversal of a Commission recommendation so long as a substantial portion of the recommended area is approved.
5. If a designation is made, the Comprehensive Plan including the land use map shall automatically be amended to show contain the designation with no further action by City Council necessary.

6. The POD shall notify ~~the each~~ applicant and property owner of the decision relating to ~~the his~~ property and shall arrange that notice of the designation of a property as a local landmark or as a part of a historic district is provided to the property appraiser and tax collector so that they may include this information in their public records recorded in the official record books of the county and with the City Clerk.

J. *Amendments and rescissions.* The designation of any local landmark ~~and landmark site, thematic grouping or thematic district~~ may be amended or rescinded through the same procedure utilized for the original designation. Where a physical portion of a local landmark remains, the Commission may consider whether the local landmark has lost its significance as a result of the approval of a COA which required the retention of a portion of the original local landmark.

16.30.070.2.6. Approval of changes to local landmarks, ~~landmark sites, and property in historic districts.~~

A. *Certificate of appropriateness (COA).* No person may undertake any of the following actions affecting a local ~~designated~~ landmark, ~~a designated landmark site or a property in a designated thematic grouping or in a designated historic district~~ without first obtaining a COA certificate of appropriateness:

1. Alteration of a designated archaeological site;
2. Alteration to the exterior part of a building, structure or object within the designated boundary of a local landmark site;
3. New construction;
4. Demolition; or
5. Relocation, including the relocation of a building into a historic district.

Review of new construction and alterations to designated buildings and structures shall be limited to exterior changes. Whenever any alteration, new construction, demolition or relocation is undertaken on a local ~~designated~~ landmark, ~~a designated landmark site or property in a designated thematic grouping or in a designated historic district~~ without a COA certificate of appropriateness, the POD Building Official is authorized to issue a stop work order.

A COA certificate of appropriateness shall be in addition to any other building permits required by law. The issuance of a COA certificate of appropriateness shall not relieve the property owner of the duty to comply with other federal, state and local laws and regulations.

Ordinary repair and maintenance that is otherwise permitted by law may be undertaken without a COA certificate of appropriateness. The final determination of what work that is considered ordinary repair and maintenance shall be made by the POD. Property owners may request the POD to review any scope of work to determine if a COA is required at no charge.

Owners of properties which are subject to a COA certificate of appropriateness review shall will make all artifacts from archaeological sites available to the investigating archaeologists for purposes of analysis and for the reasonable period of time needed for the analysis.

No COA certificate of appropriateness approved by the Commission shall be effective for a period of ten days from the date of approval. If during that ten-day period an appeal is made, the decision shall automatically be stayed during the appeal.

B. *Application procedures for a COA certificates for appropriateness.* Each application for a COA certificate of appropriateness shall be accompanied by the required fee. No permits shall be issued for an alteration, new construction, demolition or relocation affecting a local designated landmark, a designated landmark site, a property in a designated thematic grouping, or a property in a designated historic district without first directing the applicant to the POD to determine if a COA certificate of appropriateness is required. The applicant shall complete an application form provided by the POD City which shall include the following information:

1. Drawings of the proposed work;
2. Photographs of the existing building or structure and adjacent properties;
3. A complete written description of the proposed work which clearly describes shall include information about the building materials to be used;
4. In the case of archaeological sites, a site plan that illustrates the archaeological site boundary and clearly describes any potential impacts or disturbances to the site.

5. The POD shall determine when an application is complete and may request additional information when such application is determined to be incomplete.
6. For relocations, a written statement from the applicant shall be included in the application addressing:
 - a. How the proposed relocation of the local landmark will impact the NRHP seven (7) factors of integrity which contribute to its; and
 - b. Why the relocation is necessary.

C. *Review of a COA ~~certificates of appropriateness for new construction.~~*

1. The Commission shall hold a public hearing and approve, by resolution, a COA certificate of appropriateness approval matrix for local landmarks and archaeological sites ~~designated buildings, structures, sites and contributing and non-contributing structures in a thematic grouping or a historic district.~~ The matrix shall identify which approvals shall be made by the POD and which shall be made by the Commission. Changes to the matrix shall be made in the same manner. Approval of any action which is not specifically identified on the matrix shall be made by the Commission.
2. The decision to approve, approve with conditions, or deny any ~~disapprove each~~ application, shall be based on the criteria contained in this section.
3. The Commission shall hold a public hearing after providing mailed and posted notice as required in the application and procedures section for each COA request requiring Commission approval. The Commission may vote to defer its decision if adequate information is not available to make a decision but shall reconsider the application at the earliest opportunity after adequate information is made available. The Commission shall act within sixty (60) days after the close of the public hearing unless an extension is agreed to by the property owner.
4. The decision by the POD to approve, approve with conditions, or deny any application shall be provided to the owner, and the applicant, if different than the owner. The POD's decision shall be in writing and shall state the reasons for such approval. The POD's decision may be appealed to the Commission by following the procedures for appeals in the Applications and Procedures section, however, only the owner may appeal the POD's decision under this paragraph. The POD shall provide mailed notice to the owner as required in the Application and

Procedures Section for each COA request requiring POD approval at least ten days before making a decision unless this time frame is waived by the owner.

- D. *Modifications to a COA certificates of appropriateness.* Modifications to a COA certificates of appropriateness shall be made only by the Commission or POD, based on the approval matrix, after receipt of a completed application by following the procedures for approval of a COA approving authority. The POD shall determine when an action affects a local designated landmark, designated landmark site, or a property in a designated thematic grouping or in a designated historic district. Modification to any work or materials approved by the COA or any condition of the COA is prohibited without receipt of an approval as set forth herein. Fees for review of a COA certificate of appropriateness shall be established by the City Council.
- E. *General criteria for granting a COA certificates of appropriateness.* In approving or denying applications for a COA certificates of appropriateness for alterations, new construction, demolition, or relocation, the Commission and the POD shall evaluate the following:
1. The effect of the proposed work on the local landmark or the property upon which such work is to be done;
 2. The relationship between such work and other structures on the property landmark site or, if within a historic district, other property in the historic district;
 3. The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, and materials and color of the local landmark or the property will be affected;
 4. Whether the denial of a COA certificate of appropriateness would deprive the property owner of reasonable beneficial use of the his property;
 5. Whether the plans may be reasonably carried out by the applicant;
 6. A COA Certificates of appropriateness for a noncontributing structures in a historic district shall be reviewed to determine whether the proposed work would negatively impact a contributing structure or the historic integrity of the district. Approval of a COA certificate shall include any conditions necessary to mitigate or eliminate the negative impacts.

F. *Additional guidelines for alterations.* In approving or denying applications for a COA certificates of appropriateness for alterations, the Commission and the POD shall also use the following additional guidelines which are based on the United States Secretary of the Interior's Standards for the Treatment of Historic Properties:

1. A local landmark property should be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The distinguishing historic qualities or character of a building, structure, or site and its environment shall be preserved. The removal or alteration of any historic material or distinctive architectural features shall be avoided when reasonable possible.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved;
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where reasonable possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved if designated pursuant to this section. If such resources must be disturbed, mitigation measures shall be undertaken.

G. *Additional guidelines for new construction.* In approving or denying applications for a COA certificates of appropriateness for new construction (which includes additions to an existing structure), the Commission and the POD shall also use the following additional guidelines:

1. The height of the proposed new construction building shall be visually compatible with contributing resources in the district.
2. The relationship of the width of the new construction building to the height of the front elevation shall be visually compatible with contributing resources in the district.
3. The relationship of the width of the windows to the height of the windows in a the new construction building shall be visually compatible with contributing resources in the district.
4. The relationship of solids and voids (which is the pattern or rhythm created by wall recesses, projections, and openings) in the front facade of a building shall be visually compatible with contributing resources in the district.
5. The relationship of the new construction building to open space between it and adjoining buildings shall be visually compatible with contributing resources in the district.
6. The relationship of the entrance and porch projections to sidewalks of the new construction a building shall be visually compatible with contributing resources in the district.
7. The relationship of the materials, and texture and color of the facade of the new construction a building shall be visually compatible with the predominant materials used in contributing resources in the district.
8. The roof shape of the new construction a building shall be visually compatible with contributing resources in the district.
9. Appurtenances of the new construction a building such as walls, wrought iron, fences, evergreen, landscape masses, building facades, shall, if necessary, form cohesive walls of enclosures along a street, to ensure visual compatibility of the new construction building with contributing resources in the district.

10. The size of the new construction a building, the mass of the new construction a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with contributing resources in the district.
11. The new construction A building shall be visually compatible with contributing resources in the district in its directional character, whether this be is the vertical character, horizontal character or nondirectional character.
12. New construction shall not destroy historic materials that characterize the local landmark property. The new construction should be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the local landmark property and its environment.
13. New construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the local landmark historic property and its environment would be unimpaired.

H. *Additional requirements for demolition.* In approving or denying applications for a COA certificates of appropriateness for demolition, the Commission and the POD shall also use the following additional guidelines:

1. The purpose and intent of these additional requirements is to determine that no other feasible alternative to demolition of the local landmark historic structure can be found.
2. No COA certificate of appropriateness for demolition shall be issued by the Commission until the applicant has demonstrated that there is no reasonable beneficial use of the property or the applicant cannot receive a reasonable return on a commercial or income-producing property.

The Commission may solicit expert testimony and should request that the applicant furnish such additional information believed to be necessary and relevant in the determination of whether there is a reasonable beneficial use or a reasonable return. The information to be submitted by a property owner should include, but not be limited to, the following information:

- a. A report from a licensed architect or engineer who shall have demonstrated experience in structural rehabilitation concerning the structural soundness of the building and its suitability for rehabilitation including an estimated cost to rehabilitate the property.

b. A report from a qualified architect, real estate professional, or developer, with demonstrated experience in rehabilitation, or the owner as to the economic feasibility of rehabilitation or reuse of the property. The report should explore various alternative uses for the property and include, but not be limited to, the following information:

i. The amount paid for the property, date of purchase, remaining mortgage amount (including other existing liens) and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.

ii. The most recent assessed value of the property.

iii. Photographs of the property and description of its condition.

iv. Annual debt service or mortgage payment.

v. Real estate property taxes for the current year and the previous two years.

vi. An appraisal of the property conducted within the last two years. The City may hire an appraiser to evaluate any appraisals. All appraisals shall include the professional credentials of the appraiser.

vii. Estimated market value of the property in its current condition; estimated market value after completion of the proposed demolition; and estimated market value after rehabilitation of the existing local landmark for continued use.

viii. Evidence of attempts to sell or rent the property, including the price asked within the last two years and any offers received.

ix. Cost of rehabilitation for various use alternatives. Provide specific examples of the infeasibility of rehabilitation or alternative uses which could earn a reasonable return for the property.

x. If the property is income-producing, submit the annual gross income from the property for the previous two years as well as annual cash flow before and after debt service and expenses, itemized operating and maintenance expenses for the previous two years, and depreciation deduction and projected five year cash flow after rehabilitation.

xi. If the property is not income-producing, projections of the annual gross income which could be obtained from the property in its current condition.

xii. Evidence that the building can or cannot be relocated.

c. The Commission may request that require the applicant to provide additional information to be used in making these determinations of reasonable beneficial use and reasonable return.

d. If the applicant does not provide the requested information, the applicant shall submit a statement to the Commission detailing the reasons why the requested information was not provided.

3. The Commission may ask interested individuals and organizations for assistance in seeking an alternative to demolition.
4. The Commission shall review the evidence provided ~~study the question of economic hardship for the applicant~~ and shall determine whether the property can be put to a reasonable beneficial use or the applicant can receive a reasonable return without the approval of the demolition application. The applicant has the burden of proving that there is no reasonable beneficial use of the property or that the owner cannot receive a reasonable return. If the applicant fails to establish the lack of a reasonable beneficial use or the lack of a reasonable return, the Commission shall deny the demolition application except as provided below.
5. The Commission may condition any demolition approval upon the receipt of plans and building permits for any new structure and submission of evidence of financing in order to ensure that the site does not remain vacant after demolition.
6. The Commission may grant a COA ~~certificate of appropriateness~~ for demolition even though the local ~~designated~~ landmark, ~~designated landmark site~~, or property within a local ~~the designated~~ historic district has reasonable beneficial use or receives a reasonable return if:
 - a. The Commission determines that the property no longer contributes to a local historic district or no longer has significance as a historic, architectural or archaeological local landmark; or
 - b. The Commission determines that the demolition of the designated property is necessary to achieve the purposes of a community redevelopment plan or the Comprehensive Plan.
7. The Commission may, at the owner's expense, require the recording of the property for archival purposes prior to demolition. The recording may include, but

shall not be limited to, video recording, photographic documentation with negatives and measured architectural drawings.

I. *Additional guidelines for relocation. In approving or denying applications for a COA*
~~When an applicant requests a certificate of appropriateness for the relocation of a local landmark, a building or structure on a landmark site, or a building or structure in a historic district or to relocate a building or structure to a landmark site or to a property in historic district, the Commission and the POD shall also use~~ consider the following additional guidelines:

1. The contribution the local landmark ~~designated building or structure~~ makes to its present setting;
2. Whether there are definite plans for the property the local landmark ~~designated structure~~ is being moved from;
3. Whether the local landmark ~~designated building or structure~~ can be moved without significant damage to its physical integrity; and
4. The compatibility of the local landmark ~~building or structure~~ to its proposed site and adjacent properties ~~in the historic district~~.
5. If the structure is a noncontributing resource, the compatibility and impact of the noncontributing resource on abutting contributing resources and the historic district.
6. The property owner may be required to obtain an approved site plan before permits may be issued to relocate a local landmark.

J. *Additional guidelines for window replacement. Property owners may replace older single pane, double hung windows as long as they meet the following criteria:*

1. The replacement window must fit into the same opening as the original window;
2. A sash kit is preferred; in any event, the trim and frame of the window must be retained;
3. The replacement shall be double hung;

4. The replacement shall be the same configuration (e.g. 6 over 1) as the original window;
5. The dividers shall look the same as the original to the extent that is commercially reasonable;
6. The window shall be inset within the frame in the same position as the original window; and
7. The finish shall have the closest appearance to original to the extent that is commercially reasonable.

K. *Additional guidelines for construction in hexagon block sidewalk preservation areas.* In approving or denying applications for a COA for construction in hexagon block sidewalk preservation areas, the Commission and the POD shall also use the following additional guidelines:

1. The responsibility for proper repair of hexagon block sidewalks within a preservation area shall be governed by eCity policies and ordinances.
2. All construction shall be done in accordance with eCity sidewalk specifications and shall be inspected by the POD.
3. All construction must obtain all required permits.
4. The replacement and/or repair of existing hexagon block sidewalks shall be made with hexagon block.
5. The replacement and/or repair of existing concrete sidewalks shall be made with hexagon block.
6. All new sidewalk construction shall be made with hexagon block.
7. The abutting property owner shall be responsible for the expenses associated with the construction and repair of hexagon block sidewalks as set forth in city policies concerning sidewalk assessments.

L. *Additional guidelines for archaeological sites.* In approving or denying applications for a COA for activity on archaeological sites, the Commission and the POD shall also use the following additional guidelines which are based on the United States Secretary of the Interior's Standards for the Treatment of Historic Properties:

1. Any ground disturbing activity requires approval of a COA. Archaeological resources should be left undisturbed. The existing form, integrity, and materials of the archaeological site should be retained. Ground disturbing activity should be located to avoid known archaeological sites. Where avoidance of ground disturbing activity on or near the archaeological site is not possible, projects shall be designed to avoid or minimize ground disturbance.
2. Stabilization of an archaeological site to arrest and inhibit deterioration is recommended and should be done in such a way as to detract as little as possible from its appearance and significance and not adversely affect its research potential unless adequate data recovery has occurred. Stabilization by vegetation, installation of rip rap or landscape netting, burial, or other alteration will be undertaken only after sufficient research or experimentation to determine the probable effectiveness of the action and only after existing conditions are fully documented. A complete record of stabilization work shall be provided to the City.
3. Ground disturbing activities should be employed only when necessary to provide sufficient information for research, interpretation, and management needs. Excavated areas should be backfilled or otherwise stabilized.
4. The use of heavy machinery or equipment is discouraged and such equipment shall be used in a manner to reduce the impact to known archaeological resources on an archaeological site. The applicant shall provide justification for their use when necessary and their use will be subject to conditions of approval to minimize the impact on known archaeological resources on an archaeological site.
5. For a major disturbance which occurs when preservation of significant archaeological resources in place is not reasonable, a professional archaeologist shall be used to survey the site to determine the potential impact and exact location of significant archaeological resources prior to any ground disturbing activities. If avoidance of an impact is not possible, a professional archaeologist shall document the site, shall monitor construction activities, and shall be given an opportunity to excavate and preserve any archaeological resources. Such work shall be performed by a professional archaeologist who meets the professional qualification standards set forth in the Secretary of the Interior's Standards for Archaeology and Historic Preservation (36 CFR pt. 61).
6. For a minor disturbance which occurs when preservation of significant archaeological resources in place is reasonable but ground disturbing activities will occur on the site, a professional archaeologist or individuals certified by the Florida Department of State, Bureau of Archaeological Research, Archaeological Resource Management Training shall monitor construction activities.
7. Recovered archaeological resources shall be recorded, cataloged, and curated or reinterred on site when possible. A complete record as to their original location, location to be stored or reinterred, and the stabilization of the site shall be provided to the City.

8. Significant archaeological resources affected by ground disturbing activity shall be protected and preserved.

M. Emergency conditions; designated properties. In any case where the Building Official ~~POD~~ determines that there are emergency conditions dangerous to life, health or property affecting a local landmark, ~~a landmark site~~, or a property in a ~~thematic or~~ historic district, the Building Official ~~POD~~ may order the remedying of these conditions (including demolition) without the approval of the Commission or issuance of a required COA certificate of appropriateness. The ~~POD~~ shall promptly notify the ~~chairman of the~~ Commission and the ~~staff liaison for the Commission~~ of the action being taken.

16.30.070.2.7. Appeals.

Decisions of the ~~POD~~ may be appealed to the Commission. Decisions of the Commission may be appealed to City Council.

16.30.070.2.8 9. Conformity with the COA certificate of appropriateness.

All work performed pursuant to a COA certificate of appropriateness shall conform to all provisions of such COA certificate. The ~~POD~~ may inspect any work being performed to ensure such compliance. In the event work is not in compliance with such COA certificate, the Building Official ~~POD~~ may issue a stop work order. No additional work shall be undertaken as long as such stop work order is in effect.

16.30.070.2.9 10. Maintenance and repair of local landmarks, landmark sites, and property in historic districts.

A. Every owner of a local landmark, ~~a landmark site~~, or a property in a ~~thematic grouping or a historic district~~ shall protect the local landmark against any fault, defect, or condition of the local landmark which renders it structurally unsafe or not watertight and shall keep it in good repair including:

1. All of the exterior portions of such buildings or structures including but not limited to all roofing materials and roof components, window glass, window frames and sashes, exterior doors and door frames;
2. All interior portions thereof which, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair; and

3. In addition, where the landmark is ~~an~~ a designated archaeological site, the owner shall ~~be required to~~ maintain the property in such a manner so as not to adversely affect the archaeological integrity of the site.

~~B. The Commission may refer violations of this section to the POD for enforcement proceedings on any designated building or structure so that such building or structure shall be preserved in accordance with the purposes of this section.~~

Compliance. The property owner and any other person having possession or control of a local landmark shall comply with the City's minimum building standards and repair the local landmark if it is found to have any of the defects listed above. In addition, the property owner and any other person having possession or control of the local landmark shall keep all property, including vacant property, clear of all fallen trees or limbs, debris, abandoned vehicles, and all other refuse as specified under the City's minimum building codes and ordinances. The provisions of this section shall be supplemental to any other laws requiring buildings and structures to be kept in good repair.

~~C. The provisions of this section shall be in supplemental to any other laws requiring buildings and structures to be kept in good repair.~~

Enforcement.

1. The POD and the Commission may work with the property owner to encourage maintenance and stabilization of the structure and identify resources available before taking enforcement action under this section.
2. The POD or the Commission may file a complaint with the POD performing code enforcement requesting that the POD issue a citation to require repairs to any local landmark so that the local landmark shall be preserved and protected in accordance with this section.

16.30.070.2.8 10. Emergency Expedited actions; stop work order; nondesignated properties.

- A. The City Council may call a special ~~an emergency~~ meeting to review a threat to property that has not yet been designated by the City.
- B. The POD may issue a temporary stop work order for a maximum of 15 days or until City Council conducts the special emergency meeting or discusses the property at a regular City Council session within that period. The City Council may ~~then~~ request that a stop work order be issued for up to 120 days to provide time to negotiate with the property owner to remove the threat to the property.
- C. During the stop work order period the City Council may initiate steps to designate the property. ~~The City Council may issue a stop work order for up to 120 days.~~ Within the

stop work order period the Commission shall meet and seek alternatives that may remove the threat to the property, determine if the property should be designated and make a recommendation to City Council.

- D. If a stop work order is requested by an individual or group and the City Council issues a stop work order, the requesting individual or group shall submit a completed designation application form and fee within 30 days from the date the City Council stop work order is issued. If the City Council or eCommission does not receive adequate information and documentation concerning the property or if a completed application and fees are not filed within this period, the City Council may lift the stop work order or allow it to expire without taking further action.

16.30.070.2.11. Demolition of historic resources Identification of potentially eligible landmarks which are not locally designated.

In order to protect and preserve the City's historic resources, the City shall discourage the demolition of historic resources which are listed or eligible for listing on the NRHP or National the St. Petersburg Register of Historic Places or as a local landmark.

1. The property records and planning and permitting database should identify all properties listed individually or as a contributing resource ~~in a historic district or on the National on the St. Petersburg Register of Historic Places or the NRHP.~~ The property records and planning and permitting database should also identify all properties which are potentially eligible for designation as a an individual local landmark or eligible for individual listing on the National Register of Historic Places. The POD shall notify the property owner when a property is identified as eligible for designation as an individual local landmark ~~or eligible for individual listing on the National Register of Historic Places.~~
2. Upon receipt of a complete application (or substantially complete as determined by the POD) for a site plan that includes demolition, the POD shall delay the processing of the site plan and the issuance of a permit for the demolition of a property building or site, which is potentially eligible for designation as an individual local landmark or eligible for individual listing on the National Register of Historic Places and which is identified as such in the property records and planning and permitting database, for 30 ~~business~~ days.
3. The City will notify by e-mail or letter mailed first class mail to the members of the ~~Community Preservation Commission~~ and any resident or community group who annually files their name with the ~~POD development services department~~ requesting notice of any applications for a site plan that includes a demolition permit for a property building or site which is potentially eligible for designation as an individual local

~~landmark or eligible for individual listing on the National Register of Historic Places and which is identified as such in the property records and planning and permitting database.~~

4. The requirement for delay and notice set forth in subsections 1 through 3 of this section shall not apply when:
 - a. The Building Official or Fire Chief determines that it is necessary to demolish all or part of a building to protect the safety of the public;
 - b. The Building Official determines that the building is structurally unsafe;
 - c. The property building or site has been the subject of an application for historic designation which has been denied and which is not on appeal; and
 - d. The property building or site has been the subject of an application for a site plan which has been approved and which is not on appeal, and the site plan approval has not expired or been withdrawn.

16.30.070.3. Archaeological protection and preservation.

In order to protect and preserve the City's historical resources, the City discourages the destruction of any archaeological resources. The POD may authorize archaeological investigations including, but not limited to, survey of archaeological site boundaries, survey of specified properties in order to locate any previously unrecorded sites, site assessment in order to determine landmark status, and mitigation of archaeological resources in cases where preservation of a resource is determined by the Commission to be infeasible. These investigations may be in conjunction with existing or proposed designations or COA certificate of appropriateness applications. Public records requests made of the City regarding the location of archaeological sites may be subject to F.S. Sec. 267.135, as it may be amended from time to time.

16.30.070.3.1. Certificate to Dig on property which has not been designated ~~Demolition of archaeological resources.~~

The purpose for requiring a Certificate to Dig on property which has not been designated as an archaeological site is to assist in identifying archaeological resources before they are disturbed, and if necessary, to allow sufficient time to conduct any investigations to determine the location, to evaluate the significance of, and to protect significant archaeological sites and resources in areas identified as potentially having such sites.

1. Any project that obtains a site plan or building permit which will include ground disturbing activity in a Sensitivity Zone is required to obtain a Certificate to Dig if it is on property which has not been designated or is not required to obtain a COA. Sites with a sensitivity level 1, as determined by the archaeological resources management plan, which includes those determined landmark eligible or potentially eligible, and sites with a sensitivity level 2, which includes sites which have not been completely evaluated but with a high probability of landmark eligibility, shall be identified in the property records and planning and permitting database.

2. An application for a Certificate to Dig shall be on the form required by the POD which shall include an aerial, a site plan, a description and the location on the site of all proposed ground disturbing activity, and the fee established by City Council. An application for a commercial property or a three or more unit residential property shall not be considered complete unless it includes a report from a professional archaeologist identifying the boundaries of the site, the significance of the site, an analysis of the impact of the proposed activity on the archaeological resources on the site (if any), and recommendations concerning avoidance of adverse impacts or mitigation. Such work shall be performed by a professional archaeologist who meets the professional qualification standards set forth in the Secretary of the Interior's Standards for Archaeology and Historic Preservation (36 CFR pt. 61). Upon receipt of a complete application (or substantially complete as determined by the POD) for a development permit with a sensitivity level 1 or 2 site, the POD may delay issuance of the certificate permit for up to 30 days to allow a local landmark designation application to be filed. An application shall not be considered complete unless it includes a report from a professional archaeologist identifying the boundaries of the site, the significance of the site, and recommendations concerning mitigation or curation of artifacts.

3. If a local landmark designation application has not been filed within 30 days, or has been filed and denied, the Certificate to Dig shall be issued which may any development permit which is issued shall contain conditions providing for the curation of any recovered artifacts and, where the archaeological site, or any portion thereof, is not being developed, the avoidance or reduction of ground disturbing activities. Such work The curation of any recovered artifacts should be performed by a professional archaeologist who meets the professional qualification standards set forth in the Secretary of the Interior's Standards for Archaeology and Historic Preservation (36 CFR pt. 61).

4. Decisions to deny, approve, or approve with conditions Certificate to Dig shall be made by the POD. Decisions of the POD require at least ten days public notice to the applicant prior to the decision but shall not require notice to any other person. Appeals of POD decisions shall be made to the Commission, may be made only by the applicant, and shall follow the procedure for appeals set forth in the Application and Procedures Section.

5. The POD shall inspect any work being performed to ensure compliance with the Certificate to Dig. In the event work is not in compliance with such certificate, the Building Official may issue a stop work order. No additional work shall be undertaken as long as such stop work order is in effect. The POD may refer violations of this section to the POD for code enforcement for citation.

16.30.070.3.2. Human remains.

If human skeletal remains are found, the property owner, person in possession, or applicant for any permit or certificate shall notify the POD and comply with all relevant State Laws (currently see F.S. Sec. 872.05).

16.30.070.3.3. Prohibited practices and penalties.

Any person who conducts removes or attempts to remove, or defaces, destroys, or otherwise alters any archaeological site or archaeological resource located upon, any land owned or controlled by the City or within the boundaries of a local landmark or Sensitivity Zone, except in the course of activities allowed under an approved COA or an approved Certificate to Dig is subject to a \$500 per day fine for each violation and, in addition, shall forfeit to the City all archaeological resources collected, together with all photographs and records relating to such material. No individual shall be allowed to use a probe, metal detector, or any other device to search or excavate for archaeological resources on public property without the written permission of the City.

16.30.070.4. Procedure for ad valorem tax exemption for historic properties.

- A. *Generally.* State statutes (currently F.S. Sections 196.1997 and 196.1998) authorize the City to adopt an ordinance allowing certain ad valorem tax exemptions under the state Constitution for historic properties which meet certain requirements.
- B. *Definitions.* For the purposes of this section, the following words shall have the following meanings:

Assessed value means the total value of a tax parcel (including the structures, land and any other rights appurtenant thereto) as determined by the county property appraiser and shown on the property tax bill sent to the owner of record by the county.

Covenant means the Historic Preservation Property Tax Exemption Covenant required to be recorded to obtain an exemption pursuant to this chapter.

Exemption means the ad valorem tax exemption for historic properties authorized pursuant to this chapter.

Qualifying improvement means:

1. Any change in the condition of a qualifying property which is sympathetic to the architectural and/or historical integrity of the structure as determined by a review for a COA certificate of appropriateness which may include additions and accessory structures (e.g., a garage, cabana, guest cottage, storage/utility structure) so long as the new construction is compatible with the historic character of the building and site in terms of size, scale, massing, design, and materials and preserves the historic relationship between a building or buildings, landscape features and open spaces; and
2. Which occurs as a result of the expenditure of money on labor or materials for the restoration, renovation or rehabilitation of such property; and
3. Which expenditures the property owner can document to the satisfaction of the City; and
4. Which improvements were made on or after the original adoption of this section, July 21, 1994; and
5. That the total expenditure on the qualifying improvement was paid within the two years prior to the date of submission of the request for review of completed work; and
6. That the total expenditure equals or exceeds ten percent of the assessed value of the property in the year in which the qualifying improvement was initiated (expenditures for interior and exterior work, including construction of additions but excluding all recreational facilities, shall be included in the meaning of improvement for purposes of this section); and
7. That the qualifying improvement complies with the COA City's certificate of appropriateness criteria and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 1990) U.S. Department of Interior, National Park Service and F.A.C. ch. 1A-38.

Qualifying property means real property which is:

1. Property designated as a local landmark or part of a multiple property landmark thematic grouping;

2. A contributing resource to a local historic district;
3. A property listed ~~in~~ on the NRHP National Register of Historic Places;
4. A contributing resource in a historic district listed ~~in~~ on the NRHP National Register of Historic Places; or
5. A property proposed for listing as an individual or contributing resource on either historic register. "Proposed" in this instance means that a ~~city local~~ local landmark application or ~~NRHP National Register nomination designation~~ report has been submitted to the City for review or an agreement has been signed by the City or other parties to prepare the local landmark application or NRHP National Register nomination. A property must be officially designated as a local historic landmark or contributing resource by the City or by the federal government's keeper of the NRHP National Register before the City Council will approve the ad valorem tax exemption request.

C. *Ad valorem tax exemption for historic properties.* A qualifying property that has completed a qualifying improvement may be granted an exemption from that portion of the ad valorem taxation levied by the City on 100 percent of the assessed value of the qualifying improvement. ~~This exemption shall not be allowed for that portion of the assessed value of a qualifying improvement which exceeds \$100,000.00 for single family residential properties and \$1,000,000.00 for other properties unless City Council, after hearing the evidence and testimony of the applicant and the POD, finds:~~

- ~~1. That the qualifying property is of great significance based on the criteria met for historic designation and the historic significance, value, character and contribution of the property and the qualifying improvement to the City and that the assessed value of the qualifying improvement is equal to or exceeds 25 percent of the total assessed value of the property as improved;~~
- ~~2. That the additional exemption is necessary to save the property from destruction and to ensure the rehabilitation, renovation or restoration of the property; or~~
- ~~3. That the additional exemption is necessary to meet city, state or federal Florida Building Code requirements to ensure the rehabilitation, renovation or restoration of the property.~~

This exemption shall not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of electors pursuant to section 9(b) or section 12, article VII of the state Constitution.

- D. *Ad valorem tax exemption period.* Any exemption granted shall remain in effect for up to ten years, with the effective date being January 1 of the year following substantial completion of the qualifying improvement. The exemption shall continue in force if the authority of the City to grant exemptions changes (unless the City is preempted by state law) or if ownership of the property changes (including any change from a tax exempt entity to a tax paying entity except as set forth in the following subsection).
- E. *Ad valorem tax exemptions for historic properties open to the public.* If a qualifying improvement is for a qualifying property that is used for non-profit or governmental purposes and is regularly and frequently open for the public's visitation, use and benefit, the City may exempt 100 percent of the assessed value of the property as improved from ad valorem taxes levied by the City provided that the assessed value of the qualifying improvement must be equal to at least 50 percent of the total assessed value of the property as improved. This subsection applies only if the qualifying improvements are made by or for the use of the existing property owner. A qualifying property is considered used for non-profit or governmental purposes if the occupant or user of at least 65 percent of the useable space of the building is an agency of the federal, state or local government or a non-profit corporation whose articles of incorporation have been filed by the Department of State in accordance with F.S. § 617.0125. Useable space means that portion of the space within a building which is available for assignment or rental to an occupant. A property is considered regularly and frequently opened to the public if public access to the property is provided not less than 52 days a year on an equitably spaced basis, and at other times by appointment. This exemption does not prohibit the owner from charging a reasonable nondiscriminatory admission fee. If a property that qualifies for this exemption is no longer used for non-profit or governmental purposes or is no longer regularly and frequently open to the public or if ownership is transferred then this exemption shall be revoked.
- F. *Application process.*
1. *Preconstruction application.* Consideration of the exemption shall be initiated by the filing of a preconstruction application by the property owner on the form provided by the City prior to the initiation of any work on a qualifying improvement. Qualifying improvements or any portion thereof initiated prior to approval of the preconstruction application shall not be eligible for the exemption.
 - a. The property owner shall also provide all information required for a COA certificate of appropriateness review, the proposed cost of the qualifying improvement based on a licensed contractor's price estimates or other city

approved cost estimate method, and a copy of the most recent tax assessment and bill for the property.

- b. The POD shall review and approve or deny the preconstruction application and shall follow the review and appeal procedures for a COA certificate of appropriateness. ~~In addition to the foregoing,~~ After such review, the POD shall notify the property owner in writing of the following within 21 days of receipt of a completed preconstruction application:
- (1) Whether the proposed work is a qualifying improvement;
 - (2) Whether the work, as proposed, is consistent with the criteria for the certificate of appropriateness and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 1990) U.S. Department of Interior, National Park Service and F.A.C. ch. 1A-38 ~~and any additional criteria required by the codes and ordinances of the City;~~ and
 - (3) Making recommendations for correction of work which is not consistent with the foregoing.
- c. Any changes made to the qualifying improvement after approval of the preconstruction application must receive prior approval by the POD or the Commission to ensure compliance with the criteria set forth herein. Failure to obtain prior approval may result in denial of the exemption.
- d. The property owner must complete the qualifying improvement within two years following the date of approval of a preconstruction application. A preconstruction application approval shall automatically be revoked if the property owner has not submitted a request for review of completed work within two years following the date of approval of a preconstruction application. The POD may grant an extension to this provision for up to six months if such request is made in writing prior to the expiration of the initial period. Any other extensions must be approved by the Commission and shall require a public hearing and notification as set forth for appeal of a COA decision certificate of appropriateness determination.
2. *Request for review of completed work.* A request for review of completed work (post construction application) shall be submitted to the POD by January 15 for work completed by December 31 of the prior year ~~upon completion of the~~

~~qualifying improvement and~~ The request for review of the completed work shall include documentation acceptable to the City showing the total cost of, and an itemized list of expenses for, the qualifying improvement. Appropriate documentation may include paid contractor's bills, canceled checks, an approved building permit application listing cost of work to be performed and any other information required by the POD. The POD may inspect the qualifying improvement to determine compliance with this section. ~~Within 21 days following submission of a properly completed request for review of completed work~~ Following the Property Appraiser's established time frames, the POD shall recommend that City Council grant or deny the exemption and shall notify the property owner in writing of the recommendation and the date which the City Council shall consider the exemption.

- a. If the completed qualifying improvement complies with the requirements set forth in the preconstruction application approval, as amended, this section, the ~~COA certificate of appropriateness,~~ the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and any additional conditions required by the City, then the POD shall recommend that City Council grant the exemption.
- b. If the completed qualifying improvement does not comply with the requirements of ~~subsection F2a of~~ this section, then the POD shall provide a written summary of the reasons for that determination, including recommendations to the property owner concerning changes to the proposed work necessary to comply and shall recommend that City Council deny the exemption.
- c. If the property owner is notified that the improvement does not comply with the requirements of ~~subsection F2a of~~ this section, the property owner shall have ~~fifteen ten~~ (15) days from the date of the POD's notification to respond in writing describing the specific actions to be taken by the property owner to comply. If the POD receives a written response within ~~fifteen ten~~ (15) days, the property owner shall have ~~thirty (30)~~ 60 days from receipt of the written response to comply with the requirements of ~~subsection F2a of~~ this section. The POD may grant an extension to this provision for up to an additional ~~sixty (60)~~ 30 days if such request is made prior to the expiration of the initial period. At the end of this period ~~and any extension thereof~~ the POD shall review the qualifying improvement and make a recommendation to City Council to grant or deny the exemption based on the requirements of this section.

3. *Historic preservation property tax exemption covenant.* A covenant in the form approved by the City Attorney must be executed by the property owner for the term of the exemption before an exemption is approved by the City Council. The covenant shall provide that the property owner shall maintain and repair the property so as to preserve and maintain the historic architectural qualities or historical or archaeological integrity of the qualifying property for which an exemption was granted. If the exemption is granted, the property owner shall have the covenant recorded with the deed for the property in the official records of the county prior to the effective date of the exemption which shall be binding on the property owner, transferees, and their heirs, successors or assigns.

The applicant shall provide a certified copy of the recorded covenant to the POD by June 15 ~~within 30 days of the City Council approval of the exemption~~ or said approval by the City Council shall be void.

If the property changes ownership during the exemption period, the requirements of the covenant must be transferred to the new owner. The property owner may sign a waiver which discontinues the exemption on the property. The exemption will be discontinued beginning with the tax year in which the waiver was received with no penalty to the property owner. The exemption may not be reinstated after the waiver has been delivered to the POD.

4. *City council review and approval of the request for review for completion of work.* The City Council shall approve, modify, defer or deny the exemption by resolution within sixty (60) ~~30~~ days of the POD's recommendation. If approved the resolution shall include but not be limited to the following: the period of time the exemption shall be in effect and the expiration date of that period, approval of the covenant, any conditions of approval, the name of the owner and address of the property for which the exemption is granted and a finding that the property meets the requirements of F.S. § 196.1997. Said approval shall be conditioned upon receipt by the POD of a certified copy of the recorded covenant.
5. *Reapplication.* A property owner previously granted an exemption may undertake additional qualifying improvements during this period or apply for additional exemptions for qualifying improvements following its expiration. A property owner may not reapply for an exemption for a qualifying improvement which has been denied by City Council.

6. *Notice to property appraiser.* Within ~~fifteen~~ ten (15) business days following receipt of a certified copy of the recorded covenant, the POD shall transmit a copy of the approved request for review of completed work to the county property appraiser. The property appraiser shall implement the exemption as provided by state law.

7. *Revocation proceedings.* The City Council may revoke an exemption at any time in the event that the property owner, or any subsequent owner or successor in interest to the property, violates the covenant, fails to maintain the qualifying property according to the terms, conditions and standards of the covenant, the historic character of the property and improvements which qualified the property for the exemption are not maintained or if the qualifying property has been damaged by accidental or natural causes to the extent that the historic integrity of the features, materials, appearances, workmanship and environment, or archeological integrity which made it eligible for listing or designation have been lost or damaged so that restoration is not possible. The POD shall provide written notice of such proceedings to the owner of record of the qualifying property at least ten (10) days before the public hearing. The City Council shall hold a public hearing and determine whether or not the exemption shall be revoked. The POD shall provide written notice of the decision to the owner of record and the county property appraiser.

8. *Civil penalties.* If an exemption is revoked for violation of the covenant required hereby, the property owner shall pay an amount equal to the total amount of taxes that would have been due in March in each of the previous years in which the covenant was in effect had the property not received the exemption, less the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3). This payment shall be made to the City within thirty (30) days of the effective date of the revocation. If the City initiates an action in any court to enforce this provision, the property owner shall be liable for all administrative expenses, attorneys' fees and all other costs associated with such action.

16.30.070.5. Civil penalties.

- A. — In addition to any other penalties, any person who violates any provision of this section shall forfeit and pay to the City civil penalties equal to the fair market value of any property demolished or destroyed in violation of this section or the cost to repair or rehabilitate any property that is altered in violation of this section. In lieu of a monetary

penalty, any person altering property in violation of the provisions of this section may be required to repair or restore any such property.

~~B. If an exemption is revoked for violation of the covenant required hereby, the property owner shall pay an amount equal to the total amount of taxes that would have been due in March in each of the previous years in which the covenant was in effect had the property not received the exemption, less the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3). This payment shall be made to the City within 30 days of the effective date of the revocation. If the City initiates an action in any court to enforce this provision, the property owner shall be liable for all administrative expenses, attorneys' fees and all other costs associated with such action.~~

Section 2. The following definitions in Section 16.90.020.3, Definitions, of the St. Petersburg City Code are hereby amended to read as follows:

Archaeological site means a property or location which has yielded or may yield information on the City's history or prehistory designated pursuant to the requirements in the historic and archaeological preservation overlay section. Archaeological sites may be found within archaeological sensitivity zones, historic sites, historic districts, and on any private or public property. Archaeological sites are evidenced by the presence of archaeological resources.

~~the land on or under which prehistoric or historic artifacts and features are located.~~

Certificate of appropriateness or COA means, with respect to historic and archaeological preservation, a certificate issued for any exterior alteration to a designated local landmark, landmark site or property in a designated thematic grouping or local historic district for the purpose of protecting the integrity and character of the local landmark, ~~landmark site, thematic grouping or historic district.~~

Contributing element means ~~any portion of a structure or other physical/visual element located on or within a landmark, landmark site, thematic grouping or designated historic district which by its physical/visual character, architectural character and/or quality, and/or historic importance is a significant element to the historic integrity of the landmark, landmark site, thematic grouping or historic district.~~

Contributing resource means a building, landscape feature, site, structure, object or archaeological resource that adds to the historic importance, architectural qualities, historic associations, or archaeological significance for which a local landmark ~~site or object in a historic district which adds to the historical/architectural qualities, historic associations or archaeological values for which a historic district is significant because:~~

(1) It was present during the period of significance of the district, and possesses historic integrity reflecting its character at that time;

(2) It is capable of yielding important information about the period; or

(3) It independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR 60.4, and as the same may be amended;

(4) It possesses historic integrity, reflecting its character at that time; or it is capable of providing important information about the period.

Designation means the process by which a building, structure, site, object, multiple property thematic grouping or local historic district is formally recognized by the City as a historically, architecturally and/or archaeologically significant local landmark.

Local historic ~~Historic~~ district means ~~an~~ a geographically defined area designated pursuant to the requirements in the historic and archaeological preservation overlay section.

Local Landmark means a building, structure, object, archaeological or historical site, or local historic district or multiple property landmark designated pursuant to the requirements in the historic and archaeological preservation overlay section. A "local landmark" may include the location of significant archaeological features or of a historical event and shall include hexagon block sidewalk preservation areas designated under this chapter. The designation ordinance shall include a geographic description of the area included in the designation.

Landmark site means ~~the land on which a landmark and related structures, or archaeological features and artifacts are located and the land that provides the grounds, the premises or the setting for the landmark.~~

Ordinary repair and maintenance means work on a ~~designated local landmark, landmark site, or a property located in a local designated thematic grouping or historic district,~~ that is otherwise permitted by law, and does not alter the exterior appearance of the structure, does not disturb the contents of an archaeological site, and does not alter elements significant to its architectural, historical or archaeological integrity, including, but not limited to: the replacement of windows, siding, or roof, with the same material and style as exists presently (any change in material or style would require a COA or the use of the original materials or style). Ordinary repair and maintenance in a hexagon block sidewalk preservation area shall mean sidewalk repair or replacement that is consistent with the established pattern and width presently existing within the designated area.

~~Thematic grouping~~ means ~~a multiple listing of historic properties bound together by a particular historic theme or context rather than geographically.~~

Section 3. The St. Petersburg City Code is hereby amended by adding the following definitions in Section 16.90.020.3, Definitions, in the appropriate alphabetical order, to read as follows:

Archaeological Monitoring means the observation, after the start of construction, to determine if archaeological resources exist in an area or, when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. Only a professional archaeologist who meets the professional qualification standards set forth in the Secretary of the Interior's Standards for Archaeology and Historic Preservation (36 CFR pt. 61) or individuals certified by the Florida Department of State, Bureau of Archaeological Research, Archaeological Resource Management (ARM) Training shall monitor construction activities for archaeological resources.

Archaeological resources means artifacts or features below the ground surface that indicate the past use of a location by people.

Archaeological Resources Management Plan means the plan titled *City of St. Petersburg Archaeological Resources Management Plan* prepared for the Planning Department of the City of St. Petersburg, Florida by Piper Archaeological Research Inc. in May, 1991, as amended.

Archaeological Testing means the limited subsurface excavation or remote sensing of a proposed disturbance (or a portion thereof) to determine the potential, type, or extent of the archaeological site. Testing may include augering and establishing archaeological excavation units and can include the screening of excavated material for artifact recovery.

Building means a walled and roofed structure created principally to shelter any form of human activity.

Certificate to Dig means a written document permitting certain ground disturbing activities that may involve the discovery of as yet unknown or known archaeological sites within a Sensitivity Zone as identified on the Archaeological Sensitivity Zones Map included in the Archaeological Resources Management Plan, as amended.

Ground disturbing activity means any excavation, filling, digging, removal of vegetation and/or trees, or any other activity that may alter or reveal an archaeological site and may include, but is not limited to, excavating soil for the placement or removal of pilings, posts, footers, power poles, fence posts, large trees or plants, septic tanks, in ground water features, ponds, swimming pools, hot tubs, water and sewer lines, drainage ditches, and the extensive grading of virgin soil.

Landscape feature means any improvement or vegetation on a site. Examples of landscape features include, but are not limited to, outbuildings, walls, courtyards, fences, fountains, ponds, shrubbery, trees, sidewalks, curbs, planters, plantings, gates, private streets or vehicular use areas, and exterior lighting.

Major disturbance means a ground disturbing activity that occurs on a commercial property or a three or more unit residential property, which requires penetration into the ground

of more than three inches, and encompasses an area of two hundred fifty (250) or more square feet.

Minor disturbance means a ground disturbing activity that occurs on a commercial property or a three or more unit residential property, which requires penetration into the ground of more than three inches, and encompasses an area between one hundred (100) and two hundred fifty (250) square feet.

Multiple property landmark means a group of local landmarks or an application for a group of local landmarks related by common theme and period of time, not geographical area. Multiple property landmarks do not form a contiguous district or cohesive cluster and are also known as a “thematic grouping.”

Non-contributing resource means a building, landscape feature, site, structure, object or archaeological resource that does not add to the historic architectural qualities, historic associations, or archaeological values for which a landmark or district is significant because:

1. It was not present during the period of significance of the district;
2. Due to alterations, disturbances, additions or other changes, it no longer possesses historic integrity reflecting its character at that time, or is incapable of yielding important information about the period.

Non-ground disturbing activity means any activity that will not impact an archaeological site. Examples may include, but are not limited to, slab on grade construction, driveway placement, shed installation, sprinkler irrigation systems, on grade patios, above ground pools, landscaping (shrubbery, seedlings, or plugs) except as identified as ground disturbing activity, placement of fill soil, placement of underground conduit two inches in diameter or less, and building on an existing foundation.

Object shall mean those structures that are primarily artistic in nature or are relatively small in scale and simply constructed. Although an object may be movable, by nature or design, it shall be associated with a specific setting or environment. Objects should be located in a setting appropriate to their significant historic use, roles, or character. Small objects not designed for a specific location are normally not eligible for local landmark status. Such works include transportable sculpture, furniture, and other decorative arts that, unlike a fixed outdoor sculpture, do not possess association with a specific place. Objects relocated to a museum are not eligible for local landmark status.

Sensitivity zone means a geographical area which has or may reasonably be expected to yield information on local history or prehistory based upon broad prehistoric or historic settlement patterns and existing archaeological knowledge as identified on the Archaeological

Sensitivity Zones Map (Sensitivity Level 1 and Level 2) within the Archaeological Resources Management Plan, as amended.

St. Petersburg Register of Historic Places means the list of local landmarks and archaeological sites that have met the criteria for significance and have been designated by the pursuant to the provisions in the Historic and Archaeological Preservation Overlay Section.

Structure means a functional built item made for purposes other than creating human shelter. Examples include bridges, roadways, railroads, and gazebos.

Section 4. Sections 16.70.060.2 through 4 of the St. Petersburg City Code are hereby amended and renumbered to read as follows:

16.70.060.21. Historic designation of property.

A. *Applicability.* Designation of ~~individual~~ local landmarks, ~~landmark sites, thematic groupings and~~ local historic districts shall be reviewed by the commission designated in Section 16.70.15.

B. *Application.* Applications for designation of property shall be submitted in a form promulgated by the POD.

C. *Procedures.* Applications for designation of property shall be processed in accordance with the historic and archaeological preservation overlay section.

16.70.060.32. Certificate of appropriateness for historically designated property.

A. *Applicability.* No person may undertake certain work, identified in the historic and archaeological preservation overlay section, without having first obtained a certificate of appropriateness.

B. *Application.* Applications for a certificate of appropriateness shall be submitted in a form promulgated by the POD.

C. *Procedures.* Applications for certificate of appropriateness shall be processed in accordance with the historic and archaeological preservation overlay section.

16.70.060.45. Ad valorem tax exemption for historically designated property.

A. *Applicability.* Ad valorem tax exemptions for ~~designated~~ qualifying historic properties may be granted for qualifying improvements.

B. *Application.* Applications for ad valorem tax exemption shall be submitted in a form promulgated by the POD.

C. *Procedures.* Applications for ad valorem tax exemption shall be processed in accordance with the historical and archaeological preservation overlay section.

Section 5. Section 16.70.040.1.17 of the St. Petersburg City Code is hereby amended to read as follows:

16.70.040.1.17. Transfer of development rights, historic.

A. *Purpose and intent.* Transfer of development rights, historic (TDR, H) for local landmarks ~~locally designated historic structures and sites~~ is an economic development incentive intended to help preserve historically significant buildings within our community. The City recognizes that ~~locally significant~~ local landmarks exist on sites which have potential for larger development to occur. For this reason these buildings are under constant threat of being demolished and replaced with larger structures. The TDR program allows local landmark ~~historic~~ property owners to benefit from the development potential by allowing the sale of the development rights with the condition that the local landmark ~~building or site~~ be restored and retained. The TDR program is not applicable to contributing or non-contributing properties in a historic district, except for those contributing properties in historic districts which lie wholly within the Downtown Center zoning districts as defined by the City's Land Development Regulations.

B. *Applicability.* Transfers of development rights, historic, are allowed from any ~~locally designated~~ individually designated local landmark or landmark site as part of an overall plan to preserve the historic resource but may not be transferred from any property contributing resources (other than a local landmark or landmark site) in a historic district or a hexagon preservation district. TDR, H credits may only be transferred to property located within the DC (downtown center) and CCS (corridor commercial suburban) districts. TDR, H credits may not be transferred from any government owned property.

C. *Application.* An application to establish, or transfer, development rights from a local landmark or landmark site shall include the information the POD generally requires for a planning and zoning decision and shall include a current title commitment, ownership and encumbrance report, or other sufficient evidence, acceptable to the POD, of all persons with a property interest (e.g., mortgagor, lienholder, joint owner, etc.) in the property. ~~If the application involves work to a landmark or landmark site, then an application for a COA certificate of appropriateness for the work shall be submitted and processed simultaneously. The property owner shall provide access to the site for both an internal and external inspection by the POD to determine the condition of the property.~~ The establishment and transfer of TDR, H credits may occur at separate times, but each action shall be required to be approved following this procedure.

D. *Procedure.* The procedure to establish and transfer TDR, H credits shall be as follows:

1. ~~After the POD has reviewed the application and completed the inspection, the POD shall establish an historic preservation plan for the property which shall identify any work that must occur in order to adequately preserve and rehabilitate the exterior of the landmark or landmark site which shall be based on the Secretary of the Interior's Standards for Preservation and Rehabilitation. The plan shall also establish a maintenance program for the landmark or landmark site.~~

2. ~~The POD shall approve, approve with conditions or deny the requested credits based on compliance with this section. An historic preservation plan shall be required for each landmark or landmark site. Each landmark or landmark site shall be required to complete any restoration or rehabilitation work required by the plan. The POD may require a release, or other documentation determined to be sufficient by the POD, from any person with a property interest in the landmark or landmark site.~~

3. ~~Simultaneous consideration for historic designation.~~ Applications for local landmark historic designation and TDR, H credits may be processed simultaneously; however, no TDR, H credits shall ~~can~~ be issued ~~transferred~~ until the property is historically designated.

4. Issuance of TDR, H credits certificate. Upon approval by the POD ~~and compliance with any requirements, conditions and restrictions that may have been imposed,~~ a TDR, H credits certificate indicating the approved number of units or amount of FAR shall be issued by the POD City. Once TDR, H credits are established, the local landmark ~~or landmark site~~ from which the credits are established shall not be developed or the structure expanded except as allowed in this section.

5. Sale, transfer or conveyance of development credits.

a. An owner of TDR, H credits who is properly registered as an owner with the City and who wishes to use the credits to transfer density or intensity to a parcel of land shall apply for such transfer and use of development rights in accordance with the zoning district and other city codes.

b. ~~The~~ The POD, may require a release, or other documentation determined to be sufficient by the POD, from any person with a property interest in the local landmark ~~or~~ landmark site.

c. The owner of the receiving site must have the approval of a site plan for the parcel before credits may be transferred to the receiving site. Evidence of all sales shall be recorded with the POD. ~~If the transfer of TDR, H credits is conditioned on work to be performed on a landmark or landmark site, no development on the receiving site shall receive a certificate of occupancy (either partial or final) until a certificate of occupancy is issued or a final inspection has been approved for the restoration or rehabilitation work required by the plan on the landmark or landmark site.~~

E. *Calculating the amount of TDR, H credits.* In reviewing the application for TDR, H credits, the POD shall determine the amount of development potential existing on the site.

1. For a local landmark, the amount of transferable floor area will be determined by ~~multiplying the gross floor area of the structure, by ten (this multiplier shall be twenty for structures constructed before 1901) or by~~ subtracting the gross floor area of the entire local landmark structure from the maximum buildable square footage, ~~whichever is greater.~~ For the purposes of this section, the term "landmark" shall only include the existing historically designated building on a property and Only existing floor area shall be eligible for calculating the amount of TDR, H credits.

2. ~~The~~ The term "maximum buildable square footage," in the DC zoning districts, shall be the base density and shall not include any bonus FAR. A local landmark which has received a certificate of appropriateness COA for a partial demolition, the amount of transferable floor area shall be determined by subtracting the remaining gross floor area of the local landmark from the maximum buildable square footage. ~~shall only be eligible to transfer density from the remaining portion of the structure.~~

3. TDR,H credits shall not be approved if there are outstanding code violations for which the owner has received written notice.

2. For a landmark site, the amount of transferable floor area will be determined by taking ~~the gross square footage of the landmark site and multiplying that square footage by five.~~ For the purposes of this section, the term "landmark site" shall only include those historically designated properties which do not have a landmark building (i.e., a cemetery, archaeological site, etc. and which shall include such things as a memorial garden which have historically been a part of the landmark site) and shall not include hexagon block sidewalk preservation areas.

F. *Protective covenant, releases and other requirements.*

1. At the time of transfer, the owner shall execute and record a declaration of covenants and restrictions, or a similar instrument acceptable and approved by the City Attorney, that:

a. Restricts the development potential on the property to the size of the local landmark ~~or landmark site~~ and any development rights not established or transferred; and

b. Runs with the land, binding the property owner and all future owners.

2. ~~Financial support shall be made to the City's historic preservation grant program in the amount of \$0.50 for each square foot of development credit transferred. The cost of any required restoration or rehabilitation work that has been completed shall be credited as part of the financial support for the City's historic preservation grant program.~~

~~3. The owner shall apply for a certificate of appropriateness for any restoration or rehabilitation work identified by the POD and shall obtain all required permits for such work within 90 days from the date that the TDR, H credits are transferred.~~

4. If the local landmark is removed, any new development on the property may only be constructed up to the size of the local landmark and any TDR, H credits not transferred.

~~53.~~ If the allowable density or intensity of the site increases (e.g., change in zoning or development rights established by ode), any additional development rights may be used on site, or additional TDR, H credits may be created by applying as provided in this section.

G. *Expiration and cancellation.* TDR, H credit certificates do not expire and may be sold immediately or retained for future sale. Sales of some credits are allowed and owners are not required to sell all rights to one entity. Unused TDR, H credits may be cancelled and the development rights returned to the local landmark ~~or landmark site~~ by following the procedures for the establishment of the credits.

H. ~~*Failure to comply.* Failure to comply with the restoration or rehabilitation work or the maintenance program for the landmark or landmark site which is required by the historic preservation plan shall be a violation of this section.~~

I. *Appeals.* Decisions of the POD may be appealed to the commission designated in the Decisions and Appeals Table and decisions of the commission designated in the Decisions and Appeals Table may be appealed to the City Council.

J. *Record keeping.* A registry of TDR, H credit certificates shall be kept by the POD.

Section 6. Section 16.70.010.B.5. of the St. Petersburg City Code is hereby amended and renumbered to read as follows:

Complete copy of application. One complete copy of each application to the Development Review Commission (DRC) and Community Planning and Preservation Commission (CPPC) shall be provided by the applicant to the neighborhood and business association representatives listed by the POD. ~~One complete copy of a nonowner or noncity initiated historic designation shall be provided by the applicant to the owner of the property.~~ The term, "complete" includes one copy of the information required and any additional information (including studies) required by the POD to review the request. The application shall be either delivered or mailed by U.S. mail with a U.S. Postal Service Certificate of Mailing returned to the POD. Proof that a copy of the application was mailed or delivered shall be delivered to the POD within seven days of application submittal. The POD shall not process the application until receipt of such proof of mail or delivery.

Section 7. The St. Petersburg City Code is hereby amended to add new fee for a ‘certificate to dig’ at the end of the ‘Historic Preservation’ subsection of Section 12-6(8) to read as follows:

Certificate to Dig.....50.00

Section 8. As used in this ordinance, language appearing in ~~struck-through~~ type is language in the City Code to be deleted, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise.

Section 9. 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 provision of this ordinance.

Section 10. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, Section 16.30.070.2.5.B. of this Ordinance shall become effective on March 17, 2016. The remainder of this Ordinance 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 remainder of the Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (designee)



SAINT PETERSBURG CITY COUNCIL

Meeting of September 17, 2015

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

SUBJECT: Ordinance approving a vacation of a 20-foot east/west alley in the block bounded by Central Avenue and 1st Avenue South between 60th Street South and 61st Street South (City File No.: 15-33000013)

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.

The Request: The request is to vacate a 20-foot east/west alley in the block bounded by Central Avenue and 1st Avenue South between 60th Street South and 61st Street South. The area of the right-of-way proposed for vacation is depicted on the attached maps (Attachments "A" and "B") and Sketch and Legal Description (Attachment "C"). The applicant's goal is to consolidate the properties for redevelopment.

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

Agency Review: The application was routed to other City departments and non-City utility agencies. Departments and agencies indicated that they objected to the vacation of the alley. These included the City of St. Petersburg's Water Resources and Sanitation Departments and Duke Energy Florida, Inc. Other City Departments and private utilities requested that the alley be retained as a public utility easement or that their facilities be relocated at the applicant's expense.

Public Comments: Several phone calls were received from neighbors located at Westwood Villas which is just south of 1st Avenue South. None of them voiced specific concerns regarding the alley vacation. The applicant will provide an additional public notice prior to the public hearing before the City Council.

DRC Action/Public Comments: On August 5, 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 alley right-of-way vacation, subject to the following conditions:

1. Prior to recording the vacation ordinance, the applicant shall address the location of public utilities and services by either providing a public utility easement covering the entire area to be vacated or relocating City and private utilities at the owner's expense. In either case a written letter of no objection from the utility providers is required stating that the easement is sufficient for their interest or that the facilities have been relocated.
2. Prior to recording the vacation ordinance, the applicant shall provide an alternative approved by the City of St Petersburg's Sanitation Department for sanitation pickup locations. Future sanitation locations shall be located behind proposed structures and shall not be visible from Central Avenue or 1st Avenue South, and shall not be located in the City right-of-way.
3. Comply with the Conditions of Approval in the Engineering Memorandum dated June 30, 2015.
4. For any future development or redevelopment on the subject block, there shall be no additional curb cuts on 1st Avenue South and no more than three (3) total curb cuts along Central Avenue. Existing curb cuts may remain until redevelopment of the sites.
5. Prior to the recording of the vacation ordinance, the alley along with the abutting properties shall be replatted.
6. All lots created through the platting process which abuts Central Avenue or 1st Avenue South shall have frontage on either 60th Street South or 61st Street South, or a cross access easement shall be provided.
7. As required by City Code Section 16.70.050.1.1 G, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

Attachments: Attachments: A – Parcel Map, B – Aerial Map, C – Sketch and Legal Description, D – Engineering memorandum dated June 30, 2015.

ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION OF A 20-FOOT EASTWEST ALLEY IN THE BLOCK BOUNDED BY CENTRAL AVENUE AND 1ST AVENUE SOUTH BETWEEN 60TH STREET SOUTH AND 61ST 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 on August 5, 2015. (City File No.: 15-33000013):

THAT 20-FOOT WIDE ALLEY LYING BETWEEN CENTRAL AVENUE AND 1ST AVENUE SOUTH AND BETWEEN 60TH STREET SOUTH AND 61ST STREET SOUTH BEING DESCRIBED AS FOLLOWS:.

FROM THE SOUTHWEST CORNER OF TRACT "A", MOORE'S REPLAT, AS RECORDED IN PLAT BOOK 44, PAGE 17, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AS A POINT OF REFERENCE; THENCE ALONG THE SOUTH LINE OF SAID TRACT "A", EAST, 7.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID ALLEY ALSO BEING THE SOUTH LINE OF SAID TRACT "A" AND THE SOUTH LINE OF LOTS 4 THROUGH 7, CENTRAL AVENUE GROVES, AS RECORDED IN PLAT BOOK 5, PAGE 71, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AND THE SOUTH LINE OF LOTS 13 THROUGH 18, J.C. SCHUG'S CENTRAL AVENUE SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 46, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, EAST, 592.07 FEET MORE OR LESS TO THE WEST RIGHT OF WAY OF 60TH STREET SOUTH; THENCE ALONG SAID WEST RIGHT OF WAY, S00°23'41"E, 20.00 FEET TO THE NORTHEAST CORNER OF LOT 24 OF SAID PLAT OF J.C. SCHUG'S CENTRAL AVENUE SUBDIVISION SAID POINT ALSO BEING ON THE SOUTH LINE OF SAID ALLEY; THENCE ALONG THE SOUTH LINE OF SAID ALLEY ALSO BEING THE NORTH LINE OF LOTS 19 THROUGH 24 OF SAID PLAT OF J.C. SCHUG'S CENTRAL AVENUE SUBDIVISION AND THE NORTH LINE OF LOTS 8 THROUGH 14 OF SAID PLAT OF CENTRAL AVENUE GROVES, WEST, 592.10 FEET MORE OR LESS TO A POINT BEING 7.00' EAST OF THE NORTHWEST CORNER OF SAID LOT 14, CENTRAL AVENUE GROVES; SAID POINT ALSO BEING ON THE EAST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2751, PAGE 670, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG SAID EAST LINE, N00°19'00"W, 20.00 FEET TO THE POINT OF BEGINNING.

ST. PETERSBURG, FLORIDA

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

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

1. Prior to recording the vacation ordinance, the applicant shall address the location of public utilities and services by either providing a public utility easement covering the entire area to be vacated or relocating City and private utilities at the owner's expense. In either case a written letter of no

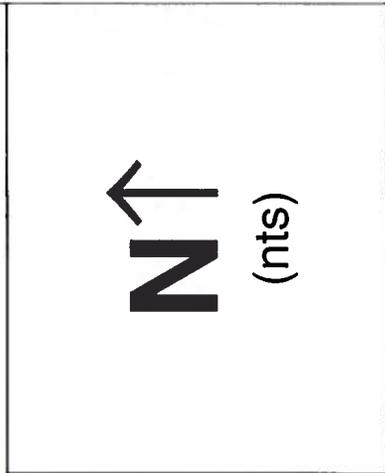
objection from the utility providers is required stating that the easement is sufficient for their interest or that the facilities have been relocated.

2. Prior to recording the vacation ordinance, the applicant shall provide an alternative approved by the City of St Petersburg's Sanitation Department for sanitation pickup locations. Future sanitation locations shall be located behind proposed structures and shall not be visible from Central Avenue or 1st Avenue South, and shall not be located in the City right-of-way.
3. Comply with the Conditions of Approval in the Engineering Memorandum dated June 30, 2015.
4. For any future development or redevelopment on the subject block. there shall be no additional curb cuts on 1st Avenue South and no more than three (3) total curb cuts along Central Avenue. Existing curb cuts may remain until redevelopment of the sites.
5. Prior to the recording of the vacation ordinance, the alley along with the abutting properties shall be replatted.
6. All lots created through the platting process which abuts Central Avenue or 1st Avenue South shall have frontage on either 60th Street South or 61st Street South, or a cross access easement shall be provided.
7. As required by City Code Section 16.70.050.1.1 G, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

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:

 Elizabeth Abernethy for Dave Goodwin	8-18-15
Planning & Economic Development Dept.	Date
	8/19/15
City Attorney (Designee)	Date



Attachment "A"
 City of St. Petersburg, Florida
 Planning and Economic Development Department
 Development Review Commission (DRC)
 Case No.: 15-33000013

Address: Vacation of a 20 foot East West Alley in the block bounded by Central Avenue and 1st Avenue South between 60th Street South and 61st Street South



Attachment "B"

City of St. Petersburg, Florida
Planning and Economic Development Department
Development Review Commission (DRC)
Case No.: 15-33000013

Address: Vacation of a 20 foot East West Alley in the
block bounded by Central Avenue and 1st Avenue South
between 60th Street South and 61st Street South



ATTACHMENT "C-1" LEGAL DESCRIPTION

THAT 20-FOOT WIDE ALLEY LYING BETWEEN CENTRAL AVENUE AND 1ST AVENUE SOUTH AND BETWEEN 60TH STREET SOUTH AND 61ST STREET SOUTH BEING DESCRIBED AS FOLLOWS:.

FROM THE SOUTHWEST CORNER OF TRACT "A", MOORE'S REPLAT, AS RECORDED IN PLAT BOOK 44, PAGE 17, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AS A POINT OF REFERENCE; THENCE ALONG THE SOUTH LINE OF SAID TRACT "A", EAST, 7.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID ALLEY ALSO BEING THE SOUTH LINE OF SAID TRACT "A" AND THE SOUTH LINE OF LOTS 4 THROUGH 7, CENTRAL AVENUE GROVES, AS RECORDED IN PLAT BOOK 5, PAGE 71, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND THE SOUTH LINE OF LOTS 13 THROUGH 18, J.C. SCHUG'S CENTRAL AVENUE SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 46, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, EAST, 592.07 FEET MORE OR LESS TO THE WEST RIGHT OF WAY OF 60TH STREET SOUTH; THENCE ALONG SAID WEST RIGHT OF WAY, S00°23'41"E, 20.00 FEET TO THE NORTHEAST CORNER OF LOT 24 OF SAID PLAT OF J.C. SCHUG'S CENTRAL AVENUE SUBDIVISION SAID POINT ALSO BEING ON THE SOUTH LINE OF SAID ALLEY; THENCE ALONG THE SOUTH LINE OF SAID ALLEY ALSO BEING THE NORTH LINE OF LOTS 19 THROUGH 24 OF SAID PLAT OF J.C. SCHUG'S CENTRAL AVENUE SUBDIVISION AND THE NORTH LINE OF LOTS 8 THROUGH 14 OF SAID PLAT OF CENTRAL AVENUE GROVES, WEST, 592.10 FEET MORE OR LESS TO A POINT BEING 7.00' EAST OF THE NORTHWEST CORNER OF SAID LOT 14, CENTRAL AVENUE GROVES; SAID POINT ALSO BEING ON THE EAST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2751, PAGE 670, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG SAID EAST LINE, N00°19'00"W, 20.00 FEET TO THE POINT OF BEGINNING.

ST. PETERSBURG, FLORIDA

LEGEND

LS LICENSED SURVEYOR
PSM PROFESSIONAL SURVEYOR AND MAPPER
LB LICENSED BUSINESS

NOTES

1. THIS SKETCH IS A GRAPHIC ILLUSTRATION FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A FIELD SURVEY.
2. NOT A BOUNDARY SURVEY.
3. BASIS OF BEARINGS: N90°00'00"E ALONG THE NORTH LINE OF THAT 20-FOOT WIDE ALLEY LYING BETWEEN CENTRAL AVENUE AND 1ST AVENUE SOUTH AND BETWEEN 60TH STREET SOUTH AND 61ST STREET SOUTH.
4. THIS SKETCH IS MADE WITHOUT THE BENEFIT OF A TITLE REPORT OR COMMITMENT FOR TITLE INSURANCE.
5. THIS MAP INTENDED TO BE DISPLAYED AT A SCALE OF 1"=80'.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS AND REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

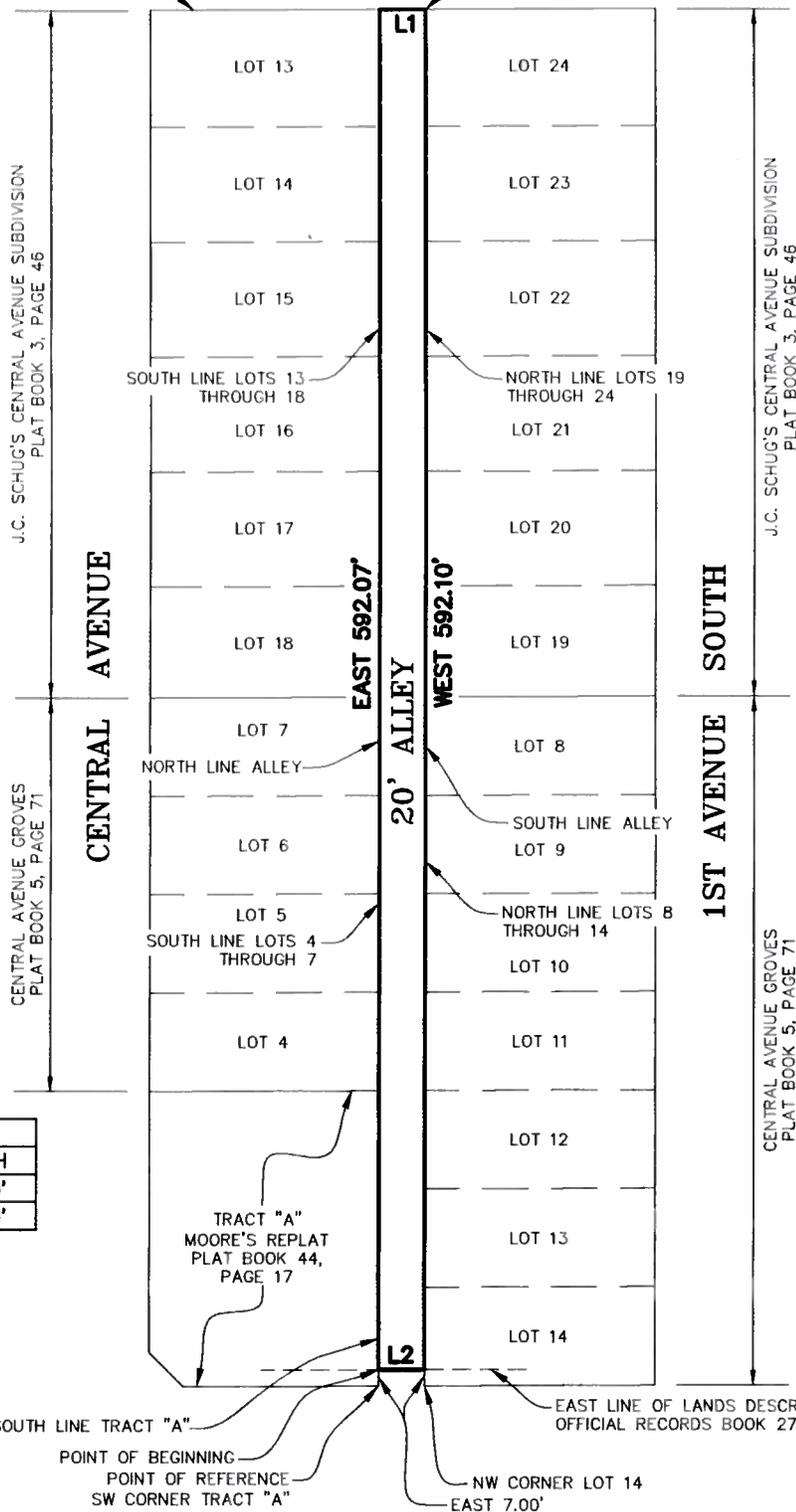
PREPARED FOR: THE EDWARDS GROUP		ALLEY VACATION DESCRIPTION & SKETCH		BY	DATE	DESCRIPTION	
		SECTION 20, TOWNSHIP 31 S., RANGE 16 E.		JLS	7/29/15	REVISED PORTION OF DESCRIPTION AND SKETCH	
CREW CHIEF	INITIALS	DATE	 <p style="font-size: 1.2em; font-weight: bold; margin: 0;">George F. Young, Inc.</p> <p style="font-size: 0.8em; margin: 0;">299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701 PHONE (727) 822-4317 FAX (727) 822-2919 BUSINESS ENTITY LB21 ARCHITECTURE-ENGINEERING-ENVIRONMENTAL-LANDSCAPE-PLANNING-SURVEYING-UTILITIES GAINESVILLE-LAKELWOOD RANCH-ORLANDO-PALM BEACH GARDENS-ST. PETERSBURG-TAMPA-VENICE</p>				JOB NO. 15007700SS
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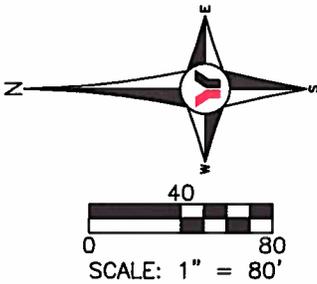
60TH STREET SOUTH ATTACHMENT "C-2"

WEST RIGHT OF WAY 60TH STREET SOUTH

NE CORNER LOT 24



LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°23'41"E	20.00'
L2	N00°19'00"W	20.00'



SOUTH LINE TRACT "A"
 POINT OF BEGINNING
 POINT OF REFERENCE
 SW CORNER TRACT "A"
 EAST LINE OF LANDS DESCRIBED IN
 OFFICIAL RECORDS BOOK 2751, PAGE 670
 NW CORNER LOT 14
 EAST 7.00'

61ST STREET SOUTH

PREPARED FOR: THE EDWARDS GROUP		ALLEY VACATION DESCRIPTION & SKETCH SECTION 20, TOWNSHIP 31 S., RANGE 16 E.		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>BY</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>JLS</td> <td>7/29/15</td> <td>REVISED PORTION OF DESCRIPTION AND SKETCH</td> </tr> </tbody> </table>		BY	DATE	DESCRIPTION	JLS	7/29/15	REVISED PORTION OF DESCRIPTION AND SKETCH						
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ATTACHMENT "D"

MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Crook, Development Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: June 30, 2015
SUBJECT: Alley vacation
FILE: 15-33000013

LOCATION: Central Avenue and 1st Avenue South, between 60th Street South and 61st Street South

PIN: 20/31/16/758896/000/0010; 20/31/16/79128/000/0160;
20/31/16/79128/000/0130; 20/31/16/14400/000/0080;
20/31/16/79128/000/0220

ATLAS: O-2

PROJECT: Alley Vacation

REQUEST: Approval of vacation of a 20 foot east-west alley in the block bounded by Central Avenue and 1st Avenue South between 60th Street South and 61st Street South.

COMMENTS: The Engineering Department has no objection to the vacation request with the following conditions of approval:

1. The alley proposed for vacation contains an 8" public sanitary sewer main with insituform liner. The applicant must either relocate the sanitary sewer main to the south within 1st Avenue South right of way or must retain the entire vacated alley as a public utility easement.
2. If the applicant opts to relocate the public sanitary sewer main the design, permitting, and construction shall be by and at the sole expense of the applicant. All construction shall be in conformance with current City Engineering Standards and Specifications. A City Engineering right of way permit is required for sanitary sewer relocation.
3. If the applicant opts to retain the entire vacated alley as public utility easement, public access to the public sanitary sewer main shall be maintained at all times and no structures shall be constructed within or above the public easement area.
4. Engineering would recommend that the property be replatted as condition of this full right of way vacation request.

NED/jw

pc: Kelly Donnelly
Reading File
Correspondence File
2015 Right of Way Vacation File – 15-33000013
Subdivision File: CENTRAL AVE GROVES
SCHUG'S CENTRAL AVE SUB
MOORE'S REPLAT



CITY COUNCIL

Meeting of September 17, 2015

-
- TO:** The Honorable Charles W. Gerdes, Esq., Chair, and Members of City Council
- SUBJECT:** **City File LDR-2015-04:** Amending St. Petersburg City Code, Chapter 16, Land Development Regulations ("LDRs"),
- REQUEST:** Second reading and public hearing of the attached ordinance amending the LDRs providing for the amendment of the Nonconforming lot and Definitions sections of the St. Petersburg City Code.

BACKGROUND AND ANALYSIS: Council Member Steve Kornell submitted, and the City Council subsequently referred to the Public Service and Infrastructure Committee ("PS&I"), a request to review possible ordinance changes and process adjustments concerning nonconforming lots. Staff initially presented a general overview of the existing regulations and potential amendment discussions to the PS&I Committee on March 12, 2015 and later presented draft language to the PS&I Committee on May 28, 2015.

The proposal is to modify code so that substandard nonconforming lots of record under common ownership cannot be developed without approval of a variance and to add a definition of "Buildable Lot".

Many subdivisions were platted prior to adoption of the City's first zoning ordinance in 1933. Many neighborhoods were subsequently developed with one house on two or more platted lots. When zoning was established, minimum lot sizes were based on the development pattern, rather than the underlying subdivision plat. Therefore, many platted lots of record do not conform to the current zoning district standards, and are considered to be substandard lots.

Under today's code, single-family homes may be built on these platted lots of record, even if the lot does not meet the minimum standards for the zoning district. Such development is not always consistent with the development pattern of the neighborhood.

Restrictions were in place from 1973 through 2003 which limited development of nonconforming lots if the lots were in common ownership in 1977. Code was changed in 2003 to allow development on any platted lot of record.

Why was code changed in 2003?

- Issues with enforcement
- Property owners assume there are development rights for each platted lot
- Selling lot creates illegal lot, which cannot be developed
- Undue hardship for persons holding lots for investment purposes
- Not afforded same rights as others on their block
- Property Appraiser does not provide information
- No practical method for City to inform owners of the limitations, as the City does not regulate buying and selling of property

Issues and Concerns with changing code back to pre-2003 language:

- Landowner's reasonable expectations
- Character of the neighborhood
- Encouragement of infill development, when consistent with neighborhood development pattern

Prior to the Development Review Commission meeting, staff received four emails opposing the amendment. During the Development Review Commission public hearing on August 5th, ten citizens spoke in favor of the ordinance, including a representative of the Historic Old Northeast Neighborhood Association and one spoke in opposition. Commissioner Scherer expressed concerns that the previous change in 2003 was found consistent with the Comprehensive Plan, and therefore the change back would not be consistent. Commissioner Cravey recommended that there be some type of grandfathering provision to protect the rights of property owners who currently own undeveloped lots which would be subject to this change, and requested that the effective date be moved out one year to allow such property owners to convey their properties or develop the properties without having to comply with the new regulations. There have been no proposed changes to the ordinance in response to the DRC meeting. A letter in support of the changes from the Historic Old Northeast Neighborhood Association and a package of materials was submitted by the citizen opposing the amendment.

RECOMMENDATION:

Administration:

The Administration recommends APPROVAL.

Development Review Commission:

On August 5, 2015, the DRC reviewed the attached ordinance by a vote of 5 to 2 voted to recommend APPROVAL, based on consistency with the Comprehensive Plan.

City Council:

On September 3, 2015, the City Council conducted a first reading.

Citizen Input:

Since DRC and as of the date of this report, there have been no further letters, emails or calls received. The previous correspondence is attached.

Recommended City Council Action:

1. CONDUCT the second reading and public hearing of the proposed ordinance; and
2. APPROVE the ordinance.

ATTACHMENTS:

1. Ordinance
2. DRC Staff Report
3. Letter from Old Northeast Neighborhood Association, citizen package submitted to DRC, and citizen emails.

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING THE CITY OF ST. PETERSBURG LAND DEVELOPMENT REGULATIONS; AMENDING THE REQUIREMENTS FOR DIVISION OF NONCONFORMING LOTS HELD IN COMMON OWNERSHIP; ADDING A DEFINITION FOR BUILDABLE LOT; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Section 16.60.030.2. of the St. Petersburg City Code is hereby amended to read as follows:

16.60.030.2. – Nonconforming lots.

- A. *Single-family districts.* In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of these regulations, a single-family dwelling and customary accessory structures may be erected on any lot of record, except as provided herein, so long as it complies with the other regulations for the district in which such lot is located. This provision applies even though such lot fails to meet the requirements for area or width, or both, that generally apply to the district.
- B. *Nonconforming lots in common ownership.* When the City's property card, property deeds or the county's tax parcel identification number indicates that a parcel of property that has defined boundaries, and is or becomes under common ownership on or after the date of adoption this ordinance (September 17, 2015), and consists of more than one lot of record, and one or more of such lots is undeveloped the parcel is not divisible into separate buildable ~~subparcels~~ lots unless:
1. Each existing structure meets the current requirements for setbacks from the boundary lines of the lot of record upon which the structure is located and from the boundary lines of the ~~subparcels~~ buildable lot to be created, or a variance from such requirements has been approved ~~prior to the division of the parcel into subparcels~~; and
 2. ~~No lots of record shall be divided, nor shall a portion of a lot of record be combined with other lots or portions of lots, unless All~~ of the resulting parcels of property meet the current minimum lot area and dimensional requirements of the zoning district or ~~obtain~~ a variance from such requirements has been approved.

The division of combined lots of record which creates a substandard lot or setback causes each lot of record formerly under common ownership to be a violation of this chapter. No development permits shall be issued for any of the affected lots of record until the

violation is corrected. A variance to lot area and/or dimensional regulations must be obtained for each nonconforming lot of record formerly under common ownership subject to this section before an affirmative buildable lot determination can be made by the POD.

- C. *Lots without subdivision improvements.* For any nonconforming or conforming lot, whether platted or unplatted, no development permit shall be issued unless public improvements have been provided to service the lot in accordance with the subdivision section.

Section Two. Section 16.90.020.3. of the St. Petersburg City Code is hereby amended to add a definition for 'buildable lot,' which should be placed in the appropriate alphabetical location, to read as follows:

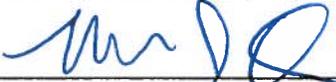
Buildable lot means a parcel of land which meets the requirements of this chapter and for which a development permit may be granted.

Section Three. 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 Four. 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 Five. 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)



DEVELOPMENT REVIEW COMMISSION

Prepared by the Planning & Economic Development Department

For Public Hearing on August 5, 2015
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

APPLICATION: LDR 2015-04

APPLICANT: City of St. Petersburg
175 5th Street North
St. Petersburg, FL 33701

REQUEST: A text amendment related to Sections 16.60.030.2 and 16.90.020.3. More particularly, an ordinance providing for the amendment of the Nonconforming lot and definitions sections of the St. Petersburg City Code;

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

AUTHORITY: Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the Land Development Regulation Commission ("LDRC"), is responsible for reviewing and making a recommendation to the City Council on all proposed amendments to the LDRs.

Recommendation

The Planning & Economic Development Department finds that the proposed request is consistent with the Comprehensive Plan and recommends **APPROVAL**.

Background

Council Member Steve Kornell submitted, and the City Council subsequently referred to the Public Service and Infrastructure Committee ("PS&I"), a request to review possible ordinance changes and process adjustments concerning nonconforming lots. Staff initially presented a general overview of the existing regulations and potential amendment discussions to the PS&I Committee on March 12, 2015 and later presented a draft language to the PS&I Committee on May 28, 2015.

The proposal is to modify code so that substandard nonconforming lots of record under common ownership cannot be developed without approval of a variance and to add a definition of "Buildable Lot".

B. *Nonconforming lots in common ownership.* When the City's property card, property deeds or the county's tax parcel identification number indicates that a parcel of property that has defined boundaries, and is under common ownership or was under common ownership as of the date of adoption this ordinance (September 17, 2015), and consists of ~~more than one~~ one or more undeveloped lots of record, the parcel is not divisible into separate buildable subparcels unless:

1. Each existing structure meets the current requirements for setbacks from the boundary lines of the lot of record upon which the structure is located and from the boundary lines of the subparcels to be created, or a variance from such requirements has been approved prior to the division of the parcel into subparcels; and
2. ~~No~~ Combined lots of record shall not be divided, nor shall a portion of a lot of record be combined with other lots or portions of lots, unless all of the resulting parcels of property meet the current minimum lot area and dimensional requirements of the zoning district or obtain a variance from such requirements.
3. The division of combined lots of record which creates a substandard lot or setback causes each lot of record formerly under common ownership to be a violation of this chapter, and no permits shall be issued for any of the affected lots of record until the violation is corrected.
4. A variance to lot area and/or dimensional regulations must be obtained for each nonconforming lot of record formerly under common ownership subject to this section before an affirmative buildable lot determination can be made by the POD.

Buildable lot means a parcel of land which meets the requirements of this chapter and for which a development permit may be granted.

Discussion

Many subdivisions were platted prior to adoption of the City's first zoning ordinance in 1933. Many neighborhoods were subsequently developed with one house on two or more platted lots. When zoning was established, minimum lot sizes were based on the development pattern, rather than the underlying subdivision plat. Therefore, many platted lots of record do not conform to the current zoning district standards, and are considered to be substandard lots.

Under today's code, single-family homes may be built on these platted lots of record, even if the lot does not meet the minimum standards for the zoning district. Such development is not always consistent with the development pattern of the neighborhood.

Restrictions were in place from 1973 through 2003 which limited development of nonconforming lots if the lots were in common ownership in 1977. Code was changed in 2003 to allow development on any platted lot of record.

Why was code changed?

- Issues with enforcement
- Property owners assume there are development rights for each platted lot
- Selling lot creates illegal lot, which cannot be developed
- Undue hardship for persons holding lots for investment purposes; Not afforded same rights as others on their block
- Property Appraiser does not provide information
- No practical method for City to inform owners of the limitations, as the City does not regulate buying and selling of property

Issues and Concerns with changing code back to pre-2003 language:

- Landowner's reasonable expectations
- Character of the neighborhood
- Encouragement of infill development, when consistent with neighborhood development pattern

Compliance with the Comprehensive Plan

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

OBJECTIVE LU1:

The City shall take into account the citizen based themes noted in the Vision Element when considering development decisions.

Policy LU1.1 When considering the probable use of land in a development application, the principles and recommendations noted in the Vision Element should be considered where applicable.

Policy LU1.2 The City will continue to recognize the City Administration's policy responses, incorporated into the Implementations but not made a part of the Vision Element to the Comprehensive Plan, with the objective of supporting and improving the neighborhoods, community appearance, the environment, education, economic development, parks and recreation, transportation, personal security, and public safety, to the extent that the resources of the City will allow.

OBJECTIVE LU3:

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

Policy LU3.2 Development shall not exceed the densities and intensities established within this Future Land Use Element except where allowed by the land development regulations.

Policy 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.

Policy LU8.1: Pursuant to the requirements of Chapter 163.3202 F.S. and Chapter 9J-5 F.A.C. the land development regulations will be amended, as necessary, to ensure consistency with the goals, objectives and policies of the Comprehensive Plan.

Housing Affordability Impact Statement

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

Adoption Schedule

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

- First Reading – September 3, 2015
- Second Reading and Public Hearing- September 17, 2015

Exhibits and Attachments

1. Ordinance
2. Housing Affordability Impact Statement
3. Public Services and Infrastructure Committee Minutes May 28, 2015
4. Staff Report to Planning Commission, August 20, 2002
5. Staff Report to City Council, March 20, 2003

AN ORDINANCE OF THE CITY OF ST. PETERSBURG
AMENDING THE CITY OF ST. PETERSBURG LAND
DEVELOPMENT REGULATIONS; AMENDING THE
REQUIREMENTS FOR DIVISION OF
NONCONFORMING LOTS HELD IN COMMON
OWNERSHIP; ADDING A DEFINITION FOR
BUILDABLE LOT; AND PROVIDING AN EFFECTIVE
DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Section 16.60.030.2. of the St. Petersburg City Code is hereby amended to read as follows:

16.60.030.2. – Nonconforming lots.

- A. *Single-family districts.* In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of these regulations, a single-family dwelling and customary accessory structures may be erected on any lot of record, except as provided herein, so long as it complies with the other regulations for the district in which such lot is located. This provision applies even though such lot fails to meet the requirements for area or width, or both, that generally apply to the district.

- B. *Nonconforming lots in common ownership.* When the City's property card, property deeds or the county's tax parcel identification number indicates that a parcel of property that has defined boundaries, and is under common ownership or was under common ownership as of the date of adoption this ordinance (September 17, 2015), and consists of ~~more than one~~ one or more undeveloped lots of record, the parcel is not divisible into separate buildable subparcels unless:
 - 1. Each existing structure meets the current requirements for setbacks from the boundary lines of the lot of record upon which the structure is located and from the boundary lines of the subparcels to be created, or a variance from such requirements has been approved prior to the division of the parcel into subparcels; and

 - 2. ~~No~~ Combined lots of record shall not be divided, nor shall a portion of a lot of record be combined with other lots or portions of lots, unless all of the resulting parcels of property meet the current minimum lot area and dimensional requirements of the zoning district or obtain a variance from such requirements.

 - 3. The division of combined lots of record which creates a substandard lot or setback causes each lot of record formerly under common ownership to be a violation of this chapter, and no permits shall be issued for any of the affected lots of record until the violation is corrected.

4. A variance to lot area and/or dimensional regulations must be obtained for each nonconforming lot of record formerly under common ownership subject to this section before an affirmative buildable lot determination can be made by the POD.

C. *Lots without subdivision improvements.* For any nonconforming or conforming lot, whether platted or unplatted, no development permit shall be issued unless public improvements have been provided to service the lot in accordance with the subdivision section.

Section Two. Section 16.90.020.3. of the St. Petersburg City Code is hereby amended to add a definition for 'buildable lot,' which should be placed in the appropriate alphabetical location, to read as follows:

Buildable lot means a parcel of land which meets the requirements of this chapter and for which a development permit may be granted.

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

APPROVED AS TO FORM AND CONTENT:

CITY ATTORNEY (designee)

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

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

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

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

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2015-04).

III. **Impact Analysis:**

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

No (No further explanation required.)

Yes Explanation:

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

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

No (No further explanation required)

Yes Explanation:

IV: Certification

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

CHECK ONE:

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



Department Director (signature)

8-28-15

Date

OR

- The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance *will increase housing costs* in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

Department Director (signature)

Date

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development

**Public Services and Infrastructure Committee Minutes
May 28, 2015**

CITY OF ST. PETERSBURG
Public Services and Infrastructure Committee Meeting
May 28, 2015 @ 9:15 a.m.

PRESENT: Committee Chair Bill Dudley; James R. Kennedy, Jr., Darden Rice, and Steve Kornell

ALSO PRESENT: Councilmembers Wengay Newton, Karl Nurse, and Charlie Gerdes; 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; Support Staff: Blaise Mazzola, Claims Supervisor and primary support staff; Mike Vineyard Manager Park Operations, and backup support staff; and Patricia Beneby, Deputy City Clerk

Committee Chair Dudley opened the meeting with roll call. Councilmember Kennedy moved with the second of Councilmember Rice for approval of the Agenda. All were in favor of the motion.

In connection with new business, City Code 16.60.030.2 Non Conforming Lots and Grandfathered Situations, Ms. Elizabeth Abernethy provided background regarding non-conforming lots and grandfathered situations. She discussed that restrictions were in place from 1973 through 2003 which limited development of non-conforming lots if the lots were in common ownership in 1977. The Code was changed in 2003 to allow development on any platted lot of record. The action proposed is to limit ability to develop lots of record under common ownership if they do not meet underlying zoning district minimum lot standards; allow variance process for reduction of minimum standards; and support if consistent with development pattern of the neighborhood. Michael Dema provided a draft ordinance change. Councilmember Kennedy questioned the City's exposure of a potential legal action by a property owner affected by the proposed changes. Mr. Dema responded 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. Councilmember 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. Councilmember 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. All were in favor of the motion. Councilmember 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. All were in favor of the motion. Councilmember 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. All were in favor of the motion. Councilmember Kornell made a motion to approve the draft ordinance and send to the Development Review Commission for their approval. All were in favor of the motion.

In connection with the new business, Door-to Door Solicitation Ordinance, Heather Judd, Assistant City Attorney, 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. Councilmember Kornell questioned if a process that allowed a citizen to fill out an affidavit is possible. City Attorney John Wolfe stated that we must be cautious of the First Amendment. Councilmember Rice believes that much of the ordinance changes are reasonable and that she supports of the background check section of the draft. Councilmember 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. Councilmember Kennedy made a motion for staff

Public Services & Infrastructure Committee

May 28, 2015

Page 2

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. All were in favor of the motion.

The Chair thanked Mr. Blaise Mazzola for his service as staff support, and announced June 11, 2015 as the next scheduled PSI Committee meeting.

There being no further business, the meeting was adjourned at 10:31 a.m.

**Staff Report to Planning Commission
August 20, 2002**



Staff Report to the St. Petersburg Planning Commission

Prepared by the Development Services Department, Development Review Services Division

For Public Hearing and Executive Action on August 20, 2002,
at 4:00 p.m., in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File #LDR/ZO-02-01
Agenda Item #2

Applicant: City of St. Petersburg

Request: At the direction of the Administration, Development Services proposes to amend sections of the Zoning Ordinance related to the definition of lots, the administration of grandfathered and nonconforming uses, and the duties of the Board of Adjustment.

Purpose: The primary purpose of these amendments is to further redevelopment and revitalization opportunities for existing buildings and sites within the City. Presently, many properties cannot be re-used or rehabilitated even if they are done so in a manner that is compatible with surrounding development. In many cases, these buildings must be converted to another type of use which the market or site location cannot support, or remain boarded and blighted. Other aspects of the proposed changes are intended to delete regulations that cannot be enforced or can only be enforced on a selective basis. The proposed regulations preclude the ability of the Board of Adjustment to reinstate any dwelling unit smaller than 375 square feet, which is the minimum size allowed by City Code for an efficiency unit. The amendments also limit the time for compliance if a dwelling unit that is reinstated remains occupied.

Analysis: Many of the changes in the attached (proposed) ordinance are housekeeping matters requested by the City's legal staff to make the ordinance easier to understand. The other changes, which are more substantive in nature, are outlined below. *(It should be noted that the following referenced page numbers refer to the page numbers in the attached ordinance.)*

Lot/Page 2

Under the proposed change, the definition of "Lot" is amended to make it more clear that a lot cannot be created on an alley. In some cases, land speculators have proposed to subdivide lots and create new lots fronting on alleys. For the most part,

these new lots can become second-class lots which can remain forever. The proposed amendment represents a clarification of previous City interpretation. For creative developments, however, variances to allow for unique subdivision of property can still be secured.

Lots of Record/Page 3

The definition of "*Lots of Record*" is amended to mean lots which were legally platted.

Section (g) Relating to the Issuance of Building Permits/Page 5

These requirements are now addressed by the newly adopted Building Code, and are redundant in this part of the Zoning Ordinance.

Nonconforming Lots/Pages 7-9

This amendment falls under the category of eliminating an "unenforceable regulation."

Beginning in 1973, the City ceased to recognize all platted lots as lots of record. Under certain conditions of development and ownership (e.g. two or more undeveloped lots in common ownership OR three or more underdeveloped lots in common ownership), the lots would be treated as one lot for purposes of zoning. For example, if a person owned three lots and one lot was developed, he/she would not be able to sell off either of the two lots even though they were legally platted and other lots of similar size in the neighborhood were developed with three homes. Furthermore, even though the property was treated as one lot by City Code, the original plat containing two or three platted lots still existed. Consequently, most citizens, unaware of this obscure regulation, believe that they own a platted lot(s) that they can sell.

Imposition of the current regulation is difficult, if not impossible, to enforce. The regulation is not common knowledge, it will not show up in a title search, and no one at the County Property Appraiser's Office will advise a potential purchaser of the regulation. There is no method for the City to advise the potential purchaser of a lot and of this requirement, and no electronic means to track or keep records of properties affected by the regulation. To set up an electronic tracking system, City staff would need to identify all properties in common ownership as of August 25, 1977. From that list, each set of properties would have to be evaluated based upon the number of lots and the extent to which lots are developed. The list would then have to be sorted to delete all cases that have slipped through the system over the past 25 years or were granted a lot line adjustment. Such a process represents government at its most cumbersome and least effective. Rather than enforcing a regulation that can be applied fairly and evenly, the City currently maintains a regulation that can only be selectively applied to whomever is caught. For the general public, the common thought is that if a person owns two platted lots, they

have two lots to sell. There is no reason for the average person to suspect that selling a platted lot would constitute an illegal action.

The current regulation also creates an undue hardship for persons who may have held on to property for investment purposes. These persons are not afforded the same development rights as others on their block. If the property is under a separate property identification number (PIN) from the property appraiser's office, the problem is compounded by the property tax cap. The tax cap applies to the homeowner's lot, but not to the lots that he/she may own on either side. For many, the property tax on these lots has become so burdensome that they must be sold for development or legally combined with the homesteaded lot.

Since adoption of the ordinance, hundreds of lots have been separated and sold in violation of this regulation. The property appraiser's office does not require that lot separation be consistent with local regulations, so there is no ability for the City to intervene in the sale. In the few times over the past few years that the illegal sale has been caught by the City, the unsuspecting buyers are left with the problem. **In all cases, the Environmental Development Commission has approved the required lot line adjustment to allow for the lots to be developed as they were originally platted.** Amending the regulation would allow for lots to be developed as they were originally and legally platted.

Nonconforming Structures/Page 9

The current regulation is so complicated that it cannot be administered or understood. The proposed change is to simply state that if the structure is destroyed by more than 75 percent of its current replacement value, the replacement structure shall comply with current codes.

Nonconforming Uses of Structures and Premises/Page 10

This falls under the "revitalization" classification.

This section will allow for the conversion of a nonconforming use to a grandfathered use. Since nonconforming uses can remain in perpetuity, the public interest is served in allowing the conversion to a less intense use that, by its nature, has been deemed to have some level of compatibility with the zoning district. *Abandoned* nonconforming uses cannot be converted to a grandfathered use under this proposal. Only legal existing uses can be converted.

Nonconforming Uses of Sites and Sites without Site Plans/Page 11

This section does not exist presently. It provides some clear status for sites which do not meet current development requirements, and under what circumstances a site plan change or alteration will trigger improvements, such as landscaping. Of special note in this section is the provision that no variances are required to bring a site into greater compliance with code requirements. For example, if a project which is

presently paved from corner to corner requires a 20 foot green yard and the applicant removes asphalt to provide 10 feet, he/she does not need a variance for 10 feet. If the variance is granted, the project is vested for 10 feet in perpetuity and the site never has to be brought into compliance with 20 feet. By not granting a variance, the City still maintains the ability to bring the site into greater compliance at some point in the future when it is redeveloped or renovated.

Grandfathered Uses of Structures and Premises (g)2(a)/Pages 12-13

This section provides for objective standards to allow for the conversion of one grandfathered use to another grandfathered use. These standards do not exist presently.

Grandfathered Uses of Structures and Premises (g)3-4/Page 13

This section clarifies the City's policy on grandfathered status as it relates to multi-tenant properties. Simply stated, the entire building must become abandoned to lose legal grandfathered status.

Status of Nonconformities/Pages 14-15

This section is stricken in its entirety. It is no longer of any use.

Nonconforming and Grandfathered Use Chart/Pages 16-22

Changes to the chart fall under the "revitalization" heading. They are intended to get unused and boarded buildings reoccupied, re-used, and contributing in a positive manner to the vitality of St. Petersburg.

The Board of Adjustment, in its consideration of reinstatement applications, has suggested that this chart should be revisited. **The position of the Board is that the public interest is better served by having boarded up buildings reopened for use, activity, and tax generation. Regulations that force buildings to remain abandoned and/or boarded because the CHART states that a viable use cannot be reinstated in a certain zoning district are undesirable. All uses which do not have an adverse impact or have impacts that can be mitigated should be reinstated for use.** For many grandfathered uses, a literal application of the chart is not working. Some changes are needed to allow for expanded community revitalization opportunities.

Furthermore, the current chart is unclear for some uses and requires substantial interpretation. The proposed revisions generally:

1. Do not make any changes to the status of grandfathered uses in the single-family (RS) zoning districts. All applications for reinstatement must still be heard by the Board of Adjustment.

2. Allow the Zoning Official to reinstate other uses outside of the RS zones when the applicants can demonstrate compliance with parking requirements and bring the site into compliance with current landscaping requirements. These uses are typically limited to the reinstatement of multifamily uses in multifamily zones, and non-residential uses in non-residential zones.
3. Allow for the reinstatement of new grandfathered uses in certain zones which could not be reinstated previously.

The current City Code does not allow for the reinstatement of many uses in zoning districts where they would be appropriate and desirable. For example, a triplex cannot be reinstated in an office or commercial district, so it remains unoccupied or boarded in some neighborhoods. Other examples include: business and professional schools in office zones; office uses in multifamily zones; retirement homes in commercial and office zones; and commercial uses in industrial zones. Most of these uses, if reoccupied and re-used would be an economic asset to the City. With appropriate mitigation, all of these uses can be re-established in a manner that contributes positively to the City's revitalization.

4. Adds the grandfathered and nonconforming use provisions of the UV-1 zoning district into the chart. Presently, they are set forth only in the UV-1 district regulations, which enhances the potential for mistakes by City staff.
5. Addresses the unclear *standing* of filling stations and motor vehicle repair uses. These types of uses are presently not included in the chart. With these amendments, their standing as a nonconforming use in certain zoning districts will be made easier to understand and defend.

Reinstatement Criteria (e)/Page 30

The Board will no longer have the ability to reinstate any dwelling unit less than 375 square feet in size. Three hundred seventy-five (375) square feet is the minimum floor area for an efficiency unit under code.

Reinstatement (g)/Page 32

Many applicants for reinstatement make application even though their buildings are technically illegally occupied. They maintain tenants in the buildings while they are making application and during the period in which they are implementing the improvements required by the Board of Adjustment. Under the proposed amendment, if the applicant insists on maintaining occupancy of the building during the period in which improvements are implemented, the maximum approval/compliance period will be six (6) months. Presently, many applicants take an extended period to implement required building and fire code improvements while the buildings are occupied. This causes the City and Board great concern because

both want for these buildings to be deemed safe for occupancy as soon as possible. This amendment will expedite the completion of required improvements so that occupied buildings are improved and made safe in a more timely manner.

Additional Changes Made as a Result of Two Workshops

To date, two workshops have been held in front of the Planning Commission: March 5th and June 4th, 2002. The Planning Commission recommended that the changes be forwarded to the neighborhoods and the community for input. On April 23rd, City staff met with neighborhood representatives to discuss certain issues of concern. Amendments to the draft ordinance addressing those concerns, along with revisions coming out of the June 4th workshop, are included in the ordinance attached to this memorandum. These changes are highlighted below:

1. A definition for “*site improvements*” has been included on page 3.
2. Measurable criteria have been added to site improvements which do not require a variance. These are noted on page 12.
3. Special Conditions for Granting Variances (6) and (7)/Page 26-27

Two new criteria are added to substantiate the existence of special conditions that warrant granting of a variance. One is “neighborhood character” to accommodate new (re)development consistent with an existing or historic development pattern. The second is “public facilities,” which supports the granting of variances for necessary public facilities and uses. The entire section regarding public interest as a criterion for granting of a variance has been eliminated pursuant to discussion at the June 4th workshop.

Housing
Affordability
Impact
Statement:

The proposed amendment will not have a significant impact on housing affordability or accessibility. It is anticipated that the proposed amendments may increase housing availability, by allowing the Zoning Official, on a case by case basis, to reinstate residential uses in both residential and non-residential zoning districts, e.g., multifamily uses in a single family district, and multifamily uses in a general office district.

Compliance
With the
Comprehensive
Plan:

The following objectives and policies from the City's Comprehensive Plan are applicable to the attached proposed amendments:

Land Use Objective 8: The City shall continue to define and regulate nonconforming and grandfathered uses consistent with the requirements of Chapter 163, F.S. for the purpose of reducing or eliminating land uses that are inconsistent with the character of the community including repetitive loss and other properties that do not comply with minimum FEMA flood elevation standards as targeted in Policies CM11.11 and CM11.12. The regulations may include provisions for eliminating or reducing uses that are inconsistent with interagency hazard mitigation reports.

Land Use Policy 8.1 Nonconforming and grandfathered uses shall be defined and regulated in a manner consistent with the requirements of the Zoning Ordinance and Chapter 163, F.S.

Land Use Policy 8.2 Nonconforming uses determined to be severely incompatible may be phased out through an appropriate amortization schedule as defined in the land development regulations.

Land Use Policy 8.3 The City will amend the Nonconformities and Grandfathered Uses and Structures section of the Zoning Ordinance to implement provisions that encourage the elimination or reduction of uses inconsistent with interagency hazard mitigation report recommendations that the City deems appropriate.

Land Use Objective 20: The City shall, on an ongoing basis, review and consider for adoption, amendments to existing and/or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.

Land Use Policy 20.1 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.

In addition, the proposed ordinance is consistent with the Pinellas Planning Council's Countywide Plan Rules.

Recommendation: The Development Services Department finds that the proposed amendment is consistent with the Comprehensive Plan and recommends APPROVAL.

Attachment: Proposed Ordinance

**Staff Report to City Council
March 20, 2003**

**CITY OF SAINT PETERSBURG
CITY COUNCIL**



Meeting of March 20, 2003

Submitting Department: Development Services

Department Contact and Phone Number: John Hixenbaugh, 893-7874

Agenda Category: Public Hearing

Agenda Subject Matter: Ordinance _____ amending sections 29-2, 29-50, and 29-111 through 29-115 related to grandfathered and nonconforming uses and powers of the Board of Adjustment.

Reviewed and Approved by (signature and date):

Administrative: _____

[Handwritten signature] / KO

Budget: N/A

Legal: _____

[Handwritten signature]

Is attached backup material complete? YES (staff report, ordinance, and back-up)



SAINT PETERSBURG CITY COUNCIL
Meeting of March 20, 2003

TO: The Honorable Earnest Williams, Chair, and Members of City Council

SUBJECT: Ordinance _____ amending sections 29-2, 29-50, and 29-111 through 29-115 related to grandfathered and nonconforming uses and powers of the Board of Adjustment (City File LDR/ZO-2002-01).

RECOMMENDATION: The Administration and the Planning Commission recommend **APPROVAL.**

The attached ordinance amendment was recommended for approval by the City Council at first reading and first public hearing on February 6, 2003. Since that time, Staff has been in contact with Steve Plice, representing himself and Cathy Wilson. Mr. Plice, who has expressed concerns about parts of the amendment, has suggested two amendments, both of which are included in the attached ordinance. The first amendment requires public notice when the POD intends to approve a change of one grandfathered use to another grandfathered use. The second amendment is a point of clarification for the section related to sites without approved site plans. It is not substantive. The Administration can support both of these requested amendments.

INTRODUCTION:

At the direction of the Administration and at the request of the Board of Adjustment, the Development Services Department proposes to amend sections of the Zoning Ordinance related to the definition of lots, the administration of grandfathered and nonconforming uses, and the duties of the Board of Adjustment.

PUBLIC INPUT:

To date, two workshops have been held in front of the Planning Commission, one on March 5th and a second on June 4th, 2002. At the first workshop, the Planning Commission recommended that the changes be forwarded to the neighborhoods and the community for input. On April 23rd, City staff met with neighborhood representatives to discuss certain issues of concern. Amendments to the draft ordinance addressing those concerns, along with revisions coming out of the June 4th workshop, were made by the City. On August 20, 2002, the Planning Commission held a public hearing on the proposed changes. No members of the public were in attendance even though notices

were sent to each neighborhood association and the proposed amendment was posted on the City's website. After considerable discussion, the Planning Commission voted, by a vote of 7-2, to recommend that the ordinance be adopted. Those in dissent did not comment on any specific issues related to the ordinance, rather suggesting that it might be more appropriate to consider such amendments after adoption of the City's new zoning ordinance in the next two years.

In addition to the workshops and public hearing, the proposed amendment was also presented to the Policy and Planning Committee of the City Council on two occasions: September 26, 2002 and December 10, 2002. At the first meeting, recommendations were made for changes which have been incorporated into the current version of the ordinance. Furthermore, Councilmember Littrell asked that the item be deferred to a later meeting so that policy issues contained in the proposed ordinance could be evaluated. At the December 10 meeting, the item was reconsidered and recommended for scheduling before the entire City Council.

PURPOSE:

The primary purpose of these amendments is to further redevelopment and revitalization opportunities for existing buildings and sites within the City. *This is particularly timely given the current economic climate for redevelopment and investment.*

Presently, many properties cannot be re-used or rehabilitated even if they are done so in a manner that is compatible with surrounding development. In many cases, these buildings must be converted to another type of use which the market or site location cannot support, or remain boarded and blighted. Other aspects of the proposed changes are intended to delete regulations that cannot be enforced or can only be enforced on a selective basis. The proposed regulations preclude the ability of the Board of Adjustment to reinstate any dwelling unit smaller than 375 square feet, which is the minimum size allowed by City Code for an efficiency unit. The amendments also limit the time for compliance if a dwelling unit that is reinstated remains occupied.

DISCUSSION:

Many of the changes in the attached (proposed) ordinance are housekeeping matters requested by the City's legal staff to make the ordinance easier to understand. The other changes, which are more substantive in nature, are outlined below. *(It should be noted that the following referenced page numbers refer to the page numbers in the attached ordinance.)*

To assist the City Council in its consideration of the proposed amendment, the attached chart is provided along with the ordinance. The chart highlights the substantial changes and the intent behind the proposed amendments.

Lot/Page 2

Under the proposed change, the definition of "Lot" is amended to make it more clear that a lot cannot be created on an alley. In some cases, land speculators have proposed to subdivide lots and create new lots fronting on alleys. For the most part,

these new lots can become second-class lots which can remain forever. The proposed amendment represents a clarification of previous City interpretation.

Lots of Record/Page 3

The definition of "*Lots of Record*" is amended to mean lots which were legally platted.

Section (g) Relating to the Issuance of Building Permits/Page 3

These requirements are now addressed by the newly adopted Building Code, and are redundant in this part of the Zoning Ordinance.

Nonconforming Lots/Pages 7-9

This amendment falls under the category of eliminating an "unenforceable regulation."

Beginning in 1973, the City ceased to recognize all platted lots as lots of record. Under certain conditions of development and ownership (e.g. two or more undeveloped lots in common ownership OR three or more underdeveloped lots in common ownership), the lots would be treated as one lot for purposes of zoning. For example, if a person owned three lots and one lot was developed, he/she would not be able to sell off either of the two lots even though they were legally platted and other lots of similar size in the neighborhood were developed with three homes. Furthermore, even though the property was treated as one lot by City Code, the original plat containing two or three platted lots still existed. Consequently, most citizens, unaware of this obscure regulation, believe that they own a platted lot(s) that they can sell.

Imposition of the current regulation is difficult, if not impossible, to enforce. The regulation is not common knowledge, it will not show up in a title search, and no one at the County Property Appraiser's Office will advise a potential purchaser of the regulation. There is no method for the City to advise the potential purchaser of a lot and of this requirement, and no electronic means to track or keep records of properties affected by the regulation. To set up an electronic tracking system, City staff would need to identify all properties in common ownership as of August 25, 1977. From that list, each set of properties would have to be evaluated based upon the number of lots and the extent to which lots are developed. The list would then have to be sorted to delete all cases that have slipped through the system over the past 25 years or were granted a lot line adjustment. Such a process represents government at its most cumbersome and least effective. Rather than enforcing a regulation that can be applied fairly and evenly, the City currently maintains a regulation that can only be selectively applied to whomever is caught. For the general public, the common thought is that if a person owns two platted lots, they have two lots to sell.

There is no reason for the average person to suspect that selling a platted lot would constitute an illegal action.

The current regulation also creates an undue hardship for persons who may have held on to property for investment purposes. These persons are not afforded the same development rights as others on their block. If the property is under a separate property identification number (PIN) from the property appraiser's office, the problem is compounded by the property tax cap. The tax cap applies to the homeowner's lot, but not to the lots that he/she may own on either side. For many, the property tax on these lots has become so burdensome that they must be sold for development or legally combined with the homesteaded lot.

Since adoption of the ordinance, hundreds of lots have been separated and sold in violation of this regulation. The property appraiser's office does not require that lot separation be consistent with local regulations, so there is no ability for the City to intervene in the sale. In the few times over the past few years that the illegal sale has been caught by the City, the unsuspecting buyers are left with the problem. In the majority of cases, the Environmental Development Commission has approved the required lot line adjustment to allow for the lots to be developed as they were originally platted. Amending the regulation would allow for lots to be developed as they were originally and legally platted.

Nonconforming Structures/Page 9

The current regulation is so complicated that it cannot be administered or understood. The proposed change is to simply state that if the structure is destroyed by more than 75 percent of its current replacement value, the replacement structure shall comply with current codes.

Nonconforming Uses of Structures and Premises/Page 11

This falls under the "revitalization" classification.

This section will allow for the conversion of a nonconforming use to a grandfathered use. Since nonconforming uses can remain in perpetuity, the public interest is served in allowing the conversion to a less intense use that, by its nature, has been deemed to have some level of compatibility with the zoning district. *Abandoned* nonconforming uses cannot be converted to a grandfathered use under this proposal. Only legal existing uses can be converted.

Nonconforming Uses of Sites and Sites without Site Plans/Page 11

This section does not exist presently. It provides some clear status for sites which do not meet current development requirements, and under what circumstances a site plan change or alteration will trigger improvements, such as landscaping. Of special note in this section is the provision that no variances are required to bring a site into

greater compliance with code requirements. For example, if a project which is presently paved from corner to corner requires a 20 foot green yard and the applicant removes asphalt to provide 10 feet, he/she does not need a variance for 10 feet. If the variance is granted, the project is vested for 10 feet in perpetuity and the site may never have to be brought into compliance with 20 feet. By not granting a variance, the City still maintains the ability to bring the site into greater compliance at some point in the future when it is redeveloped or renovated.

Grandfathered Uses of Structures and Premises (g)2(a)/Page 13

This section provides for objective standards to allow for the conversion of one grandfathered use to another grandfathered use. These standards do not exist presently.

Grandfathered Uses of Structures and Premises (g)3-4/Page 13

This section clarifies the City's policy on grandfathered status as it relates to multi-tenant properties. Simply stated, the entire building must become abandoned to lose legal grandfathered status.

Status of Nonconformities/Pages 14-15

This section is stricken in its entirety. It is no longer of any use.

Nonconforming and Grandfathered Use Chart/Pages 16-21

Changes to the chart fall under the "revitalization" heading. They are intended to get unused and boarded buildings reoccupied, re-used, and contributing in a positive manner to the vitality of St. Petersburg.

The Board of Adjustment, in its consideration of reinstatement applications, has suggested that this chart should be revisited. **The position of the Board is that the public interest is better served by having boarded up buildings reopened for use, activity, and tax generation. Regulations that force buildings to remain abandoned and/or boarded because the CHART states that a viable use cannot be reinstated in a certain zoning district are undesirable. All uses which do not have an adverse impact or have impacts that can be mitigated should be reinstated for use.** For many grandfathered uses, a literal application of the chart is not working. Some changes are needed to allow for expanded community revitalization opportunities.

Furthermore, the current chart is unclear for some uses and requires substantial interpretation. The proposed revisions generally:

1. Do not make any changes to the status of grandfathered uses in the single-family (RS) zoning districts. All applications for reinstatement must still be heard by the Board of Adjustment.

2. Allow the Zoning Official to reinstate other uses outside of the RS zones when the applicants can demonstrate compliance with parking requirements and bring the site into compliance with current landscaping requirements. These uses are typically limited to the reinstatement of multifamily uses in multifamily zones, and non-residential uses in non-residential zones.
3. Allow for the reinstatement of new grandfathered uses in certain zones which could not be reinstated previously.

The current City Code does not allow for the reinstatement of many uses in zoning districts where they would be appropriate and desirable. For example, a triplex cannot be reinstated in an office or commercial district, so it remains unoccupied or boarded in some neighborhoods. Other examples include: business and professional schools in office zones; office uses in multifamily zones; retirement homes in commercial and office zones; and commercial uses in industrial zones. Most of these uses, if reoccupied and re-used would be an economic asset to the City. With appropriate mitigation, all of these uses can be re-established in a manner that contributes positively to the City's revitalization.

4. Adds the grandfathered and nonconforming use provisions of the UV-1 zoning district into the chart. Presently, they are set forth only in the UV-1 district regulations, which enhances the potential for mistakes by City staff.
5. Addresses the unclear *standing* of filling stations and motor vehicle repair uses. These types of uses are presently not included in the chart. With these amendments, their standing as a nonconforming use in certain zoning districts will be made easier to understand and defend.

Reinstatement Criteria (e)/Page 30

The Board will no longer have the ability to reinstate any dwelling unit less than 375 square feet in size. Three hundred seventy-five (375) square feet is the minimum floor area for an efficiency unit under code.

Reinstatement (g)/Page 32

Many applicants for reinstatement make application even though their buildings are technically illegally occupied. They maintain tenants in the buildings while they are making application and during the period in which they are implementing the improvements required by the Board of Adjustment. Under the proposed amendment, if the applicant insists on maintaining occupancy of the building during the period in which improvements are implemented, the maximum approval/compliance period will be six (6) months. Presently, many applicants take an extended period to implement required building and code improvements while the

buildings are occupied. This causes the City and Board great concern because both bodies want for these buildings to be deemed safe for occupancy as soon as possible. This amendment will expedite the completion of required improvements so that occupied buildings are improved and made safe in a more timely manner.



HONNA
P.O. Box 76324
St. Petersburg, FL 33734
www.honna.org

August 4, 2015

Application: LDR 2015-04

Commission Members,

The Association has long considered this section of the code detrimental to the historic character and diversity of our neighborhood. Homes on multiple lots are subject to particular risk of demolition because multiple houses can be built on the individual substandard lots without variances if the original house is razed. This has become an even bigger concern since the upturn in the economy. Our neighborhood was better protected under the earlier 1973-2003 code. Having a variance requirement will help to lessen the risks of demolition under the current code.

These substandard lots can be developed even though they do not meet the minimum requirements of the NT-2 and NT-3 zoning districts like ours. This can result in houses that are not in keeping with a neighborhood's character.

If this revision is adopted, more of our housing stock is likely to be preserved. For instance, a house on two non-conforming lots would no longer necessarily be threatened by demolition if an individual had to seek approval of variances for lot width and/or area **before** demolition in order to construct two new houses.

This change will also assist in preserving diversity in our neighborhood. St. Petersburg's traditional neighborhoods like the Old Northeast are considered desirable places to live, due in large part to their wide spectrum of economic and architectural diversity. When the Old Northeast was being developed, property owners often purchased two lots or one lot and a portion of another, which created much of the housing diversity that we so appreciate today. If all of our multiple lot properties continue to be redeveloped regardless of whether they meet width and area requirements, without having to get variances, we will soon lose this diversity of lot and house size that some of our larger properties afford the neighborhood.

We support approval of this request. Furthermore, we urge that **demolition permits not be issued before variances are considered** to further protect our historic housing stock.

Sincerely,

Peter Motzenbecker
President, Historic Old Northeast Neighborhood Association

#8

**Development Board Hearing
(August 5, 2015)**

1. Introduction

- a) Why I am here
- b) appraiser Q & E
- c) planning Q & E

2. Impact of Amendment

- a) land use environment being regulated [house with extra lot(s)]
- b) concepts - Excess vs. Surplus Lands
- c) hardship – grandfathering and changing the rules

3. Florida is a Full Compensation State

- a) Government eminent domain condemnation of property rights
- b) Government regulatory condemnation of property rights
- c) Legal counsel & expert cost recoverable directly or indirectly

4. Statute and Case Law

- a) regulatory confiscation of compensible property rights
- b) Diminution of property value caused by regulatory – Bert J. Harris Act
- c) Jirik case – preeminence of platted lots of record and grandfathering

5. Requested Action

- a) restore ordinance language that recognizes the grandfathered development rights of platted lots of record.
- b) Remove the temporal tax parcel number language as it has nothing to do with a platted lot.
- c) Restore the side yard setback requirement for legally nonconforming lots to 10% of width.



CITY OF ST. PETERSBURG

POST OFFICE BOX 2842, ST. PETERSBURG, FLORIDA 33731-2842

WEB SITE: www.stpete.org Channel 35 WSPF-TV

TELEPHONE: 727 893-7171

April 1, 2003

Dan Richardson
111 26th Avenue Northeast
St. Petersburg, Florida 33704

RE: Property generally located at 2172 Coffee Pot Blvd. Northeast and legally described as Revised Replat of Snell & Hamlet's Northshore Addition, Block 37, Lots 7-8

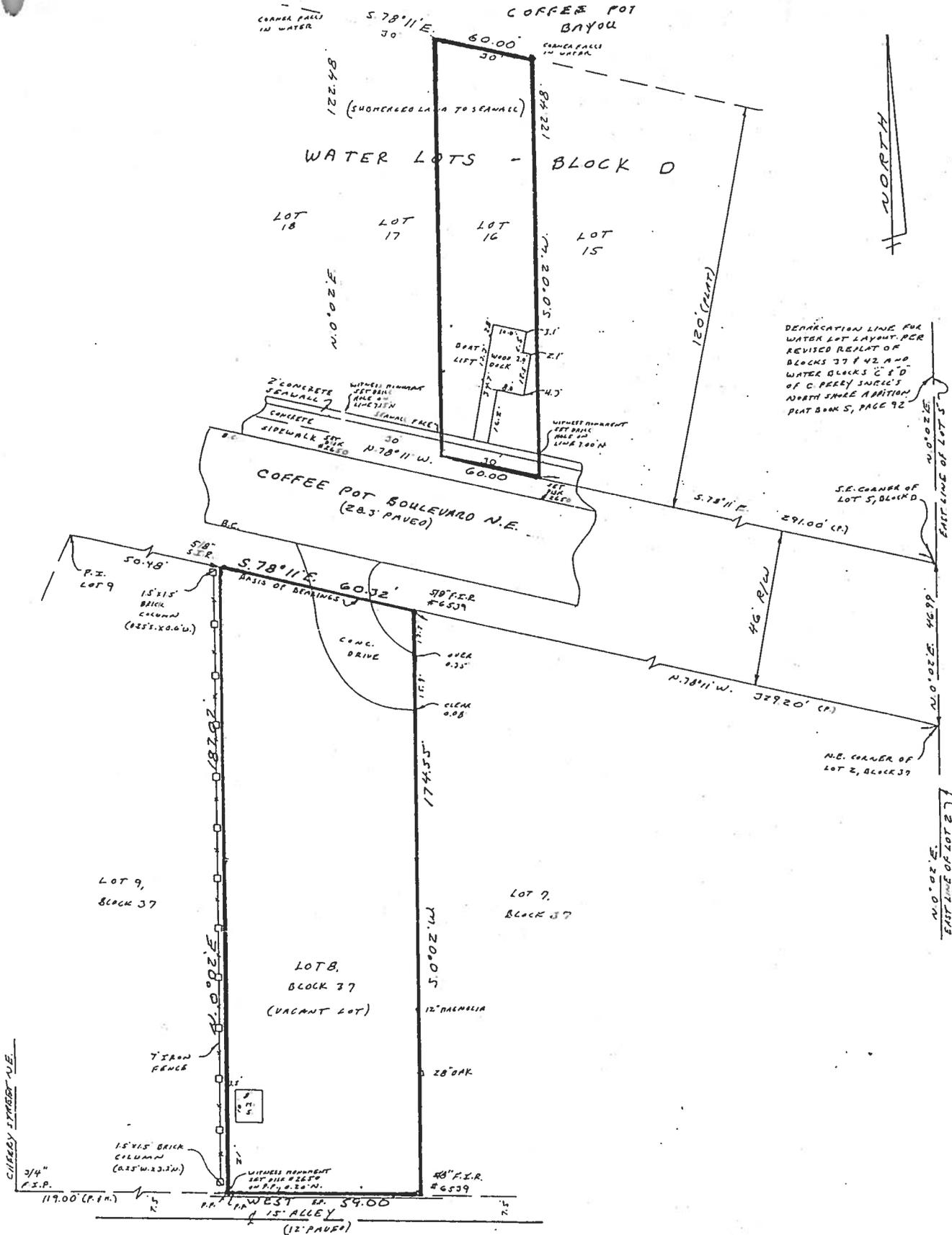
Dear Mr. Richardson:

The above-referenced property is located in the RS-100 (Residential Single-Family) zoning district. You have proposed to demolish the residence on site and build two single-family residences on each of the original two platted lots. While each of the lots does not meet the current lot size requirements of the St. Petersburg Zoning Ordinance, each lot did meet the lot size requirements at the time it was subdivided and is considered to be a buildable nonconforming lot of record. If the residence on site is demolished, the two lots of record may each have a single-family residence constructed in accordance with the RS-100 zoning district regulations.

If you have further questions, feel free to contact me at (727) 893-7881.

Sincerely,

Ted Petersen, Planner I
Development Review Services



A BOUNDARY SURVEY OF LOT 8, BLOCK 37 AND WATER LOTS 16 AND 17, BLOCK 'D', REVISED REPLAT OF C. PERRY SNELL'S NORTH SHORE ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 69 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

JOB NUMBER: 60750	DAVID C. HARNER	FLOOD ZONE: "AE"
TELEPHONE: (727) 360-0636	PROFESSIONAL LAND SURVEYOR	FLOOD MAP DATE: 9/03/03
DATE OF FIELD SURVEY: 8/09/06	9925 GULF BOULEVARD	COMMUNITY NUMBER: 125148
SCALE: 1 INCH = 30 FEET	TREASURE ISLAND, FL. 33706	PANEL NUMBER: 0217 G
DRAWN BY: DLP	SECTIONS 8 & 17 TOWNSHIP 31 SOUTH RANGE 17 EAST	CHECKED BY: DCH
CERTIFIED TO: DAN RICHARDSON		

I HEREBY CERTIFY TO THE HEREON NAMED PARTY OR PARTIES, AND ONLY TO THOSE NAMED HEREON, THAT THE BOUNDARY SURVEY REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND ENGINEERS.



CITY OF ST. PETERSBURG

POST OFFICE BOX 2842, ST. PETERSBURG, FLORIDA 33731-2842

WEB SITE: www.stpete.org CHANNEL 35 WSPF-TV

TELEPHONE: 727 893-7171

May 8, 2001

Dan K. Richardson
111 26th Avenue Northeast
St. Petersburg, Florida 33704

RE: Property generally located at 2196 Coffee Pot Boulevard Northeast, St. Petersburg, Florida, and legally described as Lot 10, Block 37, Snell's C. Perry North Shore Addition

Dear Mr. Richardson:

The above-referenced property is zoned RS-100, Residential Single-Family, and has a corresponding land use of Residential Urban. While this lot does not meet the current lot size requirements of the St. Petersburg Zoning Ordinance, it did meet the lot size requirements at the time it was subdivided and is considered to be a buildable nonconforming lot of record. A single family home could be constructed on-site provided that the current setbacks, parking, and height requirements of the RS-100 zoning district are met, or the applicable variances are received from the appropriate City Board.

I have enclosed a copy of the RS-100 zoning district regulations which indicate the required setbacks for this property. If you have further questions or need additional information, please contact me at (727) 893-7871.

Sincerely,

Terrill L. Brown, City Planner I
Development Review Services Division

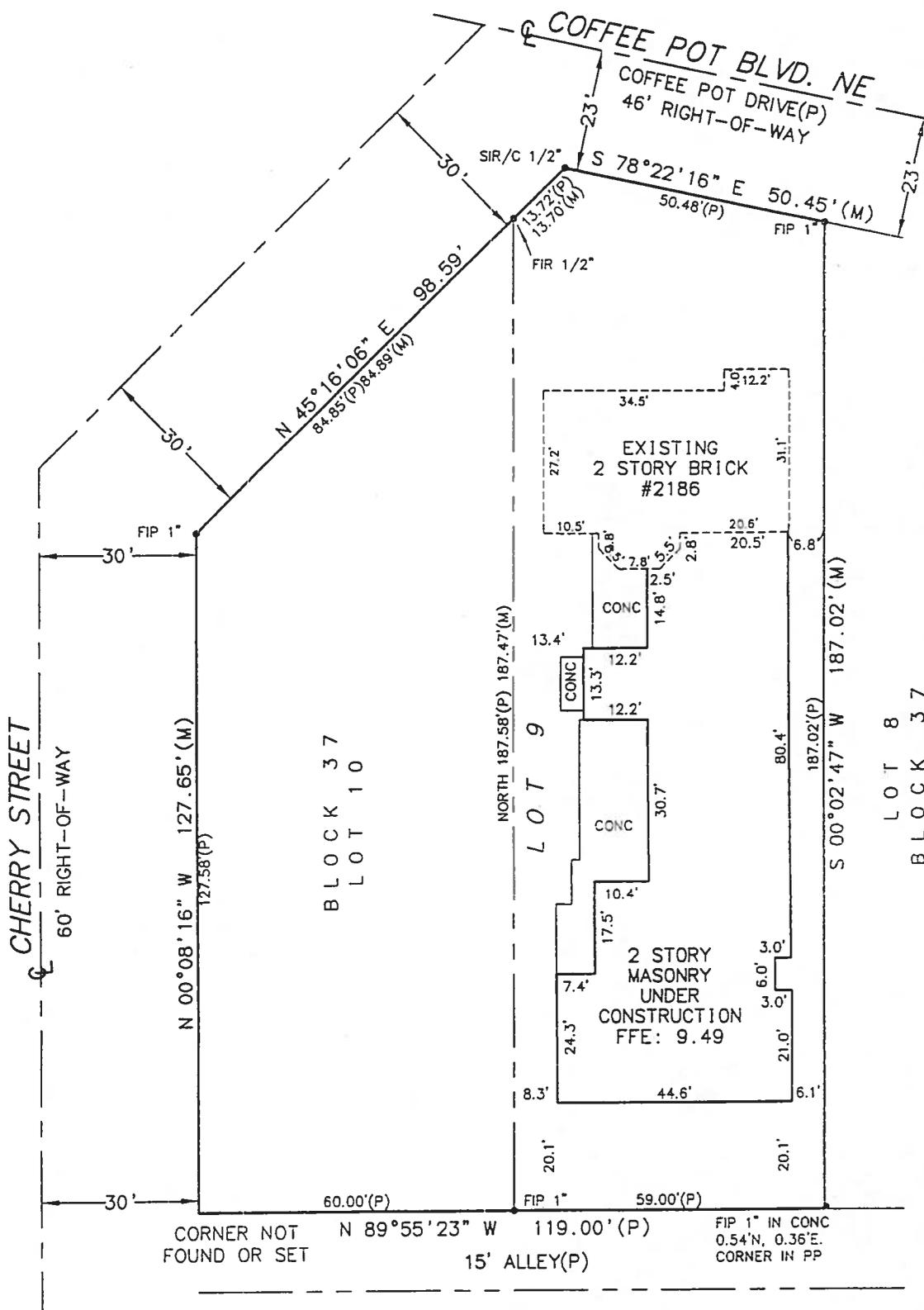
pc: John R. Hixenbaugh, AICP, Zoning Official, Development Review Services Division

SURVEYORS NOTES:

1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS AND OTHER ENCUMBRANCES MAY EXIST OTHER THAN AS SHOWN HEREON.
2. BASIS OF BEARING: THE SOUTHWEST LINE LOT 9, BEING NORTH. NO BEARINGS ON PLAT.
3. ELEVATIONS BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD29).

DESCRIPTION:

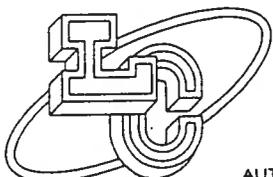
A SURVEY OF LOT 9 AND 10, BLOCK "37", REVISED REPLAT OF BLOCKS 37, 38, 39 AND 42 AND WATER BLOCKS "C", "D" AND "E" OF C. PERRY SNELL'S NORTH SHORE ADDITION AS RECORDED IN PLAT BOOK 4, PAGE 69 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA



CERTIFIED TO:

Dan K. Richardson

SPECIAL PURPOSE SURVEY
FOUNDATION TIE-IN



LEFTCOAST SURVEYORS, INC.

LAND AND CONSTRUCTION SURVEYORS
710 94th AVENUE NO. SUITE 305 PH. (727) 576-2877
St. Petersburg, Florida 33702 FAX# (727) 576-6602

AUTHORIZATION NO. LB 7050

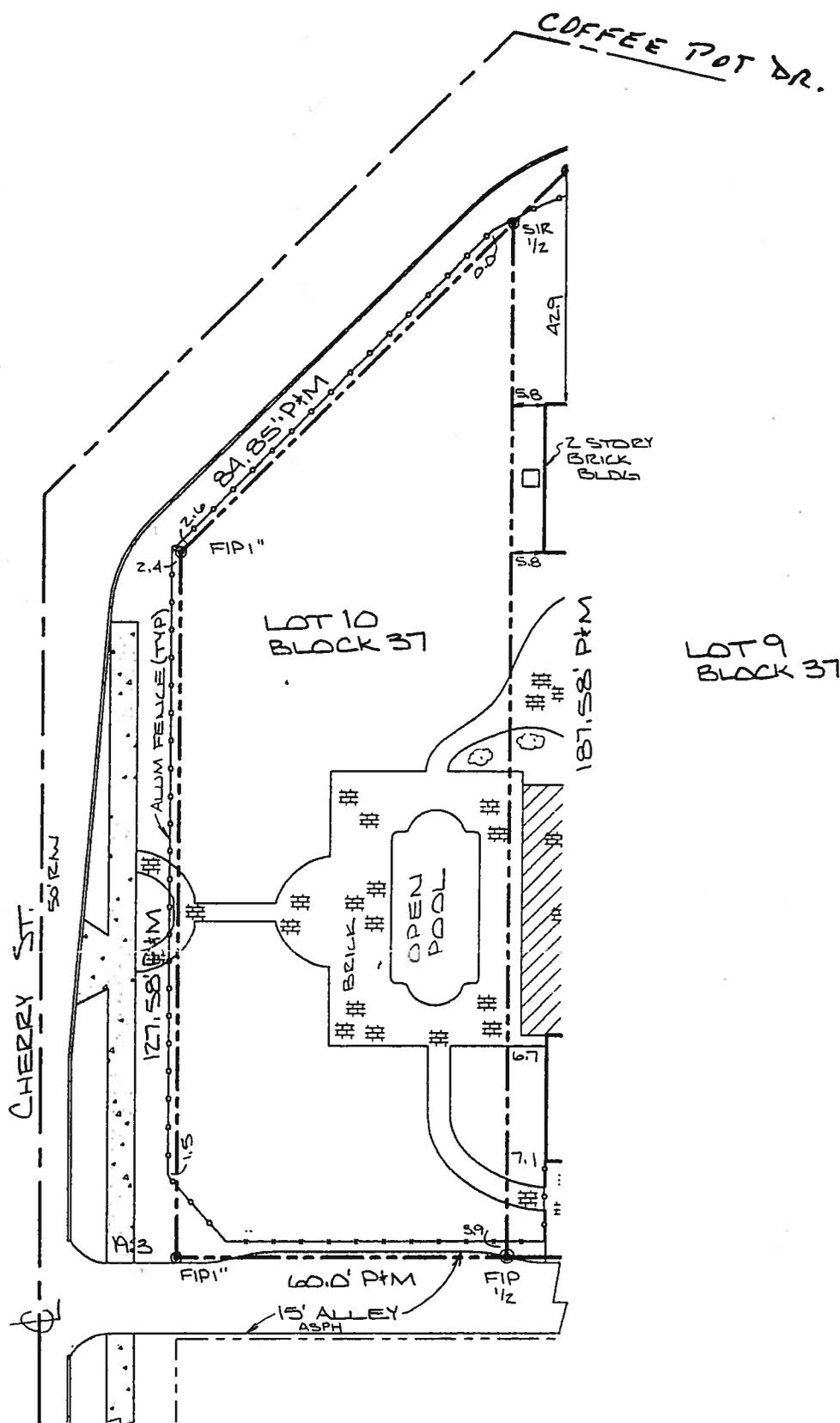
LEGEND:

- EL = ELEVATION
- COR. = CORNER
- EP = EDGE OF PAVEMENT
- CLF = CHAIN LINK FENCE
- WF = WOOD FENCE
- LP = LIGHT POLE
- PP = POWER POLE
- CL = CENTERLINE
- CONC = CONCRETE
- FFE = FINISHED FLOOR EL
- FIP = FOUND IRON PIPE
- SIR/C = SET IRON PIPE WITH CAP #5115
- FIR = FOUND IRON PIPE
- (N) = MEASURED DIMENSION
- (P) = DIMENSION PER PLAT
- OHL = OVERHEAD LINES
- LB = LICENSED BUREAU
- CONC = CONCRETE

SURVEYED: 12/03/03	SCALE: 1" = 30'
FILE: 03-198	SURVEYED BY: MS/TH
FB. 46 PG. 70&71	DRAWN BY: DMAX
SEC. 17, TWP. 31 S., RNG. 17 E.	
DAYSTAMP	
REVISIONS:	

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

Michael A. Guiler
MICHAEL A. GUILER, P.L.S. - FLORIDA REG. No. 5107 DATE SIGNED 12/5/03



"BOUNDARY SURVEY"

LEGEND: F.I.R.=FOUND IRON ROD; F.C.I.R.= FOUND CAPPED IRON ROD; S.C.I.R.= SET CAPPED IRON ROD; F.I.P.= FOUND IRON PIPE; F.C.I.P.=FOUND CAPPED IRON PIPE; F.N.D.=FOUND NAIL & DISK; S.N.D.= SET NAIL & DISK; F.C.M.= FOUND CONCRETE MONUMENT; P.R.M.= PERMANENT REFERENCE MONUMENT; P.C.P.=PERMANENT CONTROL POINT; P.I.=POINT OF INTERSECTION; R/W = RIGHT OF WAY; ELEV.= ELEVATION; C.B.S.= CONCRETE BLOCK STRUCTURE; CONC.= CONCRETE; ASPH.= ASPHALT; PAVT.= PAVEMENT; COV.= COVERED; D= DEED; SEC.= SECTION; TWP.= TOWNSHIP; RGE.= RANGE; P=PLAT; M.= MEASURED; ESMT.= EASEMENT; R.= RADIUS; A.= ARC; C.=CHORD; C.B.= CHORD BEARING; STY.= STORY; C.L.F.= CHAIN LINK FENCE; W.F.= WOOD FENCE

A SURVEY OF LOT 10, BLOCK "37", REVISED REPLAT OF BLOCKS 37, 38, 39 AND 42 AND WATER BLOCKS "C, "D" AND "E" OF C. PERRY SNELL'S NORTH SHORE ADDITION AS RECORDED IN PLAT BOOK 4, PAGE 69 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

I, WILLIAM C. KEATING, THE SURVEYOR IN RESPONSIBLE CHARGE, CERTIFY THAT THE SURVEY REPRESENTED HEREON, AS MEETING THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AS PRESCRIBED IN CHAPTER 81G17-6 DEPT. OF PROFESSIONAL REGULATION. (NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL)

ELEVATION STATEMENT: THIS IS TO CERTIFY THAT WE HAVE OBTAINED ELEVATIONS SHOWN HEREON, OF THE ABOVE DESCRIBED LAND. THESE ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL VERTICAL DATUM, 1929, BENCHMARK SUPPLIED BY THE ENGINEERING DEPT., COUNTY, FLORIDA. FLOOD ZONE DISTINCTIONS ARE BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S MAPS ISSUED TO US. DUE TO INCONSISTENCIES FOUND IN THESE MAPS, THE ZONES ARE AN APPROXIMATE ESTIMATION TO THE BEST OF OUR ABILITY.

COMMUNITY No. 125748	PANEL No. 00156	MAP DATE: 9-30-83	APPEARS TO BE IN FLOOD ZONE: A-B	BASE FLOOD ELEVATION 9.00
DRAWN BY: AC	DATE: 06/21/01	APPROVED BY: <i>William C. Keating</i> WILLIAM C. KEATING R.L.S. # 1528, LB #18423		
CHECKED BY: W.K.	SCALE: 1"=30'	ALLIED SURVEYING 2118 E DREW STREET CLEARWATER, FLORIDA, 33765 727-446-1263		

Select Year: 2004

Go

The 2004 Florida Statutes

Title VI
CIVIL PRACTICE AND
PROCEDURE

Chapter 70
RELIEF FROM BURDENS ON REAL
PROPERTY RIGHTS

View Entire
Chapter

70.001 Private property rights protection.--

(1) This act may be cited as the "Bert J. Harris, Jr., Private Property Rights Protection Act." The Legislature recognizes that some laws, regulations, and ordinances of the state and political entities in the state, as applied, may inordinately burden, restrict, or limit private property rights without amounting to a taking under the State Constitution or the United States Constitution. The Legislature determines that there is an important state interest in protecting the interests of private property owners from such inordinate burdens. Therefore, it is the intent of the Legislature that, as a separate and distinct cause of action from the law of takings, the Legislature herein provides for relief, or payment of compensation, when a new law, rule, regulation, or ordinance of the state or a political entity in the state, as applied, unfairly affects real property.

(2) When a specific action of a governmental entity has inordinately burdened an existing use of real property or a vested right to a specific use of real property, the property owner of that real property is entitled to relief, which may include compensation for the actual loss to the fair market value of the real property caused by the action of government, as provided in this section.

(3) For purposes of this section:

(a) The existence of a "vested right" is to be determined by applying the principles of equitable estoppel or substantive due process under the common law or by applying the statutory law of this state.

(b) The term "existing use" means an actual, present use or activity on the real property, including periods of inactivity which are normally associated with, or are incidental to, the nature or type of use or activity or such reasonably foreseeable, nonspeculative land uses which are suitable for the subject real property and compatible with adjacent land uses and which have created an existing fair market value in the property greater than the fair market value of the actual, present use or activity on the real property.

(c) The term "governmental entity" includes an agency of the state, a regional or a local government created by the State Constitution or by general or special act, any county or municipality, or any other entity that independently exercises governmental authority. The term does not include the United States or any of its agencies, or an agency of the state, a regional or a local government created by the State Constitution or by general or special act, any county or municipality, or any other entity that independently exercises governmental authority, when exercising the powers of the United States or any of its agencies through a formal delegation of federal authority.

(d) The term "action of a governmental entity" means a specific action of a governmental entity which affects real property, including action on an application or permit.

(e) The terms "inordinate burden" or "inordinately burdened" mean that an action of one or more governmental entities has directly restricted or limited the use of real property such that the property owner is permanently unable to attain the reasonable, investment-backed expectation for the existing use of the real property or a vested right to a specific use of the real property with respect to the real property as a whole, or that the property owner is left with existing or vested uses that are unreasonable such that the property owner bears permanently a disproportionate share of a burden imposed for the good of the public, which in fairness should be borne by the public at large. The terms "inordinate burden" or "inordinately burdened" do not include temporary impacts to real property; impacts to real property occasioned by governmental abatement,

prohibition, prevention, or remediation of a public nuisance at common law or a noxious use of private property; or impacts to real property caused by an action of a governmental entity taken to grant relief to a property owner under this section.

(f) The term "property owner" means the person who holds legal title to the real property at issue. The term does not include a governmental entity.

(g) The term "real property" means land and includes any appurtenances and improvements to the land, including any other relevant real property in which the property owner had a relevant interest.

(4)(a) Not less than 180 days prior to filing an action under this section against a governmental entity, a property owner who seeks compensation under this section must present the claim in writing to the head of the governmental entity. The property owner must submit, along with the claim, a bona fide, valid appraisal that supports the claim and demonstrates the loss in fair market value to the real property. If the action of government is the culmination of a process that involves more than one governmental entity, or if a complete resolution of all relevant issues, in the view of the property owner or in the view of a governmental entity to whom a claim is presented, requires the active participation of more than one governmental entity, the property owner shall present the claim as provided in this section to each of the governmental entities.

(b) The governmental entity shall provide written notice of the claim to all parties to any administrative action that gave rise to the claim, and to owners of real property contiguous to the owner's property at the addresses listed on the most recent county tax rolls. Within 15 days after the claim being presented, the governmental entity shall report the claim in writing to the Department of Legal Affairs, and shall provide the department with the name, address, and telephone number of the employee of the governmental entity from whom additional information may be obtained about the claim during the pendency of the claim and any subsequent judicial action.

(c) During the 180-day-notice period, unless extended by agreement of the parties, the governmental entity shall make a written settlement offer to effectuate:

1. An adjustment of land development or permit standards or other provisions controlling the development or use of land.
2. Increases or modifications in the density, intensity, or use of areas of development.
3. The transfer of developmental rights.
4. Land swaps or exchanges.
5. Mitigation, including payments in lieu of onsite mitigation.
6. Location on the least sensitive portion of the property.
7. Conditioning the amount of development or use permitted.
8. A requirement that issues be addressed on a more comprehensive basis than a single proposed use or development.
9. Issuance of the development order, a variance, special exception, or other extraordinary relief.
10. Purchase of the real property, or an interest therein, by an appropriate governmental entity.
11. No changes to the action of the governmental entity.

If the property owner accepts the settlement offer, the governmental entity may implement the settlement offer by appropriate development agreement; by issuing a variance, special exception,

or other extraordinary relief; or by other appropriate method, subject to paragraph (d).

(d)1. Whenever a governmental entity enters into a settlement agreement under this section which would have the effect of a modification, variance, or a special exception to the application of a rule, regulation, or ordinance as it would otherwise apply to the subject real property, the relief granted shall protect the public interest served by the regulations at issue and be the appropriate relief necessary to prevent the governmental regulatory effort from inordinately burdening the real property.

2. Whenever a governmental entity enters into a settlement agreement under this section which would have the effect of contravening the application of a statute as it would otherwise apply to the subject real property, the governmental entity and the property owner shall jointly file an action in the circuit court where the real property is located for approval of the settlement agreement by the court to ensure that the relief granted protects the public interest served by the statute at issue and is the appropriate relief necessary to prevent the governmental regulatory effort from inordinately burdening the real property.

(5)(a) During the 180-day-notice period, unless a settlement offer is accepted by the property owner, each of the governmental entities provided notice pursuant to paragraph (4)(a) shall issue a written ripeness decision identifying the allowable uses to which the subject property may be put. The failure of the governmental entity to issue a written ripeness decision during the 180-day-notice period shall be deemed to ripen the prior action of the governmental entity, and shall operate as a ripeness decision that has been rejected by the property owner. The ripeness decision, as a matter of law, constitutes the last prerequisite to judicial review, and the matter shall be deemed ripe or final for the purposes of the judicial proceeding created by this section, notwithstanding the availability of other administrative remedies.

(b) If the property owner rejects the settlement offer and the ripeness decision of the governmental entity or entities, the property owner may file a claim for compensation in the circuit court, a copy of which shall be served contemporaneously on the head of each of the governmental entities that made a settlement offer and a ripeness decision that was rejected by the property owner. Actions under this section shall be brought only in the county where the real property is located.

(6)(a) The circuit court shall determine whether an existing use of the real property or a vested right to a specific use of the real property existed and, if so, whether, considering the settlement offer and ripeness decision, the governmental entity or entities have inordinately burdened the real property. If the actions of more than one governmental entity, considering any settlement offers and ripeness decisions, are responsible for the action that imposed the inordinate burden on the real property of the property owner, the court shall determine the percentage of responsibility each such governmental entity bears with respect to the inordinate burden. A governmental entity may take an interlocutory appeal of the court's determination that the action of the governmental entity has resulted in an inordinate burden. An interlocutory appeal does not automatically stay the proceedings; however, the court may stay the proceedings during the pendency of the interlocutory appeal. If the governmental entity does not prevail in the interlocutory appeal, the court shall award to the prevailing property owner the costs and a reasonable attorney fee incurred by the property owner in the interlocutory appeal.

(b) Following its determination of the percentage of responsibility of each governmental entity, and following the resolution of any interlocutory appeal, the court shall impanel a jury to determine the total amount of compensation to the property owner for the loss in value due to the inordinate burden to the real property. The award of compensation shall be determined by calculating the difference in the fair market value of the real property, as it existed at the time of the governmental action at issue, as though the owner had the ability to attain the reasonable investment-backed expectation or was not left with uses that are unreasonable, whichever the case may be, and the fair market value of the real property, as it existed at the time of the governmental action at issue, as inordinately burdened, considering the settlement offer together with the ripeness decision, of the governmental entity or entities. In determining the award of compensation, consideration may not be given to business damages relative to any development, activity, or use that the action of the governmental entity or entities, considering the settlement offer together with the ripeness decision has restricted, limited, or prohibited. The award of

compensation shall include a reasonable award of prejudgment interest from the date the claim was presented to the governmental entity or entities as provided in subsection (4).

(c)1. In any action filed pursuant to this section, the property owner is entitled to recover reasonable costs and attorney fees incurred by the property owner, from the governmental entity or entities, according to their proportionate share as determined by the court, from the date of the filing of the circuit court action, if the property owner prevails in the action and the court determines that the settlement offer, including the ripeness decision, of the governmental entity or entities did not constitute a bona fide offer to the property owner which reasonably would have resolved the claim, based upon the knowledge available to the governmental entity or entities and the property owner during the 180-day-notice period.

2. In any action filed pursuant to this section, the governmental entity or entities are entitled to recover reasonable costs and attorney fees incurred by the governmental entity or entities from the date of the filing of the circuit court action, if the governmental entity or entities prevail in the action and the court determines that the property owner did not accept a bona fide settlement offer, including the ripeness decision, which reasonably would have resolved the claim fairly to the property owner if the settlement offer had been accepted by the property owner, based upon the knowledge available to the governmental entity or entities and the property owner during the 180-day-notice period.

3. The determination of total reasonable costs and attorney fees pursuant to this paragraph shall be made by the court and not by the jury. Any proposed settlement offer or any proposed ripeness decision, except for the final written settlement offer or the final written ripeness decision, and any negotiations or rejections in regard to the formulation either of the settlement offer or the ripeness decision, are inadmissible in the subsequent proceeding established by this section except for the purposes of the determination pursuant to this paragraph.

(d) Within 15 days after the execution of any settlement pursuant to this section, or the issuance of any judgment pursuant to this section, the governmental entity shall provide a copy of the settlement or judgment to the Department of Legal Affairs.

(7)(a) The circuit court may enter any orders necessary to effectuate the purposes of this section and to make final determinations to effectuate relief available under this section.

(b) An award or payment of compensation pursuant to this section shall operate to grant to and vest in any governmental entity by whom compensation is paid the right, title, and interest in rights of use for which the compensation has been paid, which rights may become transferable development rights to be held, sold, or otherwise disposed of by the governmental entity. When there is an award of compensation, the court shall determine the form and the recipient of the right, title, and interest, as well as the terms of their acquisition.

(8) This section does not supplant methods agreed to by the parties and lawfully available for arbitration, mediation, or other forms of alternative dispute resolution, and governmental entities are encouraged to utilize such methods to augment or facilitate the processes and actions contemplated by this section.

(9) This section provides a cause of action for governmental actions that may not rise to the level of a taking under the State Constitution or the United States Constitution. This section may not necessarily be construed under the case law regarding takings if the governmental action does not rise to the level of a taking. The provisions of this section are cumulative, and do not abrogate any other remedy lawfully available, including any remedy lawfully available for governmental actions that rise to the level of a taking. However, a governmental entity shall not be liable for compensation for an action of a governmental entity applicable to, or for the loss in value to, a subject real property more than once.

(10) This section does not apply to any actions taken by a governmental entity which relate to the operation, maintenance, or expansion of transportation facilities, and this section does not affect existing law regarding eminent domain relating to transportation.

(11) A cause of action may not be commenced under this section if the claim is presented more than 1 year after a law or regulation is first applied by the governmental entity to the property at issue. If an owner seeks relief from the governmental action through lawfully available administrative or judicial proceedings, the time for bringing an action under this section is tolled until the conclusion of such proceedings.

(12) No cause of action exists under this section as to the application of any law enacted on or before May 11, 1995, or as to the application of any rule, regulation, or ordinance adopted, or formally noticed for adoption, on or before that date. A subsequent amendment to any such law, rule, regulation, or ordinance gives rise to a cause of action under this section only to the extent that the application of the amendatory language imposes an inordinate burden apart from the law, rule, regulation, or ordinance being amended.

(13) This section does not affect the sovereign immunity of government.

History.--s. 1, ch. 95-181.

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*1253 498 So.2d 1253

11 Fla. L. Weekly 636

DEPARTMENT OF TRANSPORTATION,
DIVISION OF ADMINISTRATION,

Petitioner,

v.

Clara E. JIRIK, Respondent.

No. 67362.

Supreme Court of Florida.

Dec. 11, 1986.

Owner of three contiguous lots brought inverse condemnation action after Department of Transportation built a retaining wall which cut off access to one of the lots. The Circuit Court, Monroe County, M. Ignatius Lester, J., determined that a taking had occurred, and department appealed. The District Court of Appeal, 471 So.2d 549, affirmed. On review for direct conflict of decisions, the Supreme Court, Barkett, J., held that: (1) vacant city property constitutes presumptively separate units for purpose of determining condemnation damages if platted into lots, and (2) substantial, competent evidence, supported conclusion that the three lots did not enjoy unity of use, and thus were separate and independent for purpose of determining inverse condemnation damages.

District Court of Appeal decision approved.

McDonald, C.J., dissented with opinion in which Ehrlich, J., concurred.

1. EMINENT DOMAIN ⇌ 137

148 ----

148II Compensation

148II(C) Measure and Amount

148k135 Taking Part of Tract or Property

148k137 Land constituting single tract.

Fla. 1986.

Factors to be considered in determining whether property is a single tract for purpose of determining condemnation damages are physical contiguity, unity of ownership, and unity of use.

2. EMINENT DOMAIN ⇌ 137

148 ----

148II Compensation

148II(C) Measure and Amount

148k135 Taking Part of Tract or Property

148k137 Land constituting single tract.

Fla. 1986.

If land is actually occupied or in use, unity of use is the chief criterion in determining whether contiguous parcels are one unit or separate and independent for purpose of determining condemnation damages.

3. EMINENT DOMAIN ⇌ 200

148 ----

148III Proceedings to Take Property and Assess Compensation

148k199 Evidence as to Compensation

148k200 Presumptions and burden of proof.

Fla. 1986.

Vacant city property constitutes presumptively separate units for condemnation purposes if platted into lots; presumption of separateness is rebuttable; disapproving *Di Virgilio v. State Road Department*, 205 So.2d 317 (Fla. App. 4 Dist.).

4. EMINENT DOMAIN ⇌ 221

148 ----

148III Proceedings to Take Property and Assess Compensation

148k213 Assessment by Jury

148k221 Questions for jury.

[See headnote text below]

4. EMINENT DOMAIN ⇌ 262(4)

148 ----

148III Proceedings to Take Property and Assess Compensation

148k250 Appeal

148k262 Review

148k262(4) Questions of fact, verdicts, and findings.

Fla. 1986.

Question whether certain pieces or parcels of land are to be considered separate and independent for purpose of determining entitlement to condemnation damages is a question of fact, and thus, unless fact finder's determination as to unity or separateness is not supported by competent evidence or is clearly erroneous, determination should not be overturned

on appeal.

5. EMINENT DOMAIN 205

148 ----

148III Proceedings to Take Property and Assess Compensation

148k199 Evidence as to Compensation

148k205 Weight and sufficiency.

Fla. 1986.

Substantial, competent evidence supported finding of trial court that three contiguous parcels held by single owner did not enjoy unity of use, and thus should be considered separate and independent for purpose of determining inverse condemnation damages; property was divided into separate parcels as part of established subdivision plan, and of five parcels originally owned by owner, two were sold separately; parcels did not depend on one another for reasonable use, and each was of a workable size to accommodate home or small business.

*1254 Robert I. Scanlan and Franz E. Dorn, Appellate Attys., Ella Jane P. Davis, Trial Atty., and A.J. Spalla, General Counsel, Tallahassee, for petitioner.

Karl Beckmeyer, Tavernier, for respondent.

BARKETT, Justice.

We have for review *Division of Administration, State Department of Transportation v. Jirik*, 471 So.2d 549 (Fla. 3d DCA 1965), which expressly and directly conflicts with *Di Virgilio v. State Road Department*, 205 So.2d 317 (Fla. 4th DCA 1967), cert. dismissed, 211 So.2d 556 (Fla.1968). We have jurisdiction. Art. V, § 3(b)(3), Fla. Const.

This matter arises from an inverse condemnation action in which respondent alleges that the state's construction of a wall along the border of her property constitutes a taking for which she is entitled to just compensation. The central issue before us is whether the trial court correctly treated respondent's property as three separate lots for purposes of determining whether a taking occurred.

Respondent Jirik owned five adjoining canal-front lots in Plantation Key, Florida. She sold one of the lots--lot five--some twenty years ago. In 1968, she entered into an agreement for a transfer of deed to lot four. Lots one, two, and three have remained

vacant. These three parcels *1255 form a compact body bounded on the north by Freelan Road, on the east by Tavernier Creek, on the south by Darny Canal, and on the west by lot four.

In 1978, the Florida Department of Transportation built a bridge over Tavernier Creek and onto Freelan Road. The retaining wall built by the department completely blocks access to and from lot one to Freelan Road, and partially obstructs access to and from lot two to the road. No part of the structure, however, actually trespasses onto any of Jirik's land. Nevertheless, access to lot one from Freelan Road is only possible by crossing lot two.

Jirik instituted inverse condemnation proceedings seeking damages for the substantial diminution in the value of lot one resulting from the loss of access to and from that lot to Freelan Road. In response, the Department of Transportation argued that lots one, two and three are a single tract for condemnation purposes, and since the retaining wall does not substantially interfere with access to the entire parcel, there has been no compensable taking. The trial court rejected the department's argument, found that the three lots were indeed separate, and concluded that although there existed no diminution of access to lot two, there had been a taking through loss of access to lot one for which compensation was owed. On appeal, the district court affirmed the trial court's ruling. We approve that decision.

[1] It is well established that government action which eliminates direct access to real property amounts to a taking for condemnation purposes. See, e.g., *State Department of Transportation v. Stubbs*, 285 So.2d 1 (Fla.1973); *City of Orlando v. Cullom*, 400 So.2d 513 (Fla. 5th DCA), review denied, 411 So.2d 381 (Fla.1981). On the facts of this case, the determination as to whether or not access has been eliminated rests solely on whether Jirik's three adjoining parcels are separate and independent or a single tract. We agree with the district court that the factors to be considered in making such a determination are physical contiguity, unity of ownership, and unity of use. See, e.g., *Mulkey v. Division of Administration, State Department of Transportation*, 448 So.2d 1062, 1065 (Fla. 2d DCA 1984); *County of Volusia v. Niles*, 445 So.2d 1043, 1047 (Fla. 5th DCA 1984). Although the three-factor test is usually applied in the context of eminent domain proceedings in which severance damages (FN1) are in dispute, we find it

equally appropriate here. The critical issue in the severance cases--whether allegedly discrete parcels are in fact one tract for purposes of determining a compensable taking--is identical to the issue in this case. (FN2)

The three factors are not inflexible but rather are working rules courts have adopted to do substantial justice. Cf. *United States v. Miller*, 317 U.S. 369, 375-76, 63 S.Ct. 276, 280-81, 87 L.Ed. 336 (1943). Thus, the respective importance of each factor depends upon the fact situation in individual cases. The factor most often controlling, however, in determining whether land is a single tract is unity of use. (FN3) *1256 *Barnes v. State Highway Commission*, 250 N.C. 378, 384, 109 S.E.2d 219, 225 (1959). See *United States v. Honolulu Plantation Co.*, 182 F.2d 172, 179 (9th Cir.), cert. denied, 340 U.S. 820, 71 S.Ct. 51, 95 L.Ed. 602 (1950); *Baetjer v. United States*, 143 F.2d 391, 395 (1st Cir.), cert. denied, 323 U.S. 772, 65 S.Ct. 131, 89 L.Ed. 618 (1944); *City of Winston-Salem v. Tickle*, 53 N.C.App. 516, 524, 281 S.E.2d 667, 671 (1981), review denied, 304 N.C. 724, 288 S.E.2d 808 (1982).

In this case, it is undisputed that the three parcels are physically contiguous and are all owned by Jirik. The parties disagree, however, as to whether the three parcels have been used separately or have been treated as a single unit. Thus, the determination of whether Jirik's land is a single tract turns on whether the land enjoyed unity of use.

There is conflicting authority as to whether a presumption should apply when determining whether the unity of use factor applies to lots, such as those in the case at bar, which although vacant, are part of an established subdivision layout. The department relies on *Di Virgilio* for the proposition that contiguous lands which are only nominally divided are presumed to be one unit "unless actually devoted to such divergent uses that they take on the character of separate properties." 205 So.2d at 320. The district court below declined to apply *Di Virgilio* and adopted the presumption first established by *Wilcox v. St. Paul & Northern Pacific Railway Co.*, 35 Minn. 439, 442, 29 N.W. 148, 150 (1886):

[I]n respect to city property, in fact unoccupied, but which appears to have been platted or divided into blocks and lots, nothing more being shown,

the property should be treated as lots or blocks, intended for use as such, and not as one entire tract. *Prima facie* that character has been given to it by the proprietor. Presumably the division or platting was with a view to the use of the property, or to its disposal and ultimate use, in such subdivisions as have been made; and if any facts exist which might be considered sufficient to rebut this presumption, they should be disclosed.

We believe petitioner's reliance on *Di Virgilio* to be misplaced. In that case, which involved portions of a tract split by a roadway, the issue was whether the roadway divested the parcel of its unitary character. There was no evidence that the parcel was platted into lots nor did the owner object to treatment of the land as one unit at the trial. The *Di Virgilio* court in fact did find a "unity of highest and best use between the tracts," and that "the enjoyment of the parcel taken was reasonably and substantially necessary to the enjoyment of the parcel left." 205 So.2d at 320. We find *Di Virgilio* inapplicable.

[2] [3] After careful review of the relevant case law, we conclude, in agreement with the district court below, that the presumption set out in *Wilcox* is sound and that it is applicable to the facts of this case. (FN4) Presumptions affecting the burden of producing evidence (FN5) are established primarily to facilitate the determination of the action. Law Revision Council Note-1976, § 90.304, Fla.Stat. (1979). They are "expressions of experience" and are "designed to dispense with unnecessary proof of facts that are likely to be true if not disputed." *id.* As we have noted above, if the land is actually occupied or in use, the unity of the use is the chief criterion in determining *1257 whether contiguous parcels are one unit or separate and independent. When property is, in fact, unoccupied, the question of whether separate lots are one unit is more difficult. Given the complexity and formalities of modern-day city planning, we believe that a presumption of separateness as to vacant platted urban lots is reasonable and would facilitate the determination of the separateness issue in the absence of contrary evidence. As one commentator has noted, considerable time and expense is necessary to bring a modern subdivision to the platting stage. Note, *The Jirik Decision: Should Platting Raise a Presumption of Separateness in Inverse Condemnation Cases?*, 15 Stetson L.Rev. 915, 937-38 (1986). Furthermore, an owner of one or more platted lots cannot easily abandon or

disregard formally established divisions because planning boards, city commissions, and other governmental entities must approve such decisions. *Id.* at 938. Thus, the reason behind the presumption is stronger today than when the rule was first established in *Wilcox*. We therefore hold that vacant city property constitutes presumptively separate units if platted into lots. The presumption of separateness is, of course, rebuttable. Other factors relevant to unity of use, or the lack of it, have been adequately enumerated by the district court below, and do not warrant further consideration here.

[4] Turning now to the case at bar, we note that the question of whether certain pieces or parcels of land are to be considered separate and independent for the purposes of determining entitlement to damages is generally held to be a question of fact. (FN6) See *Sharp v. United States*, 191 U.S. 341, 354, 24 S.Ct. 114, 117, 48 L.Ed. 211 (1903); *United States v. 8.41 Acres of Land*, 680 F.2d 388, 393 (5th Cir.1982); *United States v. 3,276.21 Acres of Land*, 194 F.Supp. 297, 302 (S.D.Cal.1961). See generally, *The Law of Nichols' Eminent Domain* (Rev. 3d ed. 1985), § 14.26, at 14-649 to 654. Accordingly, unless the fact finder's determination as to unity or separateness is not supported by competent evidence or is clearly erroneous, that determination should not be overturned on appeal. See *8.41 Acres of Land*, 680 F.2d at 393; *Stipe v. United States*, 337 F.2d 818, 821 (10th Cir.1964).

[5] After reviewing the relevant evidence, the trier of fact below concluded that Jirik's three parcels do not enjoy a unity of use. That finding is supported in the record by substantial, competent evidence. The property was divided into separate parcels as part of an established subdivision plan. Of the five parcels originally owned by Jirik, two were sold *separately*. Each of the three remaining parcels faces the water on the one side, and had, prior to the erection of the retaining wall, direct access to a public road on the other. The parcels do not depend on one another for reasonable use. Each is of a workable size to accommodate a home or small business. Given the presumption of separateness and a complete lack of evidence to the contrary, the district court correctly declined to overturn the trial court's finding that the parcels are in fact separate units.

Accordingly, the district court decision upholding the trial court's findings is approved. The Fourth District's opinion in *Di Virgilio*, to the extent it conflicts with our holding herein, is disapproved.

It is so ordered.

ADKINS, BOYD, OVERTON and SHAW, JJ.,
concur.

McDONALD, C.J., dissents with an opinion, in which EHRlich, J., concurs.

McDONALD, Chief Justice, dissenting.

I agree with the conclusions and remarks made by Judge Schwartz in his dissent in *1258, the decision under review. I therefore dissent from this opinion.

EHRlich, J., concurs.

FN1. Severance damages are awarded when government condemns only a portion of a larger parcel. *Sharp v. United States*, 191 U.S. 341, 354, 24 S.Ct. 114, 117, 48 L.Ed. 211 (1903) (where the government condemns part of a parcel of land, damage to remainder is proper subject of award). Severance damages are awarded only when the part taken and the remainder are together a single parcel. *Id.* at 354-55, 24 S.Ct. at 117-18.

FN2. This is in accord with the general principle that inverse condemnation actions are governed by the same rules that apply to eminent domain proceedings. See *Breidert v. Southern Pacific Co.*, 61 Cal.2d 659, 663 n. 1, 394 P.2d 719, 721 n. 1, 39 Cal.Rptr. 903, 905 n. 1 (1964); *Lanning v. City of Monterey*, 181 Cal.App.3d 352, 226 Cal.Rptr. 258 (1986).

FN3. The significance of the use factor is in keeping with the underlying rationale for awarding severance damages, i.e., that just compensation requires that the owner be put in as good a position pecuniarily as he would have occupied if his property had not been taken. *Miller*, 317 U.S. at 373, 63 S.Ct. at 279. If two parcels are, in fact, separated and devoted to different and inconsistent uses, the taking of one parcel will do no damage to the other. If, on the other hand, there is unity of use such that the parcels are functionally one, the taking of one parcel may result in serious damages to the other. 4A Nichols, *The Law of Eminent*

Domain (Rev. 3d ed. 1985). § 14.26, 14-648 to 649.

FN4. The district court below correctly noted that there is authority in other jurisdictions specifically rejecting the *Wilcox* presumption. See, e.g., *Monongahela West Penn Public Service Co. v. Monongahela Development Co.*, 101 W.Va. 165, 132 S.E. 380 (1926); *Alabama Central Railroad Co. v. Musgrove*, 169 Ala. 424, 53 So. 1009 (1910); *State, Department of Highways v. Mouldous*, 200 So.2d 384 (La.Ct.App.), writ denied, 251 La. 36, 202 So.2d 653 (1967).

FN5. The Florida Rules of Evidence recognize two types of rebuttable presumptions, one type affecting the burden of producing evidence, and the other affecting burden of proof because it declares or implements some strong social policy. See § 90.302, Fla.Stat. (1985). We are not concerned here with the latter type.

FN6. Although the Seventh Circuit held in *United States v. 105.40 Acres of Land*, 471 F.2d 207 (7th Cir.1972), that this determination is one for the trial judge rather than the jury, the question is nonetheless a factual one.

Elizabeth Abernethy

From: George Wilsey <gfwilsey@gmail.com>
Sent: Saturday, August 01, 2015 8:12 PM
To: Elizabeth Abernethy
Subject: Re: non conforming amendment

Ms. Abernethy: Thank you for the documents. I will be out of town the next week and cannot attend the meeting, but offer these comments for consideration.

I have reviewed the minutes of the Staff 3/20/2003 report to the Planning Commission, which recommended revision of the code to recognize platted lots as lots of record. The reasons for that recommendation and the problems created by the prior code are clearly set forth.. Regretfully those problems will be revived if the proposed amendment is adopted.

I realize that the amendment is being considered because of the adverse effects of the present code on the future character of Allendale Terrace. As a long time resident of Allendale that does cause me concern. I have mixed emotions about the matter since I also am a proponent of private property rights.

However, I perceive that there are serious constitutional issues with the proposed amendment . The amendment treats the owners of platted lots in the same subdivision differently depending on how many adjoining lots they own. The owner of one lot is not affected, but the owner of two or more lots has serious limitations imposed on such owner. It would be "illegal" to transfer a "combined" lot unless all the resulting parcels conform to the present code. I doubt very much that the city has the power or authority to declare transfer of a platted lot to be illegal. Standing alone that should be clearly unconstitutional. If so the "penalty" of "no permit may be issued" likewise fails to meet muster.

This would appear to be a form of attempted taking or inverse condemnation, and the City could ultimately be responsible for the owners loss of value.

Thank you for your consideration, George F. Wilsey, 3950 11th Street North, St Petersburg Florida

From: [Elizabeth Abernethy](#)
Sent: Wednesday, July 29, 2015 2:32 PM
To: [George Wilsey](#)
Subject: RE: non conforming amendment

Here you go,
I am also sending the DRC agenda,

Thanks!
--Liz

From: George Wilsey [mailto:gfwilsey@gmail.com]
Sent: Thursday, July 23, 2015 12:17 PM
To: Elizabeth Abernethy
Subject: non conforming amendment

Elizabeth Abernethy

From: Lee Burgess <lhb49@icloud.com>
Sent: Friday, July 31, 2015 11:59 AM
To: Elizabeth Abernethy
Subject: Proposed Amendment to Nonconforming Lot Section

Dear Ms. Abernethy,
I oppose the above proposed amendment for the following reasons:

1. The amendment is anti-development.
2. The amendment serves the interest of only a few property owners.
3. The amendment appears to violate the property protections afforded by the Fifth Amendment of the United States Constitution.

Sincerely,
Mary Lee Hood Burgess, Trustee
Helen W. Hood Revocable Trust
942 40th Ave N
St. Petersburg, FL 33703

Elizabeth Abernethy

From: Thomas Burgess <tburgess4@me.com>
Sent: Monday, August 03, 2015 2:59 PM
To: Elizabeth Abernethy
Subject: Proposed Amendment to Nonconforming Lot Section

Dear Ms. Abernethy, I am writing to voice my opposition to this amendment. I feel this kind of city wide change should not be made without at least major feedback from the people it most affects which are the citizens. If this had not been brought to my attention I may have never had a chance to voice my opposition until it was too late. I recently attended a party at a home in Snell Isle that knocked my socks off. It sits on a 70 foot lot. Another home I have greatly admired for years on Coffee Pot Blvd sits on a 50 foot lot. The size of the lot does not make the neighborhood. The quality of the homes does. These two homes are perfect examples of this. I hope everyone involved in this decision will take a look at the many outstanding homes throughout the city that have been built on non conforming lots.

Thomas and Stephanie Burgess
1001 40th Ave N

Sent from my iPhone

DAY	DATE	IN	OUT	ROUNDED	DAILY	NOTES	ACTUAL	SCHEDULED	PAY	HOURS	AP	Department	TOTAL
		IN	OUT				IN	OUT	CODE				HOURS
FRI	7/31/15	730A	430P		N1	A	730A	430P		8.00	1	3701553	40.00
MON	8/03/15	730A	430P		N1	A	730A	430P		8.00	1	3701553	48.00
TUE	8/04/15	730A	430P		N1	A	730A	430P		8.00	1	3701553	56.00
WED	8/05/15	730A	430P		N1	A	730A	430P		8.00	1	3701553	64.00
THU	8/06/15	730A	430P		N1	A	730A	430P		8.00	1	3701553	72.00
FRI	8/07/15	730A	430P		N1	A	730A	430P		8.00	1	3701553	80.00
TOT HRS:		80.00	WORKED		79.00	NON-WORKED	1.00	PAID		80.00	NON-PAID		.00
HOURS BY PAY CODE					REGULAR HOURS		VACATION			1.00			ADJUST

EMPLOYEE:	29148	Zito, Charles J Jr	PAY PERIOD	RULE:	BB	W	OT	NO	COMP	HOURS	AP	Department	TOTAL
													HOURS
MON	7/27/15	700A	400P		N1	A	700A	400P		8.00	1	3701553	8.00
TUE	7/28/15	700A	400P		N1	A	700A	400P		8.00	1	3701553	16.00
WED	7/29/15	700A	400P		N1	A	700A	400P		8.00	1	3701553	24.00
THU	7/30/15	700A	400P		N1	A	700A	400P		8.00	1	3701553	32.00
FRI	7/31/15	700A	400P		N1	A	700A	400P		8.00	1	3701553	40.00
SAT	8/01/15	700A	TRANS		N1	A	1200A		104	5.00	1	3701553	45.00
MON	8/03/15	700A	400P		N1	A	700A	400P		8.00	1	3701553	53.00
TUE	8/04/15	700A	400P		N1	A	700A	400P		8.00	1	3701553	61.00
WED	8/05/15	700A	TRANS		N1	A	1200A		001	.50	1	3701553	61.50
			ANNUAL LEAVE ON 8/7										
WED	8/05/15	700A	400P		N1	A	700A	400P		8.00	1	3701553	69.50
THU	8/06/15	700A	400P		N1	A	700A	400P		8.00	1	3701553	77.50
FRI	8/07/15	700A	TRANS		N1	A	700A	400P		2.50	1	3701553	80.00
			OVER TIME REPLACES ANNUAL LEAVE FOR 8/7										
SAT	8/08/15	700A	TRANS		N1	C	1200A		001	5.00	1	3701553	85.00
			ANNUAL LEAVE ON 8/7										
TOT HRS:		85.00	WORKED		82.50	NON-WORKED	2.50	PAID		85.00	NON-PAID		.00
HOURS BY PAY CODE					REGULAR HOURS		OVER TIME			2.50			ADJUST

** FINAL TOTALS	3251.50	WORKED	2860.25	NON-WORKED	391.25	PAID	3251.50	NON-PAID	.00	ADJUST	\$412.74
TOT HRS:											
HOURS BY PAY CODE			REGULAR HOURS	2855.25	SICK LV- LT	97.50	VACATION	254.25	UNSCHE P LV	15.50	
HOURS BY PAY CODE			FAM LV-EXT ILL	8.00	COMP TIME TAKE	16.00	OVER TIME	5.00			
ADJ BY PAY CODE		Safety Shoes	\$109.13	CITY VEHICLE	\$264.00	Mileage	\$39.61				

Elizabeth Abernethy

From: Thomas Burgess <tpb48@me.com>
Sent: Friday, July 31, 2015 10:42 AM
To: Elizabeth Abernethy
Subject: Re: Proposed Amendment to Nonconforming Lot Section

I oppose the above proposed amendment for the following reasons:

1. The amendment is anti development.
2. The amendment serves the interest of only a few property owners.
3. The amendment appears to violate the property protections afforded by the Fifth Amendment of the US Constitution.

Thomas P Burgess
960 40th Avenue N
St. Petersburg, FL 33703

On Jul 29, 2015, at 2:43 PM, Elizabeth Abernethy wrote:

Please find attached the proposed code amendment affecting nonconforming lots
I thought you might be interested in this item

Feel free to pass along to anyone else you think would be interested,

Regards,
Elizabeth Abernethy, AICP
Zoning Official, Development Review Services Manager
Planning & Economic Development Department
City of St. Petersburg
P.O. Box 2842, St. Petersburg, FL 33731
727-892-5344 / Fax: 727-892-5557
Elizabeth.Abernethy@stpete.org

Please note all emails are subject to public records law.

Your Sunshine City

<LDR 2015-04.pdf><August 2015 DRC Agenda FINAL.pdf>



CITY COUNCIL

Meeting of September 17, 2015

-
- TO:** The Honorable Charles W. Gerdes, Esq., Chair, and Members of City Council
- SUBJECT:** **City File LDR-2015-05:** Amending St. Petersburg City Code, Chapter 16, Land Development Regulations ("LDRs"), Tree Protection and Landscaping Requirements.
- REQUEST:** Second reading and public hearing of the attached ordinance amending the LDRs making regulatory changes, making clarifications, and improving consistency with state and local law.

BACKGROUND AND ANALYSIS: Council Member Steve Kornell submitted, and the City Council subsequently referred to the Public Service and Infrastructure Committee ("PS&I"), a request to review possible ordinance changes and process adjustments concerning tree protection. Staff initially presented a general overview of the existing regulations and potential amendment discussions to the PS&I Committee on May 8, 2014 and later presented a draft proposed ordinance to the PS&I Committee on September 25, 2014. Concurrent meetings with a community advocate group also took place on April 25, May 30, and October 17, 2014 to discuss potential amendments of the City's tree protection ordinance. It was decided to approach the amendment efforts in two phases and this application pertains to the second phase. The first phase was related to the permitting and regulation of tree removals and landscaping on single-family or two unit residential properties. The first phase ordinance was adopted on December 18, 2014.

For the second phase, the working group continued monthly meetings through June 10, 2015, culminating in the proposed amendments presented today. A workshop was held to present these second phase amendments with the Development Review Commission (DRC) on July 1, 2015, and comments were incorporated into the draft ordinance. The proposed amendments were presented to the Public Services and Infrastructure (PS&I) Committee on July 16, 2015. No changes were made from PS&I. The DRC public hearing was held on August 5, 2015. DRC comments included the following: Commissioner Scherer was generally concerned that changes are over reaching; he does not agree with the change to palms, from only protecting Royal Palms and Sabal/Cabbage Palms to protecting all native palms. He recommended that we do not make this change. In response, there are two additional palms that are not currently protected that would be expected to be protected as a result of this change, the Paurotis palm and the Florida Thatch Palm.

Chairman Charles Flynt recommended that the requirement for a permit for trimming grand trees be removed, and that a requirement be added to require that only a certified arborist be allowed to trim grand trees. Staff does not currently support this amendment, as we have not had any

negative feedback regarding this new requirement adopted last December. Since December, staff has issued 10 grand tree trimming permits and 14 grand tree removal permits.

These amendments can be generally described as follows:

- Levels the playing field with our neighboring jurisdictions and provides greater flexibility
- Combines the two code sections that address tree protection and landscape standards into one section, to improve clarity and usability
- Provides for general updates to improve clarity and consistency of our code
- Modifies code to incentivize protection of existing protected trees
- Extends "Grand" tree standards to all properties
- Establishes a "Signature Tree" category to provide protection for certain non-native species including Kapok, Banyan, Jacaranda and Royal Poinciana
- Limits the number of palms trees that can be substituted for shade trees, to provide increase in tree canopy and shade
- Requires removal of prohibited trees at time of development or redevelopment

The attached summary chart and ordinance provides detailed information related to the proposed changes.

RECOMMENDATION:

Administration:

The Administration recommends APPROVAL.

Development Review Commission:

On August 5, 2015, the DRC reviewed the attached ordinance and unanimously voted to recommend APPROVAL, based on consistency with the Comprehensive Plan.

City Council:

On September 3, 2015, the City Council conducted a first reading.

Citizen Input:

As of this writing of this report, no comments have been received. As previously noted, these amendments were drafted in conjunction with a stakeholder group over through monthly meetings which commenced last October.

Recommended City Council Action:

1. CONDUCT the second reading and public hearing of the proposed ordinance; and
2. APPROVE the ordinance.

ATTACHMENTS:

1. LDR 2015-05 – Tree Preservation and Landscape Code Amendments Summary Table
2. Ordinance
3. DRC Staff Report



LDR 2015-05 – TREE PRESERVATION AND LANDSCAPE CODE AMENDMENTS Summary Table

CURRENT SECTION NO.	SECTION TITLE	COMPLEXITY	DESCRIPTION
1	16.40.060 AND 16.40.150	Tree and Mangrove Protection and Landscaping and Irrigation	Clarification Problem Statement: Section 16.40.060 Tree and Mangrove Protection and Section 16.40.150 Landscape and Irrigation both address tree and landscape regulations. These sections need to be combined or need to be sequential. Requested Action: Combine these sections, less confusing to have these two sections of code together. Pre-2007 code, these were in the same section.
2	16.40.060.1.1	Purpose	Clarification Problem Statement: Purpose statement needs updating to reflect current policy regarding tree preservation and landscape objectives. Requested Action: Update purpose statement to include additional objectives.
3	16.40.060.1.2	Interpretations & Definitions	Clarification Problem Statement: Certain terms need definitions Requested Action: Add definitions section for clarity
4	16.40.060.2.1	Landscaping	Clarification Problem Statement: No purpose statement Requested Action: Add statement
5	16.40.060.1.3	Groundcover Incentives Development and redevelopment of properties	Consistency Improvement Problem Statement: Code regulations generally fall into two categories: 1. one- and two-unit residential properties and 2. All other properties. Current language is not consistent on how these two categories are referred to Requested Action: Amend all Sections: to refer to either "one- and two-unit residential properties" or "non-residential properties and multifamily properties greater than two units"
6	16.40.060.1.3.B.1.	Groundcover Incentives	Regulatory Change Problem Statement: Allows for waiver of a shade tree if no St. Augustine grass is planted; rarely used provision of code and counters the desire to increase shade Requested Action: Eliminate waiver
7	16.40.060.2.1.1.	Development and redevelopment of new one- and two-unit residential properties	Regulatory Change and Clarification Problem Statement: Code allows either shade or understory trees on residential properties. The list of trees includes only understory trees. There is a desire to increase the overall canopy, and shade trees are preferred. Requested Action: Add language to require two shade trees unless there are site constraints warrant substitution for understory trees. Delete list of understory trees from this section of code
8	16.40.060.2.1.3.	Development and redevelopment of new one- and two-unit residential properties	Regulatory Change Problem Statement: Code change in December added additional tree and hedge requirements for larger lots. Additional hedges are not needed. Requested Action: Delete additional hedges
9	16.40.060.2.1.4.C.	Additional requirements for one- and two-unit residential properties Ground Cover	Regulatory Change Problem Statement: Height limit of ground cover in rights-of-way is too restrictive Requested Action: Increase allowable height of ground cover in rights-of-way from 12" to 24"
10	16.40.060.2.1.4.D.	Additional requirements for one- and two-unit residential properties Mulch	Regulatory Change Problem Statement: Discourage use of cypress mulch, not a sustainable material; amount of landscaping required within mulch areas is not sufficient Requested Action: Add language to discourage cypress mulch, increase planting in mulch areas from one plant per 50 square feet to one per 10 square feet
11	16.40.060.2.1.4.G	Additional requirements Screening of Equipment	Clarification Problem Statement: Code isn't clear that screening is required for one and two unit properties Requested Action: Add screening requirements
12	16.40.060.2.1.4.H.	Additional requirements Tipping hazards	Clarification Problem Statement: Certain objects in the right-of-way are tripping hazards Requested Action: Prohibit objects within four feet of the curb or road edge

13	16.40.060.2.1.1. And other sections	Appeal Process	Clarification	<p>Problem Statement: Clarify appeal process throughout</p> <p>Requested Action: Add additional language: <u>The POD's decision may be appealed by the property owner to the DRC, whose decision shall be deemed the final decision of the City</u></p>
14	16.40.060.2.1.1.	Development and redevelopment of non-residential properties and multifamily properties greater than two units Landscape permit required.	Clarification	<p>Problem Statement: Code is not clear that alteration of any existing landscaping requires a permit. We want to make sure that landscaping material isn't removed if it is required landscaping under current code, thereby creating a nonconforming condition. For example, a site that was developed under a previous code, or even before there was a landscape code, should not be able to remove existing landscaping and trees if that landscaping and the trees are necessary to meet the current code. it needs to be clear</p> <p>Requested Action: Add following: <u>For purposes of this section, alteration shall mean any modification to existing landscaping which was required as part of a previously approved landscape plan or is necessary to meet the minimum standards of this code.</u></p>
15	16.40.060.2.1.1.	Green yard, exterior Minimum number of trees in EC	Regulatory Change	<p>Problem Statement: Current code requires 3 shade trees per 50 linear feet, which is excessive for a 10 or 20-foot wide planting area; previous code required 50-foot wide planting area</p> <p>Requested Action: Reduce to 1 shade tree and 1 understory tree every 30 linear feet for more appropriate spacing of trees</p>
16	16.40.060.2.1.2.	Green yard, interior	Regulatory Change	<p>Problem Statement: Provide greater flexibility in regulating landscape requirements</p> <p>Requested Action: Add additional language: <u>The POD may allow the interior green yards to vary in width if additional green yards are expanded to provide the equivalent square footage of green yards on the site.</u></p>
17	16.40.060.2.1.1.	Foundation Landscaping	Regulatory Change	<p>Problem Statement: Current requirement is excessive and language requiring planting to abut building leads to maintenance issues</p> <p>Requested Action: Reduce number of plants from one per linear foot to one per three linear feet. Clarify that planting needs to leave space for growth.</p>
18	16.40.060.2.1.1.	Vehicular use landscaping/screening requirements	Clarification	<p>Problem Statement: Requirement for 4-foot high screening for vehicle headlights is excessive and may be counter to CPTED principles</p> <p>Requested Action: Modify from 4-feet to 3-feet</p>
19	16.40.060.2.1.1.	Interior parking lot landscaping. Terminal Islands Interior Islands	Regulatory Change	<p>Problem Statement: Increase incentives for preservation of protected and grand trees; Island width is insufficient to accommodate maturation of trees</p> <p>Requested Action: Allow POD to reduce certain landscape code provisions in return for preservation of protected and grand trees; Increase minimum island from 5-feet to 8-feet</p>
20	16.40.060.2.1.1.	Minimum number of shade and understory tree species	Regulatory Change	<p>Problem Statement: Code does not require more than one species to be planted. Planting of more than one species prevents monoculture, reduces disease</p> <p>Requested Action: Add new section requiring use more than one species of tree, ratio based on number of trees</p>
21	16.40.060.2.1.1.	Tree Placement	Clarification	<p>Problem Statement: Placement of trees can conflict with signage and utilities as trees mature</p> <p>Recommended Action: Add language about tree placement with respect to signs and utilities to prevent future conflicts</p>
22	16.40.060.2.1.1.	Low Impact Development (LID)	Regulatory Change	<p>Problem Statement: Current code does not provide for Low Impact Development (LID) landscaping plan option</p> <p>Requested Action: Add new section to provide option for landscape plan that is part of a Low Impact Development design</p>
23	16.40.060.2.1.1.	Landscaping adjacent to fences, walls or dumpsters	Regulatory Change	<p>Problem Statement: Specification for hedge every four feet is insufficient to provide desired opaque screening buffer</p> <p>Requested Action: Increase planting from every four feet to three feet</p>
24	16.40.060.2.1.1.	Landscaping adjacent to mechanical equipment	Regulatory Change	<p>Problem Statement: Site constraints can limit the use of landscaping for screening</p> <p>Requested Action: Allow use of decorative architectural feature in lieu of landscaping. Specify that plants must be 3-feet from such structures</p>
25	16.40.060.2.1.1	Specimen Trees	Regulatory Change	<p>Problem Statement: No incentive to save larger trees</p> <p>Requested Action: Add language to give additional credits for saving larger trees and add language requiring staff to evaluation condition of trees to be preserved</p>
26	16.40.060.2.1.1	Specimen Trees	Clarification	<p>Problem Statement: Code does not specify that a barricade detail needs to be shown on plans</p> <p>Requested Action: Add language</p>
27	16.40.060.2.1.5	Utilities	Clarification	<p>Problem Statement: Precludes any planting in an utility easement</p>

				Requested Action: Modify to specify no planting within 10-feet of overhead line
28	16.40.060.2.1.6.	<i>Landscape specifications</i>	Clarification	Problem Statement: Plant lists do not reflect current technical standards Requested Action: All lists updated in accordance with current technical standards, as published by <u>University of Florida/Institute for Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department</u>
29	16.40.060.2.1.6.	<i>Landscape specifications Trees: Palm</i>	Regulatory Change	Problem Statement: No limit on substitution of palm trees for shade trees; code objective is to provide shade for parking areas Requested Action: Provide for a limit for substitution adjacent to parking areas, of no more than 50%
30	16.40.060.2.1.6.	<i>Landscape specifications Trees: Exempt</i>	Regulatory Change and Clarification	Problem Statement: "Exempt" can be a confusing term; Certain exempt trees should be reclassified as prohibited Requested Action: Change "Exempt" to "Unprotected"; re-designate certain species as prohibited
31	16.40.060.2.1.6.	<i>Landscape specifications Trees: Prohibited</i>	Regulatory Change and Clarification	Problem Statement: Code does not require removal of nuisance trees and certain additional species need to be added to the list Requested Action: Add certain species to list of nuisance trees and require removal of trees at time of development or redevelopment which triggers compliance with landscaping
32	16.40.060.2.1.7	<i>Variances from required landscaping</i>	Regulatory Change	Problem Statement: Code does not have a provision to allow substitution of larger size trees for smaller trees on a proportionate basis Requested Action: Add language
33	16.40.060.2.1.7	<i>Variances from required landscaping</i>	Regulatory Change	Problem Statement: Add incentives for preservation of existing protected or grand trees Requested Action: Add language allowing variances for preservation of existing protected or grand trees
34	16.40.060.2.1.7	<i>Variances from required landscaping</i>	Regulatory Change	Problem Statement: Code allows substitution of site amenities for landscaping; this does not further the purpose of this code section Requested Action: Modify language to allow payment in lieu of on-site planting
35	16.40.060.2.2.	<i>Irrigation</i>	Regulatory Change	Problem Statement: Code does not have provision for irrigation plan related to LID design Requested Action: Modify language to waive requirement for permanent irrigation system related to LID design
36	16.40.060.3.1	<i>Maintenance of trees and vegetation for all properties within the City.</i>	Clarification	Problem Statement: Code does not reflect current Best Practices Requested Action: Modify language regarding staking and limiting trimming from 1/3 to 25%
37	16.40.150.2	<i>Tree Protection Grand Trees</i>	Regulatory Change and Clarification	Problem Statement: Phase 1 of the updates to the Tree Preservation requirements adopted in December 2014 addressed Grand Trees for one and two unit residential properties ; Code is not clear on standards for removal for safety hazard to a structure vs. condition of the tree Requested Action: Combine sections to extend the Grand tree protection to all properties.; clarify standards for removal
38	16.40.150.2	<i>Tree Protection Signature Trees</i>	Regulatory Change	Problem Statement: There is no provision to protect or recognize Requested Action: Establish a new category of tree protection for Signature Trees, to include banyan trees, kapok trees that are 30" in diameter or greater and Jacaranda trees and Royal Poinciana trees that are 8" in diameter or greater. This affords a level of protection and allows staff to recognize existing trees as meeting minimum planting requirements for a property
39	16.40.150.2.1	<i>Tree Protection Palm Trees</i>	Regulatory Change	Problem Statement: Code currently protects royal palms and sabal palms Requested Action: Extend protection to all native palms trees, with four feet or more minimum clear trunk, as measured from lowest green frond to ground level
40	16.40.150.2 and 16.40.060.2.1.1.B. 1	<i>Identification of trees on plans</i>	Clarification	Problem Statement: Clarifies current policy requiring development plans to identify trees Requested Action: Add language specifying that plans identify all existing Protected, Grand and Signature trees on all plans for development on the subject site and within 10-feet of the subject site, by size and species
41	16.40.150.2	<i>Tree Protection Licensed professionals involved in Grand trees</i>	Clarification	Problem Statement: Licensed landscape architect are not specified Requested Action: Amend Sections to allow licensed landscape architects in addition to licensed architects and engineers
42	16.40.150.2.5.	<i>Relocation of Existing Trees</i>	Regulatory Change	Problem Statement: Code does not specify that trees can be relocated. Many neighboring jurisdictions have such provisions. Requested Action: Add new Section to allow and regulate relocation of existing trees

AN ORDINANCE AMENDING SECTIONS 16.40.060 AND 16.40.150 OF THE ST. PETERSBURG CITY CODE; PROVIDING AMENDMENTS TO THE PURPOSE, DEFINITIONS, REQUIREMENTS FOR NEW AND EXISTING ONE AND TWO FAMILY RESIDENTIAL UNITS, NON-RESIDENTIAL AND MULTIFAMILY PROPERTIES, INCENTIVES, LANDSCAPE MATERIAL AND IRRIGATION REQUIREMENTS; REQUIRING A MINIMUM NUMBER OF TREES AND OTHER VEGETATION; PROVIDING FOR ADMINISTRATIVE MODIFICATION; AMENDING THE TREE PROTECTION SECTIONS TO PROVIDE GREATER PROTECTION FOR TREES, INCLUDING CREATING CLASSIFICATIONS FOR GRAND, SIGNATURE AND SPECIMEN TREES; REQUIRING ADDITIONAL PERMITS FOR REMOVING AND TRIMMING CERTAIN TREES; PROVIDING FOR RELOCATION OF TREES; AMENDING THE LISTS OF APPROVED AND PROHIBITED VEGETATION; PROVIDING FOR VARIANCES AND APPEALS; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section 1. Sections 16.40.060 through 16.40.060.3.2 of the St. Petersburg City Code are hereby amended to read as follows:

Section 16.40.060. – Landscaping and Irrigation; Tree Protection.

16.40.060.1.1. Purpose.

The purpose of this section is to improve the appearance, environment, character and value of the total urban area within the City by protecting, promoting and maintaining a healthy, diverse and mature canopy of native and naturalized hardwood and evergreen tree species and by requiring ~~vegetation~~ and the installation and maintenance of vegetation on ~~private property~~ in a manner which conserves water.

Implementation of these requirements reduces water consumption, ~~reduces~~ stormwater runoff, ~~reduces~~ impervious surface area, 'heat island' effects, paved surfaces, vehicular use areas and the visual impact of large building masses; increases the urban canopy, improves environmental and water quality, provides a more pedestrian friendly environment, and enhances the overall aesthetic appearance and value of the City, thereby promoting the public health, safety and general welfare. Water conservation shall be achieved by the selection of appropriate plant materials, the removal of nuisance and invasive vegetation, the use of water-efficient landscaping and irrigation systems, the use of Low Impact Development landscape designs and appropriate maintenance.

It is also the intention of this section to encourage the design and use of plant materials which reduce watering requirements, for example, with less St. Augustine sod turf and with more planting beds of drought tolerant plant materials and ~~drought-tolerant~~ turf. To that end, this section provides incentives for increasing the use of drought tolerant sod turf or planting beds and decreasing the use of St. Augustine sod turf.

16.40.060.1.2. Interpretations and definitions.

For the purposes of this section only:

'Multifamily' is defined in the Use Permissions and Parking Matrix.

'Non-residential' shall mean any use other than multifamily and one and two unit residential properties.

'Landscaping', 'landscape' and 'landscape materials' shall include any kind of vegetation and shall be used interchangeably unless the context clearly contemplates otherwise.

'Streetscape plan' shall mean a plan approved by the POD for the right of way of an area of the City.

All landscape materials shall comply with the visibility at intersection requirements.

16.40.060.1.3. – Ground Cover Incentives.

A. ~~Commercial~~ Non-residential, multifamily and residential construction permit applications ~~approved after June 18, 2009,~~ are eligible for a partial refund of the permit fees if the landscaping as installed does not include any St. Augustine sod turf.

1. For new one and two unit ~~family~~ residential construction, the City will refund \$150.00 of the permit fee paid.

2. For ~~commercial non-residential~~ and multifamily ~~residential~~ construction, the City will refund \$300.00 of the permit fee paid.

3. The determination of the eligibility for the refund shall be made upon the final inspection by the City.

B. ~~Commercial—Non-residential~~ and multifamily residential construction permit applications ~~received after June 18, 2009,~~ are eligible for a waiver of the following landscape requirements if the landscape plan does not include any St. Augustine sod turf. A condition of the permit approval shall be that St. Augustine sod turf shall not be planted, or allowed to grow, on the permitted property.

~~1. For new one- and two-unit family residential construction, one of the required shade trees shall be waived.~~

~~2. For commercial non-residential or multifamily residential construction, one required interior landscape island shall be waived.~~

16.40.060.2. - Landscaping and irrigation.

16.40.060.2.1. - Landscaping.

Existing Florida-native plant material shall be given priority for preservation in the development and redevelopment of a property and existing healthy native trees and palms and other vegetation should be protected and preserved, and integrated into landscape plans.

16.40.060.2.1.3.1. - Development and redevelopment of new one and two unit residential properties.

New one and two unit residential single-family-or duplex properties, that meet the minimum lot size for the zoning district, shall meet the following landscape requirements prior to issuance of the certificate of occupancy:

1. A minimum of two shade trees ~~a minimum of eight feet in height~~ shall be located on the lot which shall be Florida Grade No. 1 or better. The POD may allow one understory tree to be substituted for one shade tree where there are site constraints such as, but not limited to, existing above ground or underground utilities or the presence of tree canopy from adjacent properties that limit the available shade tree planting area . ~~and shall be of the following species:~~

~~Cedar, southern red (*Juniperus virginiana*).~~

~~Grape myrtle (*Lagerstroemia indica*).~~

~~Holly, american (*Ilex opaca*).~~

~~Holly, daheon (*Ilex cassine*).~~

~~Holly, east palatka (*Ilex attenuate* "east palatka").~~

~~Holly, yaupon (*Ilex vomitoria*).~~

Magnolia, little gem (*Magnolia grandiflora* "little-gem").

~~Any shade tree listed in this section. (See, currently, 16.40.060.2.1.6.)~~

2. A minimum of ten shrubs, accent plants or ornamental grasses a minimum of 18 inches in height, shall be located in the front yard. ~~Shrubs, accent plants and ornamental grasses shall be Florida Grade No. 1 or better.~~
3. Existing protected vegetation ~~of the above species and height~~ shall be eligible to meet this requirement.
4. Each property shall have an irrigation system for all landscaped areas.
5. All required yards not abutting streets shall be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios and similar paved areas and non-organic mulch areas.
6. When the property exceeds the minimum lot size requirements of the zoning district, the tree and shrub requirements herein shall be increased proportionally based on the size of the property or portion thereof in excess of the minimum. For example, the minimum lot size in NT-1 is currently 5,800 square feet and requires two approved trees ~~and ten shrubs~~. If the property is 11,600 square feet, this would be equivalent to two lots of minimum lot size and therefore four approved trees ~~and 20 shrubs~~ would be required.
7. Variances. The approval of any variance shall be conditioned on installation and maintenance of the greatest amount of required landscaping determined to be reasonable.

16.40.060.2.1.4.2. - Additional requirements for new and existing ~~private~~ one and two unit residential family properties.

A. *Required permeable green space for yards abutting streets ~~public~~ ~~roadways~~.* Required front yards and required side yards abutting streets shall be maintained as permeable landscaped vegetative green space with the exception of ~~necessary~~ driveways, walks, patios and similar paved areas and non-organic mulch areas, which areas combined shall not exceed 25 percent of the required yard area for corner lots and 45 percent of the required yard area for inside lots. Facilities constructed to achieve compliance with ADA requirements shall be exempt from this surface calculation. Yards abutting streets which do not conform to the provisions herein and which existed as of August 25, 1977, are grandfathered and exempt from this subsection.

B. *Ground cover, private property.* Permeable portions of private property including required yards shall be maintained with an herbaceous layer of sod or ground cover plant material. Installation of St. Augustine sod turf at a property with a new structure which receives

construction permits and is constructed after January 1, 2010, is limited to a maximum of 50 percent of the permeable area of the lot.

C. *Ground cover, rights-of-way.* Permeable portions within the adjoining rights-of-way shall be maintained in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, with an herbaceous layer of sod or ground cover plant material. Where landscaping material is used in the right-of-way within four feet of the curb or road edge and there is no approved landscape plan, the landscaping materials plantings, excluding sod, shall not exceed 24 ~~12~~ inches in height above the top of the adjacent curb, or if there is no curb, the road bed, provided that the landscaping landscape material does not result in a hazard or impairment to public vehicular or pedestrian traffic or violate the visibility at intersection section.

D. *Mulch.* Organic mulch is a beneficial addition to landscaping in many situations including providing a surface covering under shrubs, or where ground cover material is maturing. The intention of these regulations is to allow mulch within a landscape design while not allowing an entire yard to only be covered with mulch. The use of cypress mulch is discouraged.

1. *Installation standards.* Where used in lieu of sod or ground cover plant material, organic mulch shall be placed to a minimum depth of three inches. The top level of the mulch shall not exceed the height of the immediately adjacent ground surface. Mulch shall not be placed directly against a plant stem or tree trunk. Non-organic mulch ground covers including rubber, decorative gravel or crushed stone shall be allowed only in planting areas (e.g., in gardens or hedge areas) ~~and not as a substitute for sod, ground cover or organic mulch.~~

2. *Limits on installation on ~~private~~ one and two unit residential properties.*

a. Organic mulch may be used without limit underneath shrubs and trees, provided the ~~ground cover~~, shrubs, and trees or a combination thereof are planted and maintained at a cumulative ratio of at least one shrub plant or tree, planted within the mulch per each 10 ~~50~~ square feet of organic mulched area;

b. No more than 50 percent of the required front and street side yard may be covered with mulch;

c. Where a mulch parking surface has been permitted pursuant to the parking and loading design section, a separation consisting of an herbaceous layer of sod or ground cover of not less than eight foot in width shall be provided between the parking area and any adjacent mulch area allowed pursuant to this section.

3. *Limits on installation in rights-of-way.* Organic mulch may be used in permeable areas of the right-of-way to keep moisture in the soil while other forms of approved ground cover plant material are maturing. Mulch is prohibited within four feet of the curb or road edge if there is no curb. Mulch in the right-of-way must be contained within borders

sufficient to prevent flotation of mulch into the roadway. With the exception of permitted driveway or sidewalk materials, the use of shell, rock or other similar hardened non-organic mulch surface-materials in the right-of-way is prohibited.

E. Irrigation, existing private one and two-family unit residential properties. A permanent irrigation system is not required for existing private one and two unit residential properties; however, where one is installed, it shall be designed to avoid runoff, overspray or other similar conditions where water flows onto or over adjacent property, non-irrigated areas, walkways, roadways or structures. Irrigation systems shall be maintained so there are no broken irrigation heads or leaks. Automatic sprinkler systems shall install a rain sensor device or switch which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.

F. Vegetation, existing one and two unit residential properties. Any ~~single-family-or-duplex one or two unit residential~~ property that meets or exceeds the tree and/or shrub standards set forth in the previous section for new single-family-or-duplex one or two unit residential properties, ~~is required to~~ shall maintain the minimum standards for the property. This does not mean that existing one or two unit residential single-family-or-duplex properties that do not meet the requirements set forth in the previous section for new one or two unit residential single-family-or-duplex properties are required to install vegetation to meet those requirements.

G. Landscaping adjacent to mechanical equipment on site. Mechanical equipment, (e.g. backflow preventers, utility cabinets, air conditioners, etc.) visible from streets, excluding alleys, shall be landscaped with a continuous hedge comprised of shrubs planted no more than 30 inches on center or a decorative fence or architectural feature if the location is inadequate for landscape (e.g. too small, insufficient light). Landscaping shall be installed no less than three feet from the equipment to allow for access, maintenance and required air flow.

H. Decorative objects, including, but not limited to, rocks and planter beds, shall not be located within four feet of the curb of the street or where there is no curb, the road edge.

16.40.060.2.1.3.1- - Development and redevelopment of non-residential and multi-family property other than one and two-unit properties.

A. Applicability. The following requirements shall apply to all development and redevelopment of non-residential and multi-family other than single-family and duplex properties:

1. Development means for the purposes of this section, the construction of a new building, ~~any required parking area,~~ or any new parking area.

2. *Redevelopment* means for the purposes of this section, any proposed construction development-proposal-which:

(1)a. Requires Development Review Commission, Community Planning and Preservation Commission, or Community Redevelopment Agency review and approval;

(2)b. Requires additional parking;

(3)c. Seeks to expand the gross floor area of an existing building by more than 15 percent; or

(4)d. Requires a building permit based on the value for interior or exterior work or a combination thereof, equal to or exceeding the percentage shown in the following table (the term "appraised value" means the total value for ad valorem tax purposes according to the Property Appraiser of Pinellas County, Florida):

Total redevelopment cost of project as a percentage of total appraised value	Total appraised value of land and structure
50 percent	Less than \$50,000.00
45 percent	\$50,000.00 to \$99,999.00
40 percent	\$100,000.00 to \$149,999.00
35 percent	\$150,000.00 to \$199,999.00
30 percent	\$200,000.00 to \$249,999.00
25 percent	\$250,000.00 or more

3. Existing properties which do not have an approved landscape plan and which perform exterior (building, site, or a combination thereof) work that requires a permit from the City, but which do not meet the definition of "development" or "redevelopment" shall provide landscaping which is at least ten percent of the value of the permitted work.

These landscape materials shall meet one or more of the landscape specifications in this section. A landscape permit is required.

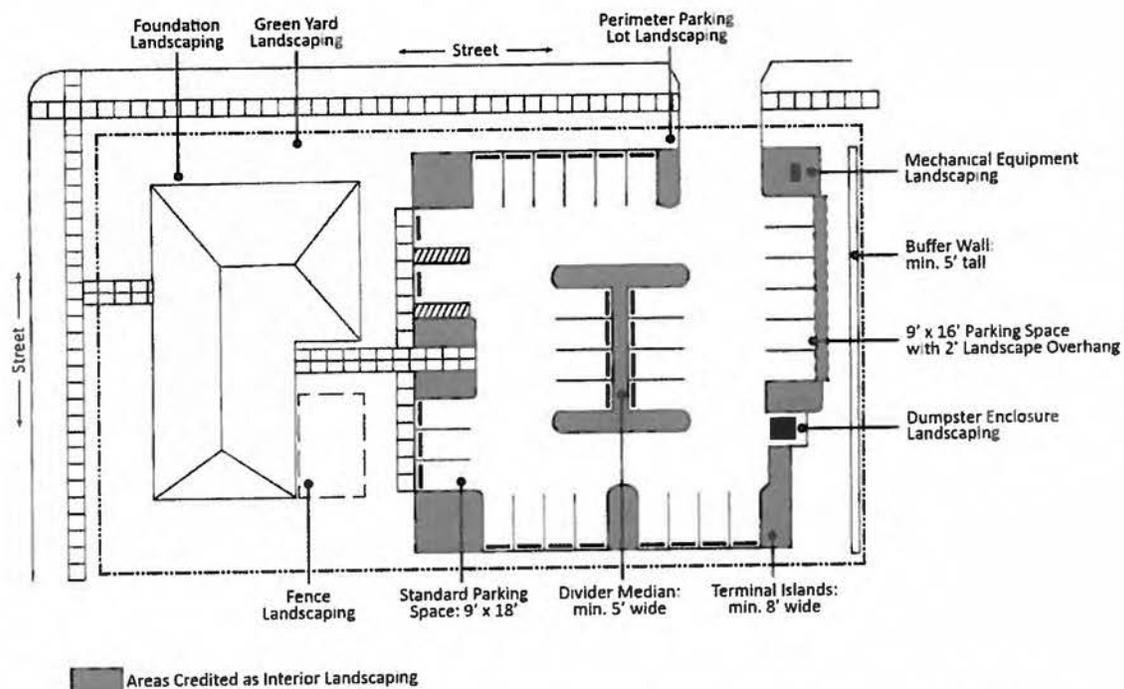
B. *Landscape permit required.* A landscape permit is shall-be required for the alteration, installation or replacement of any landscape required by this section. For the purposes of this section, alteration means any modification to existing landscaping which was required as part of a previously approved landscape plan or is necessary to meet the minimum standards of the Code. A permit is not required to replace dead landscaping materials with like materials unless a tree removal permit is required.

1. A landscape plan shall be submitted in accordance with this section.
2. An irrigation plan showing the use of an automatic low-volume irrigation system designed specifically for the proposed landscape installation shall also be provided. This plan shall include a site plan using a readable and defined scale, illustrating the proposed irrigation zones and delineating micro-irrigation zones and areas utilizing irrigation techniques other than micro-irrigation.

C. *Installation of landscape materials.* Installation of landscape materials shall be in accordance with the approved landscape plan and shall be installed in a sound, workmanlike manner and in accordance with ANSI A300 Standards, recognized and accepted planting procedures as determined by the International Society of Arboriculture or the Pinellas County Cooperative Extension Service.

D. *Minimum landscape requirements.*

Minimum Landscape Requirements



*This diagram is intended to provide an illustrative view of these regulations. Property owners are advised to contact the City to verify interpretation of the City Codes as applied to a specific property.

1. *Green yard, exterior.* Green yards shall be provided in all yards abutting streets. Except for surface parking lots, if the required front yard (setback) is smaller than the required green yard, the required green yard shall be the depth of the required front yard. For sites with irregular frontage, the POD may allow the green yard to vary in width, but it shall extend for the entire frontage and provide the equivalent square feet of green yard along the same frontage. Green yards shall be landscaped as follows:

Site location/zoning	Required green yard depth for all abutting streets (not alleys)	Minimum required tree landscaping (per linear ft. of property frontage)
DC-C, DC-1, DC-2, DC-3, DC-P, CCT-1, CCT-2, <u>CRT-1</u> , CRT-2	5 ft.	1 shade tree per 35 linear ft. or fraction above half thereof
EC	20 ft. on major streets, 10 ft. on other streets.	3 <u>1</u> shade trees and 1 understory tree <u>per 30</u> per 50 linear ft. or fraction above half thereof
All other districts	10 ft.	2 shade trees per 50 linear ft. or fraction above half thereof

2. *Green yard, interior.* Interior green yards, when not abutting ~~vehicular vehicle~~ use areas, shall be provided along all interior property lines and property lines abutting alleys. The minimum width of all interior green yards shall be five feet unless the required side or rear yard is smaller, in which case the required green yard shall be the depth of the required interior side or rear yard. A minimum of one shade tree per 50 linear feet or fraction above half thereof is required. Under-story trees may be substituted for shade trees on a 1½ for one basis. The POD may allow the interior green yards to vary in width if additional green yards are expanded to provide the equivalent square footage of green yards on the site.

3. *Foundation landscaping.*

- a. A minimum of one foundation plant is required for each ~~three linear feet linear~~ feet, and one under-story tree is required for each 30 linear feet (or portion thereof), of the exterior building perimeter. Foundation plantings may be comprised of shrubs, accent plants, ornamental grasses, and ground cover in any combination;

provided that no less than 50 percent of the total required materials are shrubs, accent plants and/or ornamental grasses.

When calculating the minimum number of required plants, the linear distance of openings for overhead or loading area doors, motor vehicle bays or entrances to the building, or the perimeter of attached or detached canopies shall be excluded. Foundation plants may be planted in groupings so long as the minimum number of required plants is provided. The foundation landscaping shall be required on all building sides except those sides facing an alley. Foundation landscaping shall abut the building (while allowing the necessary space for growth) and shall be used or installed in such a manner so as to screen mechanical equipment attached to or adjacent to the building, provide direction to and enhance entrances and walkways, and provide visual breaks along monotonous building facades.

b. Properties located within the CRT, CCT and DC-1, D-2, and DC-3 districts. The base of buildings, Building elevations or portions of buildings, elevations not visible from the street, excluding alleys, shall ~~are~~ not be required to have foundation landscaping. Where reduced building setbacks along streets physically prevent the installation of foundation landscaping, it shall not be required.

4. *Vehicular use landscaping/screening requirements.* Vehicular use areas shall meet the following additional requirements:

a. *Perimeter parking lot landscaping.* A minimum of one shade tree per 35 linear feet (or portion thereof) shall be planted around the perimeter of vehicular use areas. A continuous hedge comprised of shrubs planted not more than 30 inches on center shall be planted around the perimeter of the vehicular use area. The pervious area for perimeter parking lot landscaping shall be at least five feet in width, measured from the inside of the curb, sidewalk or other paved surface abutting the pervious area. Additional landscaping is not ~~shall not be~~ required for the perimeter parts of the vehicular use area adjacent to the building.

(1) *Properties located within the CRT, CCT, and DC-1, DC-2, and DC-3 districts.* Parking lots or portions of parking lots not visible from the streets, excluding alleys, are not ~~shall not be~~ required to install perimeter landscaping. Where a parking space is designed perpendicular to the streets, excluding alleys, such that the front of the space allows ~~requires~~ the headlights to shine onto the streets, a minimum three ~~four~~-foot high solid masonry wall or decorative ~~wood or vinyl~~ fence shall be erected to prohibit headlights from shining onto the streets.

b. *Interior parking lot landscaping.* Interior parking lot landscaping shall be provided as follows:

(1) *Required square footage of landscape area.* For all vehicular use areas with more than ten parking spaces, a minimum of ten percent of the vehicular use area shall be devoted to interior landscaping. In calculating this percentage, the area shall include both pervious and impervious portions of the vehicular use area. Terminal and interior islands and divider medians shall be used to comply with required interior parking lot landscaping. For redevelopment of properties in the CRT, CCT, DC1, DC-2, and DC-3 zoning districts, the POD may reduce the required landscape down to 5% where existing site constraints (e.g. insufficient permeable area) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees. The following diagram illustrates an example of areas which shall qualify as interior landscaping.

(2) *Terminal islands.* Each row of parking spaces shall end with terminal islands to separate parking from adjacent drive lanes. Each terminal island shall measure at least ~~eight~~ five feet in width by 18 feet in length, measured from the inside of the curb. The POD may reduce the required width by up to three feet (minimum width five feet) where existing site constraints (e.g. small site) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees. Within terminal islands, one shade tree shall be required for every 150 square feet (or fraction above one half thereof), with a minimum of one shade tree required per terminal island. Terminal islands shall be landscaped with shrubs, accent plants, ornamental grasses and ground cover, excluding sod turfgrass, which is planted to provide 100 percent coverage within two years. ~~Shrubs, accent plants and ornamental grasses~~ Landscaping in islands adjacent to parking spaces shall be set back a minimum of two feet behind the back of the curb to provide for pedestrian access to parked vehicles.

(a) *Properties located within the CRT, CCT and D-1, DC-2 and DC-3 districts.* Parking lots or portions of parking lots not visible from the streets excluding alleys, shall not be required to install terminal islands.

(3) *Interior Islands.* Each interior island shall measure at least ~~eight~~ five feet in width by 18 feet in length, measured from the inside of the curb. The POD may reduce the required width by up to three feet (minimum width five feet) where existing site constraints (e.g. small site) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees. Interior islands less than five feet in width, measured from the inside of the curb, shall not be credited towards interior landscaping unless a

variance is granted. Within interior islands, one shade tree shall be required for every 150 square feet (or fraction above one half thereof), with a minimum of one shade tree required per interior island. Landscaping in islands adjacent to parking spaces shall be set back a minimum of two feet behind the back of the curb to provide for pedestrian access to parked vehicles.

(4) *Divider medians.* Landscaped divider medians shall form a continuous landscaped strip between abutting rows of parking areas or access drives. The minimum width of a divider median shall be five feet, measured from the inside of the curb. One shade tree or two under-story trees shall be required for each 30 linear feet of divider median (or fraction above one half thereof). Shrubs shall be planted in divider medians which separate parking areas from access drives to form a continuous hedge the full length of the divider median.

(5) *Tree species diversity.* It is important to provide a mix of tree species on larger sites. When the required number of trees is: less than 10, one or more species shall be provided; less than 20 trees, two or more species shall be provided; more than 20 trees, three or more species shall be provided.

(6) *Tree placement.* Trees shall not be located adjacent to free-standing sign faces or below wall sign faces where the tree will create a visual obstruction at the time of planting or in the future. Shade trees shall not be located below overhead utility lines where the tree will contact the line at the time of planting or in the future. Shade trees shall not be located over underground utility lines. Clustering of perimeter trees is permitted to prevent the obstruction of sign faces and conflicts with overhead or underground utility lines. The POD may allow required shade trees to be substituted with native palms and/or understory trees on a three per one basis to prevent such conflicts. Where site constraints limit planting of required trees, larger trees at least 4" minimum dbh, may be substituted for required trees on a two for one basis.

c. *Curbing.* Nonmountable concrete curbing shall be provided within all parking areas to prevent vehicles from encroaching onto and overhanging required plantings, sidewalks, rights-of-way or adjacent property. Wheel stops may be substituted at the closed end of parking stalls where they abut required plantings or sidewalks.

(1) Curbing may be placed within the parking space up to 2½ feet from the closed end of the parking stall. When curbing is utilized, the 2½ foot wide strip may be landscaped when abutting green space.

(a) Landscaping shall be low-growing to accommodate the vehicular overhang.

(b) The landscaped area within the parking space counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward green yard, perimeter landscaping or divider median requirements.

(2) Wheel stops shall be located up to 2½ feet from the closed end of the parking stall. Wheel stops shall have a minimum height of six inches above finished grade of the parking area and shall be properly anchored and maintained in good condition.

d. *Screening abutting residential uses.* Where vehicular use areas abut ~~property used for~~ a one or two unit residential property residence, a minimum five-foot high solid masonry wall or decorative wood or vinyl fence shall be installed in such a manner so as to screen the vehicular use area from the adjacent one or two unit residential property use. Where this wall or fence requirement is applied to properties with existing mature shade trees, the wall or fence may be truncated and supplemented with trees and shrubs to achieve such screening ~~the purpose of this subsection~~.

e. Low Impact Development Landscaping Plan. A Low Impact Development (LID) Landscaping Plan may be approved by the POD as part of a stormwater management plan in lieu of some of the requirements of this subsection for the area in which it is implemented.

5. *Landscaping adjacent to fences, walls, or dumpster enclosures.* The exterior of any opaque fence, wall, or dumpster enclosure visible from any street shall be landscaped with a minimum of one shrub for every three ~~four~~ linear feet and one under-story tree for every 25 linear feet.

6. *Landscaping adjacent to mechanical equipment on site.* Mechanical equipment, (e.g., ~~such as~~ backflow preventers, utility cabinets, ~~and~~ air conditioners, etc.) visible from streets, excluding alleys, shall be landscaped with a continuous hedge comprised of shrubs planted no more than 30 inches on center or a decorative fence or architectural feature if the location is inadequate for landscaping (too small, insufficient light). Landscaping shall be installed no less than three feet from the equipment to allow for access, maintenance and required air flow.

7. *Landscaping within the adjoining rights-of-way.*

a. Landscaping within the adjoining rights-of-way shall be provided in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, plantings shall be comprised of low growing shrubs,

accent plants, ornamental grasses, ground cover or sod in any combination. Where ~~the irrigation system uses reclaimed water, all sod shall be St. Augustine.~~ Where landscaping material is used in the right-of-way within four feet of the curb or road edge and there is no approved landscape plan, the plantings, excluding sod, shall not exceed 24-12 inches in height above the top of the adjacent curb, or if there is no curb, the road bed, provided that the landscape material does not result in a hazard or impairment to vehicular or pedestrian traffic.

b. Properties located within the CRT, CCT, and DC-1, DC-2, and DC-3 districts. Within these districts, landscaping shall be provided in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, in accordance with the following: One shade tree per 30 linear feet ~~shall be provided.~~ Where there is insufficient permeable area to support tree growth, trees should be planted in tree pits or planting strips. The POD may substitute shade trees with understory trees or native palms on a three per one basis if shade trees are not site appropriate. Ground cover plantings shall be comprised of shrubs, accent plants, ornamental grasses, ground cover or St. Augustine sod in any combination provided that no less than 25 percent of the total landscape area is planted with low growing shrubs, accent plants, ornamental grasses or ground cover.

8. Protection of existing specimen trees.

a. A percentage of Specimen trees existing on a site, other than properties located within CCT-2, CRT-2 and all DC districts, shall be preserved. The POD may reduce the required percentage by up to 25% to allow preservation of one or more Grand trees that are equal to or greater than the required total inches reduced. Existing Specimen trees may be used to satisfy the requirements for planting additional trees as follows: trees 18" dbh shall equal one required tree, trees 19"-26" dbh shall equal two required trees, trees 27"-36" dbh shall equal three required trees; trees over 36" dbh shall equal five required trees. The number of existing specimen trees to be preserved on a site shall be determined as follows:

Total Inches (dbh) of existing specimen trees on site	Minimum percent of inches of existing specimen trees to be preserved
50 or less	50 percent
51—100	40 percent

101—150	30 percent
Greater than 150	25 percent

b. Existing trees which will remain on the property and which are identified on the landscape plan may satisfy some or all of the required landscaping provided that the trees meet the quantity, applicable species and size requirements. Trees determined to be in decline may not be used to satisfy required landscaping and the POD may require the removal of any tree determined to constitute a safety hazard.

c. Existing trees to be preserved shall be protected from construction-related impacts by placement of suitable protective barriers, constructed to specifications issued by the POD, which shall remain in place until such time as the removal of the protective barrier is authorized by the POD. It is shall-be unlawful for any person in the construction of any structures or other improvements to place solvents, material, construction machinery, or temporary or permanent soil deposits within six feet of the trunk or within two-thirds of the drip line, whichever is greater, of any tree identified on the landscape plan which is to remain on the site. No attachments or wires shall be attached to any protected tree. Barricade details shall be shown on the landscape plan and installed prior to the commencement of construction.

d. Whenever a change of elevation takes place that raises or lowers the ground level elevation at or within the drip line of any existing tree, a method to preserve the existing ground elevation within the drip line shall be utilized. Such methods include but are not limited to tree wells, dry wells, retaining walls and terracing. The method of protection shall be shown on the landscape plan and is subject to approval by the POD. In addition to any other penalties, the direct or indirect destruction of existing trees by failure to comply with appropriate protection during construction shall be a violation of this section. Existing trees which are required to remain on site and are seriously damaged as a result of construction activities destroyed during development or work shall be replaced on a 2:1 ratio based on the number of inches at dbh.

9. *Protection of existing native plant communities.*

a. For vehicular use areas, where healthy, native vegetation exists on a site prior to its development, in part or in whole, the POD may adjust the requirements of this section to allow credit for such plant material (excluding ~~palms~~, any sick, topped or

damaged trees, or any trees included on the unprotected and prohibited species tree list(s) provided that the POD finds such an adjustment is in keeping with and will preserve the intent of this section and provides the equivalent or greater amount of plants or inches dbh of trees.

b. Native vegetation shall be preserved using the largest contiguous and compact area reasonable. Preservation Preserved areas shall be included in the following calculations.

~~4.~~(1) For residential and residential mixed-use developments within the coastal high hazard zone greater than 2½ acres and for residential and residential mixed-use developments outside of the coastal high hazard zone greater than 20 acres, not less than 25 percent of the native vegetation shall be preserved.

~~3c.~~(2) All other types of new development subject to special exceptions or site plan review shall preserve a portion of the native vegetation ~~on the site.~~ For new development less than five acres, not less than ten percent of the native vegetation shall be preserved retained. For new development five or more acres, not less than 15 percent of the native vegetation ~~on site~~ shall be preserved retained.

16.40.060.2.1.4.2 - Additional requirements for new and existing nonresidential and multifamily properties other than one and two unit properties; ground cover, mulch private property.

- A. Permeable portions of ~~private~~ property including required yards shall be maintained with an herbaceous layer of sod or ground cover plant material. Installation of St. Augustine sod turf at a property with a new structure which receives construction permits ~~and is constructed after January 1, 2010,~~ is limited to a maximum of ten percent of the permeable area of the property.
- B. Mulch. New and existing nonresidential and multifamily properties shall comply with the same mulch requirements established above for new and existing one and two unit residential properties.

16.40.060.2.1.5. - Utilities and utility easements.

No person shall plant a tree or shrub in a utility easement. Any vegetation planted in a utility easement shall be herbaceous vegetation and shall not interfere with the use of the easement for utility purposes which includes the maintenance and replacement of underground utilities.

16.40.060.2.1.6. - Landscape specifications.

A. Unless otherwise specified, all landscape materials shall meet the following specifications:

TREES: SHADE								
All required shade trees shall measure a minimum of ten ft. in height and two inches diameter at breast height (dbh) at the time of planting. All shade trees shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Cypress, Bald	<i>Taxodium distichum</i>	X	X	X		X	X	X
Elm, Chinese (Drake)	<i>Ulmus parvifolia</i>			X		X		
Elm, florida	<i>Ulmus Americana, var. spp. floridana "Floridana"</i>	X		X		X	X	
Elm, Winged	<i>Ulmus Alata</i>	X	X				X	
Loblolly Bay	<i>Gordonia lasianthus</i>	X	X	X				X
Magnolia, Southern*	<i>Magnolia grandiflora</i>	X	X				X	X
Magnolia, Sweetbay*	<i>Magnolia virginiana</i>	X	X	X				X

TREES: SHADE

All required shade trees shall measure a minimum of ten ft. in height and two inches diameter at breast height (dbh) at the time of planting. All shade trees shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Maple, Florida	<i>Acer saccharum</i> , "Floridanum"	X		X			X	
Maple, Red	<i>Acer rubrum</i>	X		X				X
Mulberry, Red*	<i>Morus rubra</i>	X	X				X	
Oak, Live	<i>Quercus virginiana</i>	X	X			X	X	
Pine, Long-Leaf	<i>Pinus palustris</i>	X	X			X		
Pine, Slash	<i>Pinus elliotii</i>	X	X			X		
Sugarberry*	<i>Celtis laevigata</i>	X	X				X	
Sweetgum*	<i>Liquidambar styraciflua</i>	X	X				X	
Sycamore	<i>Platanus occidentalis</i>	X	X				X	X
Tupelo	<i>Nyssa sylvatica</i>	X	X				X	

TREES: SHADE

All required shade trees shall measure a minimum of ten ft. in height and two inches diameter at breast height (dbh) at the time of planting. All shade trees shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Willow, weeping	<i>Salix babylonica</i>		X					X

*Tree produces berries or seed pods, which make it an unsuitable choice for locations near parking or sidewalk spaces. Other shade trees identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department Southwest Florida Water Management District will be considered (http://fyn.ifas.ufl.edu/pdf/FYN_Plant_Selection_Guide_v090110.pdf).

TREES: UNDERSTORY

All required understory trees shall measure a minimum of eight ft. in height and 1.5 inches diameter at breast height (dbh) at the time of planting. All understory trees shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Bay, Red	<i>Persea borbonia</i>	X		X		X		
Bay, Silk	<i>Persea humilis</i>	X	X			X		
Bay, Swamp	<i>Persea palustris</i>	X		X			X	
Buttonwood,	<i>Conocarpus</i>	X	X				X	

TREES: UNDERSTORY

All required understory trees shall measure a minimum of eight ft. in height and 1.5 inches diameter at breast height (dbh) at the time of planting. All understory trees shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Green	<i>erectus</i>							
Buttonwood, Silver	<i>Conocarpus erectus</i> "sericeus"	X	X				X	
Cedar, Southern Red	<i>Juniperus virginiana</i>	X	X			X		
Crape Myrtle, "Natchez"	<i>Lagerstroemia indica</i> and any <u>disease resistant varieties</u> "Natchez"		X			X	X	
Grape Myrtle, "Muskogee"	<i>Lagerstroemia indica</i> "Muskoge e"		X				X	
Hawthorn, Summer	<i>Crataegus flava</i>	X		X			X	
Holly, American	<i>Ilex opaca</i>	X		X		X		
Holly, Dahoon	<i>Ilex cassine</i>	X		X			X	X

TREES: UNDERSTORY

All required understory trees shall measure a minimum of eight ft. in height and 1.5 inches diameter at breast height (dbh) at the time of planting. All understory trees shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Holly, East Palatka	<i>Ilex attenuata</i> "East Palatka"	X	X			X	X	
Holly, Weeping Yaupon	<i>Ilex vomitoria</i> "Pendula"	X		X			X	
Holly, Yaupon	<i>Ilex vomitoria</i>	X		X		X		
Ligustrum	<i>Ligustrum japonicum</i>		X			X		
Magnolia, "Little Gem"	<i>Magnolia grandiflora</i> , and <u>other dwarf varieties that have a maximum height of fifteen feet</u> "Little Gem"			X			X	X
Oak, Sand Live	<i>Quercus virginiana</i> "Geminata"	X	X			X		
Plum, Chickasaw	<i>Prunus angustifolia</i>	X		X		X		

TREES: UNDERSTORY

All required understory trees shall measure a minimum of eight ft. in height and 1.5 inches diameter at breast height (dbh) at the time of planting. All understory trees shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Plum, Flatwoods	<i>Prunus umbellatge</i>	X		X			X	
Plum, Pigeon	<i>Coccoloba diversifolia</i>	X	X			X		
Plum, Saffron	<i>Bumelia celastrina</i>	X		X			X	
Podocarpus (tree form)	<i>Podocarpus macrophyllus</i>			X			X	
Seagrape (tree form)	<i>Coccoloba uvifera</i>	X	X			X		
Sweet Acacia	<i>Acacia farnesiana</i>	X	X			X		
Wild Olive	<i>Cordia boissieri</i>		X				X	

Other understory trees identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department Southwest Florida Water Management District will be considered.

All required palm trees shall measure a minimum height of eight feet of clear trunk. Palm trees identified with an * may be substituted on a one for one basis with shade tree planting requirements. Palm trees identified with a + may be substituted on a three for one basis with shade tree planting requirements. No more than 50% of required shade trees may be substituted for palms in vehicular use areas. All palm trees shall be credited on a one for one basis towards understory tree planting requirements. All palms trees shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Bismarck Palm*	<i>Bismarckia nobilis</i>		X	X			X	
Cabbage Palm+	<i>Sabal palmetto</i>	X	X			X	X	
Date Palm, Canary Island*	<i>Phoenix canariensis</i>		X			X		
Date Palm, Medjool*	<i>Phoenix dactylifera</i>		X				X	
Date Palm, Pygmy	<i>Phoenix roebelenii</i>			X			X	
Date Palm, Silver	<i>Phoenix sylvestris</i>		X				X	
Fan Palm, Ribbon	<i>Livistona decipiens</i>		X				X	
Foxtail Palm	<i>Wodyetia bifurcata</i>		X				X	

All required palm trees shall measure a minimum height of eight feet of clear trunk. Palm trees identified with an * may be substituted on a one for one basis with shade tree planting requirements. Palm trees identified with a + may be substituted on a three for one basis with shade tree planting requirements. No more than 50% of required shade trees may be substituted for palms in vehicular use areas. All palm trees shall be credited on a one for one basis towards understory tree planting requirements. All palms trees shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Paurotis Palm	<i>Acoelorrhaphe wrightii</i>	X	X				X	
Pindo Palm	<i>Butia odorata capitata</i>			X			X	
Royal Cuba* Palm,	<i>Roystonea regia</i>			X			X	
Royal Florida* Palm,	<i>Roystonea elata</i>	X		X			X	
Thatch Florida Palm,	<i>Thrinax radiata</i>	X	X			X		
Triangle Palm	<i>Neodypsis decaryi</i>		X				X	
Traveler's Palm	<i>Ravenala madagascariensis</i>		X				X	
Windmill Palm	<i>Trachycarpus fortunei</i>			X		X		

All required palm trees shall measure a minimum height of eight feet of clear trunk. Palm trees identified with an * may be substituted on a one for one basis with shade tree planting requirements. Palm trees identified with a + may be substituted on a three for one basis with shade tree planting requirements. No more than 50% of required shade trees may be substituted for palms in vehicular use areas. All palm trees shall be credited on a one for one basis towards understory tree planting requirements. All palms trees shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high

Other palm trees identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department Southwest Florida Water Management District will be considered.

SHRUBS

All required shrubs shall measure a minimum of 24 inches in height at the time of planting. Shrubs required to create a hedge shall be planted not more than 30 inches on center. Shrubs shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Anise, Yellow	<i>Illicium parviflorum</i>	X		X			X	
Buttonwood, Green	<i>Conocarpus erectus</i>	X	X			X		
Buttonwood, Silver	<i>Conocarpus erectus 'sericeus'</i>	X	X			X		
Cocoplum, Redtip	<i>Chrysobalanu sicaco</i>	X	X	X		X		

SHRUBS

All required shrubs shall measure a minimum of 24 inches in height at the time of planting. Shrubs required to create a hedge shall be planted not more than 30 inches on center. Shrubs shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Firebush	<u>Hamelia patens</u>	X		X		X	X	
Gallberry	<i>Ilex glabra</i>	X		X			X	
Hibiscus	<i>Hibiscus rosa-sinensis</i>		X				X	
Holly, Dwarf Yaupon	<i>Ilex vomitoria</i> "Schilling Dwarf" <u>Dwarf cultivars or varieties</u>	X		X		X	X	
Ixora	<i>Ixora coccinea</i>		X				X	
Podocarpus	<i>Podocarpus macrophyllus</i>			X		X	X	
Privet, Florida	<i>Forestiera segregata</i>	X	X			X		
Seagrape	<i>Coccoloba</i>	X	X			X		

SHRUBS

All required shrubs shall measure a minimum of 24 inches in height at the time of planting. Shrubs required to create a hedge shall be planted not more than 30 inches on center. Shrubs shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
	<i>uvifera</i>							
Silverthorn	<i>Elaeagnus pungens</i>		X			X		
Simpson Stopper	<i>Myrcianthes fragrans</i>	X		X			X	
Viburnum, Awabuki	<i>Viburnum odoratissimum</i> "Awabuki"			X			X	
Viburnum, Sandankwa	<i>Viburnum suspensum</i>			X		X	X	
Viburnum, Sweet	<i>Viburnum odoratissimum</i>			X			X	
Viburnum, Walters	<i>Viburnum obovatum</i>	X		X		X	X	

Other shrubs identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department Southwest Florida Water Management District will be considered.

ACCENT (AND MASSING) PLANTS

All required foundation plants and accent plants shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Allamanda	<i>Allamanda cathartica</i>		X			X		
Allamanda	<i>Allamanda nerifolia</i>		X			X		
American Beautyberry	<i>Callicarpa americana</i> spp.	X		X			X	
Azalea, Florida Flame	<i>Rhododendron austrinum</i>	X		X	X		X	
Azalea, Pinxter or Piedmont	<i>Rhododendron canescens</i>	X		X	X		X	
Florida Bamboo, <u>clumping varieties only</u>	<u><i>Bambusa</i> spp.</u>		X	X			X	
Azalea	<i>Rhododendron</i> spp.			X	X		X	

ACCENT (AND MASSING) PLANTS

All required foundation plants and accent plants shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Bird Of Paradise	<i>Strelitzia reginae</i>		X				X	
Bougainvillea	<i>Bougainvillea glabra</i>		X			X		
Butterfly Weed	<i>Asclepias tuberosa</i>	X	X			X		
Cardboard Plant	<i>Zamia furfuracea</i>		X	X		X		
Cast-Iron Plant	<i>Aspidistra elatior</i>				X	X		
Christmasberry	<i>Lycium carolinianum</i>	X		X		X		
Coontie	<i>Zamia floridana</i>	X		X		X		
Copperleaf	<i>Acalypha wilkesiana</i>		X				X	

ACCENT (AND MASSING) PLANTS

All required foundation plants and accent plants shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Crinum Lily	<i>Crinum spp.</i>		X				X	
Croton	<i>Codiaeum variegatum</i>			X			X	
Firebush	<i>Hamelia patens</i>	X		X			X	
Firespike	<i>Odontonema cuspidata</i>		X			X	X	
Ginger, Shell	<i>Alpinia zerumbet</i>			X			X	X
Golden Dewdrop	<i>Duranta <u>erecta</u> evecata</i>			X			X	
Hawthorn, Indian, <u>disease resistant cvs.</u>	<i>Raphiolepis <u>spp. -indica</u></i>		X	X			X	
Hibiscus, Red	<i>Hhibiscus coccineus</i>	X		X				X

ACCENT (AND MASSING) PLANTS

All required foundation plants and accent plants shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Iris, African	<i>Dietes spp.</i>		X			X		
Lady Palm	<i>Rhapis excelsa</i>				X	X	X	
Mimosa, Sunshine	<i>Mimosa strigillosa</i>	X	X			X	X	
Milkweed, Scarlet	<i>Asclepias curassavica</i>		X			X		
Needle Palm	<i>Rhapidophyllum hystrix</i>	X			X		X	
Philodendron	<i>Philodendron spp.</i>			X		X	X	
Plumbago	<i>Plumbago auriculata</i>		X				X	
Palmetto, Saw	<i>Serenoa repens</i>	X	X	X		X		
Shrimp Plant	<i>Justicia</i>			X			X	

ACCENT (AND MASSING) PLANTS

All required foundation plants and accent plants shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
	<i>brandegeana</i>							
Snowberry	<i>Chiococca alba</i>	X	X				X	
Snow Bush	<i>Breynia disticha</i>			X		X	X	
Thryallis	<i>Galphimia gracilis</i>		X	X			X	
Turks-Cap	<i>Malvaviscus arboreus</i>		X			X		
Varnish Leaf	<i>Dodonaea viscosa</i>	X		X		X		
White Indigoberry	<i>Randia aculeata</i>	X		X		X		
Wild Coffee	<i>Psychotria nervosa</i>	X		X	X	X	X	
Yellow Necklace	<i>Sophora tomentosa</i>	X	X			X		

ACCENT (AND MASSING) PLANTS								
All required foundation plants and accent plants shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Pod	"Truncata"							
Other accent plants identified as Florida Friendly by the <u>University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department Southwest Florida Water Management District</u> will be considered.								

ORNAMENTAL GRASSES								
All required foundation plants and ornamental grasses shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Fakahatchee Grass	<i>Tripsacum dactyloids</i>	X		X		X	X	
Fakahatchee Grass, Dwarf	<i>Tripsacum floridanum</i>	X		X		X	X	
Gulf Grass	Muhly <i>Muhlenbergia capillaris</i>	X	X			X		

ORNAMENTAL GRASSES								
All required foundation plants and ornamental grasses shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Sand Cordgrass	<i>Spartina bakeri</i>	X	X			X	X	X
Salt Marsh Cordgrass	<i>Spartina patens</i>	X	X			X	X	X
Other ornamental grasses identified as "Florida Friendly" by the <u>University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department Southwest Florida Water Management District</u> will be considered.								

GROUND COVER								
All required foundation plants and ornamental grasses shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Aztec Grass	<i>Ophiopogon spp.</i>			X		X		
Beach Sunflower	<i>Helianthus debilis</i>	X	X			X		

GROUND COVER

All required foundation plants and ornamental grasses shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Beach Morning Glory	<i>Ipomoea imperati</i>	X	X			X		
Blue Daze	<i>Evolvulus glomerata</i>		X				X	
Coral Honeysuckle	<i>Lonicera sempervirens</i>	X		X		X	X	
Jasmine, Asiatic (Minima) and other low growing varieties	<i>Trachelospermum asiaticum</i>			X		X	X	
Jasmine, Downy	<i>Jasminum multiflorum</i>			X		X	X	
Juniper, Parson	<i>Juniperus davurica</i>		X			X	X	
Juniper, Shore	<i>Juniperus conferta</i>		X			X	X	
Lantana, Trailing	<i>Lantana montevidensis</i>		X			X		

GROUND COVER

All required foundation plants and ornamental grasses shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.

Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Liriope, Evergreen Giant	Liriope "Evergreen Giant"			X		X		
Mimosa, Sunshine	<i>Mimosa strigillosa</i>	X	X			X	X	
Porterweed	<i>Strachytarpheta jamaicensis</i>	X	X				X	X
Railroad Vine	<i>Ipomoea pescaprae</i>	X	X			X		
Sage, Tropical	<i>Salvia coccinea</i>	X	X			X	X	
Sea Oxeye Daisy	<i>Borrchia frutescens</i>	X	X				X	
Sea Purslane	<i>Sesuvium portulacastrum</i>	X	X			X		
Twinflower	<i>Dyschoriste oblongifolia</i>	X	X			X		

GROUND COVER								
All required foundation plants and ornamental grasses shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Other foundation plants identified as Florida Friendly by the <u>University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department Southwest Florida Water-Management-District</u> will be considered.								

B. Native-vegetation-requirements- Plant selection criteria. The species of required landscape materials shall be site appropriate and shall be selected based on the existing and neighboring vegetative communities, sun exposure, soil types, proposed function of the materials, cold tolerance, water use, fertilizer needs, existence of utilities or overhead power lines, and aesthetics.

C. Exempt Unprotected trees. Due to their status as non-native exotic species or invasive species, the following tree species any unprotected or prohibited trees may be removed from private property and the abutting right of way without a permit unless they are part of an approved landscape plan, or otherwise required by this section, and shall not be used to meet the vegetation required by this section:

EXEMPT UNPROTECTED TREES		
Common	Scientific	Place of Origin
Acacia, earleaf	<i>Acacia auriculiformis</i>	Australia, New Guinea, Indonesia
Australian pine	<i>Casuarina equisetifolia</i>	South Pacific, SE Asia (Australia)
Australian pine	<i>Casuarina cunninghamiana</i>	South Pacific, SE Asia

EXEMPT UNPROTECTED TREES		
Common	Scientific	Place of Origin
		{Australia}
Avocado	<i>Persea americana</i>	Central America
Brazilian-pepper	<i>Schinus terebinthifolius</i>	Brazil, Argentina, Paraguay
Carrotwood	<i>Cupaniopsis anacardioides</i>	Australia
Cherry laurel	<i>Prunus caroliniana</i>	North America
Chinaberry	<i>Melia azederach</i>	Asia
Citrus	Inc. orange, lemon, lime, kumquat, etc. <u>All species.</u>	Eastern Asia
Ear	<i>Enterolobium cyclocarpum</i>	Central America
Eucalyptus	<i>Eucalyptus</i> spp. Exc. <u>except</u> silver dollar variety	Australia
Ficus ¹	<i>Ficus</i> spp. Exc. <u>banyan</u>	South America
Italian cypress	<i>Cupressus sempervirens</i>	South Europe
Jacaranda ¹	<i>Jacaranda acutifolia</i>	Brazil

EXEMPT UNPROTECTED TREES		
Common	Scientific	Place of Origin
Jerusalem thorn	<i>Parkinsonia aculeata</i>	Central America
Kapok ¹	<i>Ceiba pentandra</i>	South America
Loquat	<i>Eriobotrya japonica</i>	China
Mango	<i>Mangifera indica</i>	India
Monkey puzzle tree	<i>Araucaria spp. - araucana</i>	Australia
Norfolk Island pine	<i>Araucaria excelsa</i>	Norfolk Island
Orchid Tree	<i>Bauhinia spp., except Bauhinia variegata</i>	Eastern Asia (India, China)
Palms	Exc. Cabbage and Royal	
Royal Poinciana ¹	<i>Delonix regia</i>	Madagascar
Punk	<i>Melaleuca quinquenervia</i>	Australia, New Guinea, Solomon Isle
Silk oak	<i>Grevillia robusta</i>	Australia
Toog	<i>Bischofia javanica</i>	Tropical Asia, Pacific Islands

EXEMPT UNPROTECTED TREES		
Common	Scientific	Place of Origin
Woman's tongue	<i>Albizia spp.</i>	Tropical Asia, Northern Australia

Note - Jacaranda and Royal Poinciana Trees over 8" DBH and Banyan and Kapok over 30" DBH are Signature Trees and therefore may be required to obtain a permit before removing.

C. Prohibited trees. It shall be unlawful to plant or cause to be planted, or to sell or offer for sale, within the City limits the following exotic and nuisance plant species: Brazilian pepper tree (*Schinus terebinthifolius*), punk tree (*Melaleuca quinquenervia*), Australian pine tree (*Casuarina equisetifolia*). Any development or redevelopment which is required to obtain a landscaping permit or file a landscape plan shall remove all prohibited trees on the property and abutting right of way and shall include a plan to prevent re-growth prior to approval of a certificate of occupancy.

PROHIBITED TREES		
Common	Scientific	Place of Origin
Acacia, earleaf	<i>Acacia auriculiformis</i>	Australia, New Guinea, Indonesia
Australian pines, all	<i>Casuarina spp.</i>	South Pacific, SE Asia (Australia)
Brazilian pepper	<i>Schinus terebinthifolius</i>	Brazil, Argentina, Paraguay
Carrotwood	<i>Cupaniopsis anacardioides</i>	Australia
Chinaberry	<i>Melia azederach</i>	Asia
Chinese tallow	<i>Triadica sebifera</i>	China, Japan
Lead tree	<i>Leucaena leucocephala</i>	Central America
Punk	<i>Melaleuca quinquenervia</i>	Australia, New Guinea, Solomon Isle
Strangler fig	<i>Ficus aurea</i>	North America

16.40.060.2.1.7. - Variances from required landscaping; Appeals.

A. Where unique conditions related to existing buildings, dimensional aspects of platted lots, or a lack of available space or water to support the required landscape materials preclude strict compliance with this section, or to provide for the preservation of protected or grand trees, the POD may adjust the requirements of this section as follows:

1. Relocation of required landscape materials or landscape areas to other parts of the property or the abutting right-of-way;
2. ~~Substitution of additional site amenities for required landscaping shall be allowed on at least a dollar-for-dollar ratio and shall serve a public purpose whose need is demonstrated for the site. Acceptable site amenities shall include decorative pedestrian lighting, street furnishings where necessary, enhanced sidewalks of paver block or hex block, decorative street signs, and neighborhood and business district signs.~~ If it is not reasonably possible to comply with the planting requirements of this section, the POD may approve a payment in lieu of planting which shall be utilized to provide additional landscaping on public property or right of way. Such payment in lieu shall be \$500 per tree and \$150 per shrub or other vegetation and shall be placed in the environmental enhancement fund.

B. Requests for variances shall be reviewed by the Development Review Commission (DRC).

C. Variances from the "protection of existing native existing plant communities section" hereof for sites which cannot accommodate both the native vegetation requirement and the development or redevelopment shall only be granted with the condition that the following mitigation be performed. Mitigation on-site shall recreate a native plant community in all three strata (ground cover, under-story and trees), utilizing plant materials at least twice as large as normally required (to more quickly recreate the lost mature vegetation). Mitigation may be off-site if the mitigation enhances or enlarges existing large tract wildlife areas as shown on the biological resources map. No variance from this subsection shall be allowed.

D. Decisions of the POD to approve or deny a landscape plan may be appealed by the property owner to the DRC, whose decision shall be deemed a final decision of the City.

16.40.060.2.2. - Irrigation.

A. *Irrigation design and layout.* Irrigation systems are required for the development and redevelopment of non-residential and multifamily property other than one and two-unit properties. Irrigation systems shall comply with the following requirements:

1. Irrigation systems shall be water efficient irrigation systems designed to provide no more than the minimum amount of water required by any specific landscape material to ensure survival of that material. Irrigation system piping shall be underground. Such systems shall utilize a combination of sprinkler mechanisms and zones to accommodate the individual irrigation requirements of each type of landscape material, including trees, shrubs, ornamentals and sod turf areas.
2. Irrigation systems shall be designed to provide 100 percent coverage and to prevent overspray, runoff, low land drainage and other conditions where water flows onto or over adjacent property, non-irrigation areas, water features and impervious areas.
3. Irrigation systems shall be operated by an automatic irrigation controller or timer which has sufficient programming flexibility to respond to the needs of the irrigation devices being used and is capable of irrigating high requirement areas on a different schedule from low water requirement areas (provided that separate zones exist), has program flexibility (to allow repeat cycles and multiple program capability) and battery backup (to retain programs).
4. The design of the irrigation system shall include sprinkler heads and devices appropriate for the landscape material to be irrigated. Sprays and rotors shall not be on the same control value circuit and shall have matching application rates within each zone. Sprinkler spacing shall not exceed 55 percent of the sprinkling diameter of coverage.
5. Irrigation systems shall be designed with low trajectory heads, micro irrigation or low-volume water distributing devices in order to prevent overspray onto impervious areas. Micro irrigation systems shall not be used to irrigate sod turf areas. Sprinkler heads in and adjacent to lawn areas shall be designed to be flush with the ground surface when not in use.
6. Irrigation systems shall be designed to place high water demand areas, such as lawns, on separate zones from those areas with reduced water requirements.
7. A rain sensor device or switch shall be installed to regulate the controller's operation that will override the irrigation cycle of the sprinkler system when one-half to three-quarter inch of rainfall has occurred on any day.
8. Irrigation application rates and controller duration times for each zone shall be calculated and noted on the irrigation plans.
9. A permanent irrigation system shall not be required for areas within an approved Low Impact Design landscape plans.

B. *Irrigation system maintenance.*

~~7.~~ The irrigation system shall be maintained and managed to ensure water efficiency and prevent wasteful practices. This shall include, but not be limited to resetting the

automatic controller according to the season, flushing the filters, testing the rain sensor device and replacing malfunctioning sensors, monitoring adjusting, and repairing irrigation equipment such that the efficiency of the system is maintained, repairing broken irrigation heads and leaks; ~~replenishing mulch, utilizing turf and landscape best operational procedures designed to reduce negative impacts on the environment.~~
~~2. Landscape areas should not be watered when wind speeds exceed five miles per hour.~~

16.40.060.3. - Maintenance of trees and vegetation.

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

A. The owner of record of the property and occupant of the property are responsible for the maintenance of trees and vegetation on the private property and in abutting rights-of-way. Vegetation shall comply with all codes including visibility at intersections and requirements for hedges. Where support staking cabling/bracing of vegetation is provided at the time of installation, the staking system cables and braces shall be installed properly, avoid harming the vegetation, and be removed no later than one year after installation to prevent damage to the vegetation.

B. Vegetation shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical exposure, insects, disease, blight or other cause. Exceptions regarding damage due to lack of water shall be made when water consumption is limited by emergency orders or declarations by state or local agencies.

C. Except for those tree species listed as unprotected or prohibited ~~exempt~~, it shall be unlawful for any person to damage, top, poison or in any manner injure or cause to be injured any tree regardless of condition.

1. Trees shall be trimmed or pruned in such a manner so as to not alter their natural form, growth habit or character and shall not be pruned into "unnatural" shapes, including but not limited to, circles, ovals, or squares. ~~This does not prevent the removal of limbs from the throat of the trunk.~~

2. Not more than one-quarter ~~one-third~~ of the tree canopy shall be trimmed or pruned in any year unless it is dead. ~~This includes, but is not limited to, species such as crape myrtle (Lagerstroemia indica) and holly (Ilex spp).~~

D. Sod (including turf and Turf, turfgrass) or other herbaceous growth other than ground cover species shall be maintained at a maximum overall height of ten inches or less; ground

cover plant material shall be maintained at an overall height not to exceed 24 inches. Property designated as a preservation area shall not be required to meet these standards. Property owners who employ Florida-Friendly ~~friendly~~ LanscapingTM, ~~xeriscape~~ or wildlife habitat management principles such that their private property or adjacent right-of-way does not meet these criteria shall have a management plan and demonstrate active, ongoing maintenance. Management plans shall be plans designed by a landscape architect, plans which employ accepted Florida-friendly ~~and-xeriscape~~ management practices, and plans approved by the University of Florida Institute of Food and Agricultural Science's (IFAS) ~~Urban Wildlife-Habitat-program~~. Examples of activities addressed in maintenance plans include routine pruning, mowing, edging, weeding, fertilizing, pest control, irrigation system adjustments, seeding and replanting. Florida-friendly ~~and-xeriscape~~ management plans shall also address ~~incorporate~~ these principles:

- 1) Vegetation plan and design;
- 2) Analyze and amend the soil;
- 3) Limit sod ~~turf~~ to active use areas;
- 4) Select appropriate plant species;
- 5) Irrigate efficiently;
- 6) Use mulch; and
- 7) Maintain the landscape appropriately.

Wildlife habitat areas shall consist of native and introduced plant species designed, planted and maintained to provide food source, cover, roosting and nesting habitat for specific species.

E. Vegetation which is a hazard to public safety is prohibited in the right-of-way. Hazardous vegetation with pronounced thorns (such as Spanish bayonet, century plant, bougainvillea, and lime trees) shall not be closer than two feet to a sidewalk or walkway. Hedges are prohibited in the right-of-way except as allowed by the fences, walls and hedges section.

F. Vegetation adjacent to public sidewalks and public streets shall not encroach onto the sidewalk or street surface except that sod ~~turf or turf grass~~ and ground cover should be kept trimmed to the edge of the sidewalk or street surface but may encroach up to six inches. The branches of trees and shrubs which grow above sidewalks shall provide a minimum of eight feet of vertical clearance and above streets and alleys, a minimum of 14 feet of vertical clearance.

G. It is unlawful for the owner or occupant of property ~~any person~~ to permit to remain on any property, ~~owned or occupied by such person~~, including the abutting rights-of-way, any tree or tree branch that is in such diseased or dead condition so as to be in danger of falling upon any right-of-way or the property of another.

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

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

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

I. It shall be unlawful for any owner or occupant of property, including the abutting right-of-way, to allow to exist upon the property or abutting right-of-way vegetation or trees which violate this section.

J. Unless approved by the POD, rights-of-way shall be maintained at a level and even grade.

K. The removal of vegetation or trees required by this section and the failure to replace required vegetation or trees when such vegetation or tree dies or is removed, shall be unlawful. Replacement vegetation or trees shall meet the size and grade requirements of this section.

16.40.060.3.2. - Clearance of lots in preservation areas.

No person shall clear, disturb or remove any vegetation or dead or living plant life located within any preservation area without a permit issued by the POD for such work.

SECTION 2. Section 16.40.150 of the St. Petersburg City Code is hereby renumbered and amended to read as follows:

Section 16.40.060.5. Tree Protection

Section 16.40.060.5.1.150. - Mangroves Trees.

The City finds that mangroves, including red mangroves, black mangroves and white mangroves, are an essential component of the estuarine food chain, supporting the commercial and recreational fisheries of Tampa Bay. The State of Florida currently prohibits the City from regulation in this area; however, that prohibition could change in the future. Therefore, if at any

time there is no preemptive state legislation regarding mangroves, then the trimming or cutting of mangroves is hereby prohibited.

~~16.40.150.2. Tree protection.~~

16.40.060.5.2. Definitions.

The definitions of grand trees, protected trees, signature trees, and specimen trees are set forth in the definition section of these land development regulations (currently Section 16.90.020.3).

~~16.40.060.5.3.150.2.1. - Tree removal and trimming permits for grand, protected and signature trees, one or two-unit residential properties.~~

A. A permit is required for the removal of any grand, protected or signature tree, tree from any one or two-unit residential property in any NS or NT zoning district. For the purposes of this section, any reference to the term "tree" shall mean any tree which is four inches dbh or larger, and is one of the following species:

Maples,	<i>Acer spp.</i>	Tupelo,	<i>Nyssa spp.</i>
Pignut Hickory,	<i>Carya glabra</i>	Red Bay,	<i>Persea borbonia</i>
Sugarberry,	<i>Celtis laevigata</i>	Pines,	<i>Pinus spp.</i>
Sea Grape,	<i>Coccoloba uvifera</i>	Sycamore,	<i>Platanus occidentalis</i>
Butterwood,	<i>Conocarpus erecta</i>	Chickasaw Plum,	<i>Prunus angustifolia</i>
Dogwood,	<i>Cornus spp.</i>	Flatwoods plum,	<i>Prunus umbellata</i>
Holly,	<i>Ilex spp.</i>	Oaks,	<i>Quercus spp.</i>

Gedar,	<i>Juniperus-spp.</i>	Willow,	<i>Salix-spp.</i>
Sweet-Gum,	<i>Liquidambar-styraciflua</i>	Cypress,	<i>Taxodium-spp.</i>
Magnolia,	<i>Magnolia-spp.</i>	Elms,	<i>Ulmus-spp.</i>
Red-Mulberry,	<i>Morus-rubra</i>	Prickly-Ash-(Wild-Lime),	<i>Zanthoxylum-fagara</i>

B. A permit is required for the removal of any native palm royal-palm-(*Roystonea-Regia*) or-sabal-palm-(aka-cabbage-palm)-(*Sabal-Palmetto*) which has four feet or more of clear trunk as measured from the base of the lowest green frond to the ground.

C. A permit is required to trim any branch eight inches or greater in diameter of or-to remove any grand tree as measured at the branch collar. For the purposes of this section, any reference to the term "grand tree" shall mean any tree which is 30 inches dbh or larger and is one of the species listed in subsection A. The term "grand tree" shall not include laurel oaks (*Quercus-Laurifolia*). The term "grand tree" shall also be considered to be a "specimen" tree as that term is used in Florida Statutes.

D. The applicant shall submit to the POD an application in such form as required by the POD and pay the fee established by City Council. All fees and other monies received as a result of this section shall be paid to the City's environmental enhancement fund.

~~E. Any person who removes or causes to be removed a tree without first obtaining the required permit may be issued an after-the-fact permit. An after-the-fact permit shall be issued if the applicant can demonstrate that the factors for removal would have been met at the time the tree was removed. All requirements for replacement trees shall apply to property issued an after-the-fact permit. The fee for an after-the-fact permit shall be established by City Council. If the applicant cannot demonstrate that the criteria for removal would have been met, then no after-the-fact permit shall be issued and the person shall be in violation of this section. If another violation of this section occurs by a person previously issued an after-the-fact permit or on a site on which an after-the-fact permit was issued within five years of the date of the second violation, a second after-the-fact permit shall not be issued.~~

~~F.E.~~ If a tree has been removed from a property without the issuance of a required tree removal permit, no development permits shall be issued until a tree restoration plan has been submitted to and approved by the POD. A tree restoration plan shall specify the type, specification and location of trees to be planted on the property.

~~G.F.~~ For one and two unit residential properties, for each tree removed which makes the property under the minimum required tree standard, one shade tree of the species set forth in subsection A of this section which is a minimum of eight feet in height at time of planting shall be planted on the property from which the tree was removed. If it is not reasonably possible to comply with the planting requirements of this section, the POD may approve a payment in lieu of planting which shall be utilized to provide additional landscaping on public property or right of way. Such payment in lieu shall be \$500 per tree and shall be placed in the environmental enhancement fund. ~~In lieu of planting a tree on the property from which the tree was removed, at the discretion of the property owner, a sum of \$500.00 shall be paid to the City's environmental enhancement fund.~~

~~H.G.~~ In emergencies such as hurricane, windstorm, flood, freeze or other disaster, the requirements of these regulations may be waived by the POD upon a finding that such waiver is necessary so that public or private work to restore order in the City will not be impeded.

~~I.H.~~ A tree removal permit is not required to remove unprotected or prohibited trees of any species not required to be permitted by subsections A and B of this section.

~~16.40.060.5.4.16-40.150.2.2.~~ - Factors for evaluation of a tree removal or trimming permit application for ~~one or two unit residential properties.~~

A. After an application is filed to remove a tree and all applicable requirements are complied with, a permit shall be issued if one or more of the following criteria is met:

1. Removal of grand trees. A grand tree may be removed if:

a. The grand tree presents a safety hazard to public or private property due to proximity to an existing structure. The applicant may provide a written report bearing the signature of a licensed engineer to support the application; or

b. The grand tree is diseased, injured, or in declining condition with no reasonable assurance of regaining vigor, and the applicant provides a written report bearing the signature of a certified arborist; or

~~c.b.~~ The grand tree is located in an area where a structure or improvement will be placed, or which serves as an access point to a site, according to an approved plan and the applicant provides a written report bearing the signature of a licensed architect, licensed landscape architect, or licensed engineer providing a determination that the proposed structure, improvement, or access point cannot be reasonably redesigned to preserve the grand tree.

2. Removal of other trees. A tree which is required to obtain a permit may be removed if:

a. The tree is located in an area where a structure or improvements will be placed according to an approved plan;

- b. The tree is located in an area which serves as the access point for a structure or improvement according to an approved plan, or is located in an area which presents an imminent hazard to an existing or proposed structure;
- c. The tree is diseased, injured, or in declining condition with no reasonable assurance of regaining vigor; or
- d. The tree is within a site which has the minimum number of trees required sufficient-trees-protected by this section and removal of the tree will allow the site to be used in a manner which is consistent and compatible with properties of the same use and similar size in the abutting blocks of the same zoning district not adversely-impact-the-abutting-properties.
- e. The removal of the tree is reasonably necessary to allow solar access for the efficient operation of solar dependant technologies including solar collection and solar hot water systems. The applicant shall provide supporting documentation from a solar collection and solar hot water system installer, or other credible source, such as a government agency with expertise in solar dependent technologies or a licensed architect, licensed landscape architect or licensed engineer registered to practice in the State of Florida, confirming there is no reasonable alternative location for the equipment or reasonable option to trim the trees practicable trimming-or-location-alternative.
- f. In addition to the above criteria for tree removal applications, where a property exceeds the minimum lot size in the zoning district in which it is located (whether vacant or occupied by a structure or use) the minimum number of trees required to remain on site shall be equivalent to the number of minimum lots, or portions thereof, which could be created from the property. For example, the minimum lot size in NT-1 is 5,800 square feet and requires two trees. If the property is 11,600 square feet, this would be equivalent to two lots of minimum lot size and therefore four trees would be required.

3. Decisions of the POD to approve or deny a permit may be appealed by the property owner to the DRC, whose decision shall be deemed a final decision of the City.

B. After an application is filed to trim a grand tree and all applicable requirements are complied with, a permit shall be issued if one or more of the following criteria are is met:

- 1. The limb, or limbs, proposed for removal is diseased, injured, in declining condition, creates a danger of damaging an existing structure or improvement, creates an unsafe line of sight on a right-of-way or other vehicular use area, or creates a hazardous situation; or

2. Removal of a specific limb, or limbs, is necessary to promote the general public health, safety or welfare or the health of the tree.

3. Trimming permits for grand trees shall be subject to the condition that all related work be done in a manner consistent with ANSI A300 standards ~~the "American National Standard for Tree Care Operations, ANSI."~~ The POD may allow variations from these standards if the variation reduces the amount of trimming otherwise required pursuant to ANSI A300 standards and will not adversely affect the health of the tree being trimmed or the public health safety or welfare.

16.40.060.5.5-16.40.150.2.3. - Application of section to tree removal companies; construction companies; tree removal; permits.

All provisions of this section shall apply to all persons, including but not limited to any person who removes, cuts down, irreparably damages, poisons, destroys or causes to be destroyed any trees on behalf of any other person, including all tree removal companies, construction companies or persons in the business of removing trees or construction. It shall be unlawful for any person to remove or cause to be removed any tree, unless a valid permit therefore is in effect; such removal shall constitute a violation of this section and shall subject the person violating this section to all penalties provided in this section for such violation, both civil and criminal.

16.40.060.5.6-16.40.150.2.4. - Penalties.

Any person who violates any provision of this section shall be subject to the following penalties:

1. The penalty for each conviction of a violation shall be a fine of \$500.00
2. Any person who removes or causes to be removed a tree without first obtaining the required permit may be issued an after-the-fact permit. An after-the-fact permit shall be issued if the applicant can demonstrate that the factors for removal would have been met at the time the tree was removed. All requirements for replacement trees shall apply to property issued an after-the-fact permit. The fee for an after-the-fact permit shall be established by City Council. If the applicant cannot demonstrate that the criteria for removal would have been met, then no after-the-fact permit shall be issued and the person shall be in violation of this section. If another violation of this section occurs by a person previously issued an after-the-fact permit or on a site on which an after-the-fact permit was issued within five years of the date of the second violation, a second after-the-fact permit shall not be issued.

3. Replacement trees shall be required as mitigation when there are insufficient trees on the site to meet the requirements of this chapter. The number and size of the replacement trees will be not less than the number of trees necessary to meet the requirements of this chapter and shall be equivalent to the total estimated inches in dbh of the largest illegally removed tree.
- 3.4. In lieu of replanting trees, the total value of those trees illegally removed or damaged, as computed using the Trunk Formula Method established by the Council of Tree and Landscape Appraisers International Society of Arboriculture shade-tree-value-formula, may be paid to the City. Any such payment shall be paid to the City's environmental enhancement fund.
- 4.5. A combination of money and tree replacement of total value equal or greater than the minimum penalty may be allowed required.

16.40.060.5.7. Relocation of Existing Trees.

The relocation of existing trees is not required but is an alternative to clearing/removal.

1. Tree removal permit. A tree removal permit is required for tree relocation. The tree removal permit fee may be waived if ANSI standards are implemented to ensure a reasonable chance of survival. A tree relocation plan prepared by a certified arborist or licensed landscape architect shall be submitted with the tree removal application and the plan shall identify appropriate relocation measures which may include but are not limited to provision of adequate water before, during and after relocation , pruning of limbs, root pruning well in advance of relocation, protection of root mass, trunk, branches, and foliage during relocation, relocation to an appropriate planting location, preparation of the new planting pit, and maintenance after completion of the relocation.
2. Value. Relocated trees transplanted onto the same site will be counted as existing trees of the same size when determining compliance with minimum tree requirements.
3. If any relocated tree which has been used to determine compliance with the minimum tree requirements does not survive, the tree shall be replaced within 90 days with a like number of trees.

Section 3. Section 16.90.010.E of the St. Petersburg City Code is hereby amended to read as follows:

E. Landscaping and irrigation shall be shown on all site plan applications with landscaping or greenyard:

Landscaping and Irrigation
Landscaping – All trees on the site and within ten feet of the site shall be shown and shall include the diameter at breast height and species.
Landscape table:
Plant selection by scientific (genus and species) and common name
Plant size and spacing (height and diameter at breast height (dbh))
Plant quantity
Specimen tree calculations including total inches of existing and total inches of preserved
Details for planting, staking and tree barricades
General notes inc. tree protection guidelines, mulch requirements, fertilization and installation instructions
Green yard landscaping (along public rights-of-way)
Green yard landscaping (along interior property lines)
Foundation landscaping on all sides of the proposed building
Perimeter parking lot landscaping
Terminal landscape islands
Interior landscape islands
Depiction by shading or crosshatching of required parking lot interior landscape areas
The total area of terminal and interior landscape islands shall be provided in sq. ft. and as a percentage of the total vehicle use area.Divider medians
Screening of adjacent residential uses
Screening of fences, walls and enclosures for solid waste containers
Screening of mechanical equipment
Irrigation
Location of irrigation system
Location and description of automatic irrigation timer
Location and description of rain sensor device
General notes including irrigation rates for each of the individual water zones (high-demand and low-demand), mechanical information and the requirement for sod to be irrigated on separate zones from those areas with reduced water demands

Section 4. The definition of 'irrigation system' in Section 16.90.020.3 of the St. Petersburg City Code is hereby amended to read as follows:

Irrigation system means a permanent watering system designed to transport and distribute water to plants as a supplement to natural rainfall. Irrigation systems may include, but shall not be limited to, drip irrigation, micro-irrigation, rain barrels, hose bibs, and rain water catchment systems such as rain barrels and cisterns.

Section 5. Section 16.90.020.3 of the St. Petersburg City Code is hereby amended to add the following definitions in the appropriate alphabetical order, to read as follows:

'Grand tree' shall mean any protected tree which is thirty inches dbh or larger. Grand trees do not include laurel oaks (*Quercus lurifolia*). Grand trees shall be considered to be a "specimen" tree as that term is used in Florida Statutes.

Low Impact Development Landscaping Plan. A Low Impact Development (LID) Landscaping Plan is an ecologically based stormwater management approach favoring soft engineering to manage rainfall on site through a vegetated treatment network. The LID Landscaping Plan may include bioretention swales and rain gardens but shall include identification of plant zones

'Protected tree' shall mean any shade tree which is four inches or larger diameter at breast height (dbh) and any understory tree which is eight inches or larger in diameter at breast height (dbh) and which is not identified in this section as an unprotected or prohibited tree.

'Signature tree' shall mean any non-native tree which because of the size, prevalence and history in our community warrants recognition and protection. A signature tree shall be any of the following species of trees which is eight inches dbh or larger: Royal Poinciana (*Delonix regia*), Jacaranda (*Jacaranda acutifolia*), or any of the following species of trees which is 30" dbh or larger: Kapok (*Ceiba pentandra*), Banyan (*Ficus Urostigma*).

'Specimen tree' shall mean any shade tree which is twelve inches dbh or larger.

Section 6. Section 16.40.060.2.1.3.D of the St. Petersburg City Code is hereby amended by deleting the three diagrams currently located therein and replacing them with the single diagram that is shown in this ordinance in Section 16.40.060.2.1.3.D.

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.

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:



City Attorney (Designee)



DEVELOPMENT REVIEW COMMISSION

Prepared by the Planning & Economic Development Department

For Public Hearing on August 5, 2015
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

APPLICATION: LDR 2015-05

APPLICANT: City of St. Petersburg
175 5th Street North
St. Petersburg, FL 33701

REQUEST: A text amendment related to tree protection and landscaping (*City Code of Ordinances, Chapter 16, Land Development Regulations ("LDRs"), Section 16.40.150* titled "Tree and Mangrove Protection" and Section 16.40.060 titled "Landscaping and Irrigation").

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

AUTHORITY: Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the Land Development Regulation Commission ("LDRC"), is responsible for reviewing and making a recommendation to the City Council on all proposed amendments to the LDRs.

Recommendation

The Planning & Economic Development Department finds that the proposed request is consistent with the Comprehensive Plan and recommends **APPROVAL**.

Background and Analysis

The City of St. Petersburg is committed to improvement of the appearance, environment, character and value of the total urban area within the City by protecting, promoting and maintaining a healthy, diverse and mature canopy of native and naturalized hardwood and evergreen tree species.

Council Member Steve Kornell submitted, and the City Council subsequently referred to the Public Service and Infrastructure Committee ("PS&I"), a request to review possible ordinance changes and process adjustments concerning tree protection. Staff initially presented a general overview of the existing regulations and potential amendment discussions to the PS&I Committee on May 8, 2014 and later presented a draft proposed ordinance to the PS&I Committee on September 25, 2014. Concurrent meetings with a community advocate group also took place on April 25, May 30, and October 17, 2014 to discuss potential amendments of the City's tree protection ordinance. It was decided to approach the amendment efforts in two phases and this application pertains to the second phase. The first phase was related to the permitting and regulation of tree removals and landscaping on single-family or two unit residential properties. The first phase ordinance was adopted on December 18, 2014. For the second phase, the working group continued monthly meetings through June 10, 2015, culminating in the proposed amendments presented today. A workshop was held to present these second phase amendments with the Development Review Commission on July 1, 2015, and comments were incorporated into the draft ordinance. The proposed amendments were presented to the Public Services and Infrastructure (PS&I) Committee on July 16, 2014. No changes were made from PS&I. These amendments can be generally described as follows:

- Levels the playing field with our neighboring jurisdictions and provides greater flexibility
- Combines the two code sections that address tree protection and landscape standards into one section, to improve clarity and usability
- Provides for general updates to improve clarity and consistency of our code
- Modifies code to incentivize protection of existing protected trees
- Extends "Grand" tree standards to all properties
- Establishes a "Signature Tree" category to provide protection for certain non-native species including Kapok, Banyan, Jacaranda and Royal Poinciana
- Limits the number of palms trees that can be substituted for shade trees, to provide increase in tree canopy and shade
- Requires removal of prohibited trees at time of development or redevelopment

The attached summary chart and ordinance provides detailed information related to the proposed changes.

Compliance with the Comprehensive Plan

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

Policy LU8.1: Pursuant to the requirements of Chapter 163.3202 F.S. and Chapter 9J-5 F.A.C. the land development regulations will be amended, as necessary, to ensure consistency with the goals, objectives and policies of the Comprehensive Plan.

Objective LU21: The City shall, on an ongoing basis, review and consider for adoption, amendments to existing and/or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.

Policy 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.

Objective LU25:

The City shall support site planning and building design techniques that minimize heat island effects, which can warm surface temperatures and increase the use of air conditioning, resulting in greater energy use and GHG emissions.

Policy LU25.2: The City shall continue to enforce landscaping and tree preservation standards that increase shade and mitigate heat island effects.

Objective C8:

The City shall implement the Urban Forestry Plan and other existing programs to replant a specified number of new trees in rights of way and other public property, and in an annual amount to equal or exceed the hardwood trees removed per year from rights of way areas, through implementation of the Environmental Enhancement Fund.

Housing Affordability Impact Statement

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

Adoption Schedule

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

- First Reading – September 3, 2015
- Second Reading and Public Hearing- September 17, 2015

Exhibits and Attachments

1. LDR 2015-05 – Tree Preservation and Landscape Code Amendments Summary Table
2. Ordinance
3. Housing Affordability Impact Statement

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

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

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

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

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2015-05).

III. **Impact Analysis:**

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

No (No further explanation required.)

Yes Explanation:

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

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

No (No further explanation required)

Yes Explanation:

IV: Certification

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

CHECK ONE:

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



Department Director (signature)

8-13-15

Date

OR

- The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance *will increase housing costs* in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

Department Director (signature)

Date

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development

MEMORANDUM

TO: The Honorable Chair and City Council Members
FROM: Todd Yost, Director, Codes Compliance Assistance Department
DATE: August 26, 2015
RE: Proposed Ordinance revising City Code Chapter 9

Attached please find a proposed ordinance that makes amendments to sections of the City Code, Chapter 9 relating to the Code Enforcement Board and Civil Citations. As the Codes Compliance Assistance Department nears the launch of the new Civil Citations process, the Department has decided to make operational changes to the Code Enforcement Board and Special Magistrate processes that the City has been using for the past several years.

In the past, the Board heard violation cases and certified liens, but this process was bifurcated with the creation of a Special Magistrate to hear lien certification cases which had previously been found in violation by the Board. The proposed ordinance will give certification powers back to the Board and clarify the powers of both the Board and Codes Special Magistrate. This proposed ordinance will not be eliminating the office and duties of the Code Enforcement Special Magistrate. Those subsections will remain so that they may be utilized if in the future the Department decides to re-divide the process. However, the Special Magistrate position that exists now will become operationally dormant effective October 1, 2015.

The proposed ordinance also contains changes to the notice provisions for both the Board and the Civil Citations system. The notice for the Board is being updated to track with current Florida Statutes Section 162.11. As the Department has been working towards the launch of Civil Citations, a notice option for citations to vehicles and vessels was proposed and is reflected in this ordinance also. Other changes reflect edits made to enhance the overall clarity and readability of the Chapter as a whole.

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, RELATING TO CODE ENFORCEMENT; AMENDING CHAPTER 9 OF THE CITY CODE TO CLARIFY THE POWERS OF THE CODE ENFORCEMENT BOARD TO CERTIFY, ASSESS, AND REDUCE LIENS ON PROPERTIES WHICH ARE FOUND TO BE IN VIOLATION OF CITY CODE; ADDING POSTING OF NOTICES AS A MEANS OF SERVICE; ADDING CRITERIA FOR VEHICLE, VESSEL, AND EQUIPMENT VIOLATION NOTICES; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 9-28 of the St. Petersburg City Code is hereby amended to read to read as follows:

Sec. 9-28. - Powers of Code Enforcement Board and Special Magistrate.

- (a) The Code Enforcement Board shall have the power to:
- (1) Adopt rules for the conduct of the hearings it holds.
 - (2) Subpoena alleged violators and witnesses to its hearings.
 - (3) Subpoena evidence, records, surveys, plats and other material.
 - (4) Take testimony under oath.
 - (5) Issue orders following a hearing, which orders shall have the force of law and which orders shall set forth the steps necessary to be accomplished in order to bring a violation into compliance with the Code that has been violated-, including requirements for compliance by a specific date, and provision for daily fines if the violation continues.
- (b) A Special Magistrate shall have the power to conduct a hearing and take testimony under oath in any case in which the Board has previously:
- (1) Found that one or more violations of the Codes or ordinances of the City exist;
 - (2) Entered an order requiring compliance by a specified date; and
 - (3) Provided that a fine may be imposed for each day thereafter that the violation continues past the date set for compliance.

~~A Special Magistrate shall not hear or decide a case that does not meet these requirements.~~

~~(c) In each such case, following the hearing, the Special Magistrate may impose a fine at the daily rate set by the Board or at a lesser daily rate for each day that the violation is found by the Special Magistrate to continue past the date set for compliance, and may certify a lien securing such fine, as provided in section 9-29. The Special Magistrate may, in the alternative, defer the imposition of a fine and may defer certification of a lien securing such fine for a reasonable time necessary to correct the violation.~~

Section 2. Section 9-29 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 9-29. - Fine, lien and foreclosure.

(a) Upon being notified by the Code Inspector that a previous order of the Board finding a violation to exist and ordering correction of the violation within a time certain has not been complied with within the time established in such order, the Board or Special Magistrate may, after giving the violator notice and an opportunity to be heard, impose a fine at the daily rate previously set by the Board or at a lesser daily rate for each day the violation is found. ~~order the violator to pay a~~Such fine to the City ~~shall not to exceed~~ \$250.00 for each day that the violation continues past the date set for compliance and shall not to exceed \$500.00 per day for repeat violations. Notice of the hearing at which the imposition of a fine and certification of a lien will be considered shall be provided to the violator.

(1) In determining the amount of the fine, if any, the Board ~~and/or~~ Special Magistrate shall consider the following factors:

- a. The gravity of the violation;
- b. Any actions taken by the violator to correct the violation; and
- c. Any previous violations committed by the violator.

(2) In the alternative, the Board or Special Magistrate may defer the imposition of a fine and may defer certification of a lien securing such fine for a reasonable time necessary to correct the violation. ~~The Board or a Special Magistrate may reduce a fine imposed pursuant to this section.~~

(b) A certified copy of an order by the Board or a Special Magistrate imposing the fine may be recorded in the public records of the county, and thereafter such order shall constitute a lien against the land on which the violation existed and upon any other real or personal property owned by the violator. The Board or a Special Magistrate may reduce or release a lien imposed pursuant to this section. The Board may establish objective criteria to reduce or release liens and may delegate said authority to reduce or release liens to the POD.

Section 3. Section 9-31 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 9-31. - Notices.

- (a) All notices required to be provided by this article, other than the initial violation warning letter and notices of violations addressed in subsection (b) hereof, shall be by certified mail, return receipt requested, hand delivery to the violator, or by hand delivery at the violator'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.
- (b) In addition to providing notice as set forth in subsection (a) of this section, notice may also be served by publication. Such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the county.
- (c) In lieu of publication as described in subsection (b), such notice may be posted at least 10 days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be at City Hall.
- (ed) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (a) of this section, together with proof of publication as provided in subsection (b) of this section or with proof of posting as provided in subsection (c), shall be sufficient to show that the notice requirements have been met, without regard to whether or not the violator actually received such notice.

Section 4. Section 9-51 of the St. Petersburg City Code is hereby amended to read as follows:

(a) All notices required by this part, other than the initial violation warning letter, must be provided to the violator by:

(a1) 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.

(b2) Hand delivery;

(e3) 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

(d4) 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.

(e5) 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 (a1) shall be sufficient to show that the notice requirements were met without regard to whether or not the alleged violator actually received such notice.

(b) For violations involving vehicles, vessels, or equipment which have a visible state license or registration, notice may be provided to the registered owner of the vehicle, vessel, or equipment by certified mail to the owner's record address for the license or registration. In addition to such mailing, the notice may be provided in accordance with subsection (a) to the property owner where the vehicle, vessel, or equipment in violation is located.

Section 5. Coding: As used in this ordinance, language appearing in ~~struck-through~~ type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise.

Section 6. 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 7. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (Designee)

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 17, 2015

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

Subject: Awarding a contract to O-A-K/Florida, Inc. dba Owen-Ames-Kimball Company in the amount of \$2,427,133.08 for the construction of SPG-Albert Whitted Airport, Runway 7/25 and South Connector Taxiways Rehabilitation - (Airport Runway 7/25 Rehab Project, 14169) (Engineering Project No. 14065-113).

Explanation: The contractor will provide all labor, material, services, and equipment necessary to reconstruct and rehabilitate 3,677 linear feet of Runway 7/25, asphalt pavement and adjacent Taxiway stub connectors; and replace runway navigation lights and Precision Approach Path Indicators (PAPI's) lighting systems. Work includes grading, minor storm drainage, asphalt pavement milling, asphalt pavement, pavement markings, airfield lighting and illuminated signs, topsoiling and sodding. This project will enhance airfield operations and safety, and is being implemented pursuant to a federal design grant (FAA Grant No. 3-12-0074-022-2014) previously approved by City Council on April 17, 2014.

Work includes the following approximate quantities: 27,400 square yards (SY) of 0" to 2" Cold Milling; 6,700 cubic yards (CY) of Cold Recycled Bituminous Base Course; 4,150 tons of P-403-1 Hot Mix Asphaltic Concrete Surface Course; 2,400 gallons (Gal.) of Bituminous Prime Coat; 2,800 gallons (Gal.) of Bituminous Tack Coat; 7,415 SY of Item P-608-1 Asphalt Surface Treatment; 86,735 square feet (SF) of Reflective Pavement Markings; 97 linear feet (LF) of 12" Reinforced Concrete Pipe (RCP); 2 ea. Type "C" Ditch Bottom Inlets; 10,000 SY of Sodding; 850 CY of Topsoil Placement; 33,500 LF of No. 8 AWG, 5kV L-824-C Cable; 10,800 LF of #6 Bare Counterpoise Wire; 11,950 LF of Electrical Conduit, 2 inch Schedule 40 PVC; plus all related Elevated Medium Intensity L.E.D. Runway and Taxiway Edge Lights, Illuminated Guidance Signs, Voltage Regulators and PAPI systems.

The contractor will begin work approximately ten (10) days from Notice to Proceed and is scheduled to complete the work within one hundred twenty (120) consecutive calendar days thereafter. This project will require the temporary closure of Runway 7/25, and during this time, air traffic will use Runway 18/36. The contractor will commence work at Albert Whitted Airport after the St. Petersburg Grand Prix events are concluded on or about March 15, 2016, and complete work by July 2016. Bids were opened on June 11, 2015 and are tabulated as follows:

<u>Bidder</u>	<u>Total</u>
O-A-K/Florida, Inc. dba Owen-Ames-Kimball Company (Fort Myers, FL)	\$2,427,133.08
Ajax Paving Industries of Florida, LLC (Nokomis, FL)	\$2,518,043.95

The low bidder, O-A-K/Florida Inc. dba Owen-Ames-Kimball Company, has met the specifications, terms and conditions of RFQ No. 5766 dated May 12, 2015, and has satisfactorily performed other similar projects in the past for various Florida airport authorities located in Venice, Naples, Immokalee, Collier County and Lee County. Principals of the firm are David J.

Dale, President/Director, Patrick J. Conran, Director/Vice President and Jan C. Prindle, Secretary.

Recommendation: Administration recommends awarding this contract to O-A-K/Florida, Inc. dba Owen-Ames-Kimbal Company in the amount of \$2,427,133.08 for the construction of SPG-Albert Whitted Airport, Runway 7/25 and South Connector Taxiways Rehabilitation (Airport Runway 7/25 Rehab Project, 14169) (Engineering Project No. 14065-113).

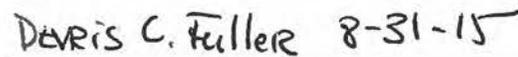
This project qualifies for City Code 2-214/Ordinance 79-H, Local Hiring Construction Incentive Program.

Cost/Funding/Assessment Information: On June 4, 2015 City Council authorized the City to apply and accept a grant from the FAA to provide ninety percent (90%) of the eligible project costs in an amount up to and not to exceed \$2,500,000. On July 17, 2015, the City accepted and was awarded from the FAA this grant which covers 90% of this contract in the amount of \$2,401,060 (Award No. 81096). Additionally, FDOT will provide an (8%) match at \$213,427.60 which is provided through a grant accepted by the City in April 2014 which was in the amount of \$225,500 (Award No. 81036). The City will be providing the remaining (2%) match at \$53,356.91 which is funded in Award No. 80970 (\$34,000) and No. 81051 (\$112,000). This allows for the total cost of the contract to be \$2,667,845. These awards are all part of the Airport Runway 7/25, Project No. 14169.

Attachments: Resolution

Approvals:


Administrative


Budget

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT TO O-A-K/FLORIDA, INC. D/B/A OWEN-AMES-KIMBALL COMPANY FOR CONSTRUCTION OF SPG-ALBERT WHITTED AIRPORT, RUNWAY 7/25 AND SOUTH CONNECTOR TAXIWAYS REHABILITATION PROJECT (ENGINEERING PROJECT NO. 14065-113) AT AN ESTIMATED TOTAL COST NOT TO EXCEED \$2,427,133.08; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received two bids for construction of SPG-Albert Whitted Airport, Runway 7/25 and South Connector Taxiways Rehabilitation (Engineering Project No. 14065-113) pursuant to RFQ No. 5766 dated May 12, 2015; and

WHEREAS, O-A-K/Florida, Inc. d/b/a Owen-Ames-Kimball Company has met the specifications, terms and conditions of RFQ No. 5766; and

WHEREAS, the Administration recommends approval of this award.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the award of an agreement to O-A-K/Florida, Inc. d/b/a Owen-Ames-Kimball Company for construction of SPG-Albert Whitted Airport, Runway 7/25 and South Connector Taxiways Rehabilitation (Engineering Project No. 14065-113) at a total cost not to exceed \$2,427,133.08 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 17, 2015

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

SUBJECT: Authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-05-AID/AWA to the Architect/Engineering agreement between the City of St. Petersburg, Florida and American Infrastructure Development, Inc., in the lump sum amount of \$92,602 for bidding and construction support phase services related to rehabilitating Runway 7/25 and south connector Taxiways A1, A2, A3, A4 and B. (Engineering Project No. 14065-113; Oracle Project No. 14169)

EXPLANATION: On January 12, 2012, the City of St. Petersburg, Florida and American Infrastructure Development, Inc. ("ADI") entered into an Architect/Engineering Agreement for ADI to provide miscellaneous professional services for the Albert Whitted Airport Projects. The City Council approved a modified Architect/Engineering agreement with AID on April 3, 2014 which was executed on September 3, 2014.

On August 28, 2014, Task Order No. 12-05-AID/AWA was approved by City Council in the amount of \$199,847 and required professional engineering, geotechnical and surveying services for the preparation of detailed plans and specifications for pavement reconstruction and rehabilitation of Runway 7/25 and adjacent Taxiway Stub Connectors A1, A2, A3, A4 and B. The FDOT's 2012 Pavement Management Study of Albert Whitted Airport provided an assessment requiring the need to rehabilitate Runway 7/25 ranging from milling and pavement overlay to full depth pavement reconstruction in accordance with the degree of pavement degradation occurring and cited along specific runway locations. Also, per latest version of FAA Advisory Circular 150/5300-113A, geometry upgrades to existing taxiways connecting to Runway 7/25 were necessary and also required new navigation lights and new illuminated guidance signs and relocating other existing illuminated guidance signs. Also, replacement of the aging Precision Approach Path Indicators (PAPI's) located adjacent to Runway 7/25 was included in the scope of services.

This Amendment No. 1 to Task Order No. 12-05-AID/AWA in the lump sum amount of \$92,602, provides for bidding and construction phase support services consisting of: attending the pre-bid and pre-construction meetings; bid review analysis; providing FAA grant application assistance; up-dating the Airport Layout Plan to reflect the geometry changes to Runway 7/25 and south connector taxiways; preparing FAA required Engineering and Safety Report; preparing FAA required Construction Management Plan; review of shop drawing submittals; responding to the contractor's requests for information and clarifications to the contract documents; conducting interim job site visits; conducting final inspection with the contractor; coordinate with FAA on

scheduling and performing PAPI's flight check and their commissioning; and preparation and submittal of record drawings and FAA required Declared Distances Analysis.

RECOMMENDATION: Administration recommends authorizing the Mayor or his designee to execute Amendment No. 1 to Task Order No. 12-05-AID/AWA to the Architect/Engineering agreement between the City of St. Petersburg, Florida and American Infrastructure Development, Inc., in the lump sum amount of \$92,602 for bidding and construction support phase services related to rehabilitating Runway 7/25 and south connector Taxiways A1, A2, A3, A4 and B. (Engineering Project No. 14065-113; Oracle Project No. 14169)

COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in the Airport Capital Projects Fund (4033), Airport Runway 7/25 Rehab Project (14169). This project received funding under a grant from the Federal Aviation Administration (FAA), who provided 90% (Award No. 81096) of designated funds, Florida Department of Transportation (FDOT), who provided 8% (Award No. 81036) of designated funds and the City, who provided the remaining 2%. (Award No. 81051)

ATTACHMENTS: Resolution

APPROVALS:

rh

Thomas B. Malone
Administrative

Devere C. Fuller 9-1-15
Budget

RESOLUTION NO. 2015 _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 12-05-AID/AWA TO THE ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND AMERICAN INFRASTRUCTURE DEVELOPMENT, INC., IN THE LUMP SUM AMOUNT OF \$92,602 FOR BIDDING AND CONSTRUCTION SUPPORT PHASE SERVICES RELATED TO REHABILITATING RUNWAY 7/25 AND SOUTH CONNECTOR TAXIWAYS A1, A2, A3, A4 AND B. (ENGINEERING PROJECT NO. 14065-113; ORACLE PROJECT NO. 14169); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and American Infrastructure Development, Inc. ("AID") entered into an architect/engineering agreement for AID to provide miscellaneous professional services for the Albert Whitted Airport Projects; and

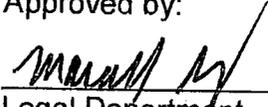
WHEREAS, on August 28, 2014, Task Order No. 12-05-AID/AWA was approved by City Council in the amount of \$199,847 for professional engineering, geotechnical and surveying services related to rehabilitating Runway 7/25 and south connector Taxiways A1, A2, A3, A4 and B; and

WHEREAS, the City and AID desire to amend Task Order No. 12-05-AID/AWA for AID to provide bidding and construction phase support services related to rehabilitating Runway 7/25 and south connector Taxiways A1, A2, A3, A4 and B for a lump sum amount of \$92,602.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to execute Amendment No. 1 to Task Order No. 12-05-AID/AWA to the architect/engineering agreement between the City of St. Petersburg, Florida and American Infrastructure Development, Inc., in the lump sum amount of \$92,602 for bidding and construction support phase services related to rehabilitating Runway 7/25 and south connector Taxiways A1, A2, A3, A4 and B. (Engineering Project No. 14065-113; Oracle Project No. 14169)

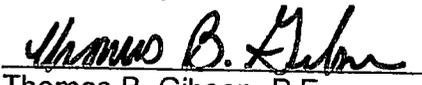
This resolution shall become effective immediately upon its adoption.

Approved by:



Legal Department
By: (City Attorney or Designee)

Approved by:



Thomas B. Gibson, P.E.
Engineering & CIP Director

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 17, 2015

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

Subject: Approving the purchase of replacement trucks from Alan Jay Ford Lincoln, Mercury Inc. (Alan Jay Ford) and vans from Duval Ford, LLC d/b/a Duval Ford (Duval Ford) for the Fleet Management Department at a total cost of \$770,957.80.

Explanation: This purchase is being made from Florida Sheriff's Association Bid No.14-22-0904.

Alan Jay Ford will furnish and deliver 24 pick-up trucks with 5.0L V-8 gasoline engines, 6-speed automatic transmissions, power steering and brakes, air conditioning and am/fm radios. The new vehicles, with life expectancies of seven years or more, are replacing 24 seven to 14-year-old units with original purchase prices ranging from \$17,894 to \$28,155 each.

Duval Ford will furnish and deliver four cargo vans with 3.7L V-6 gasoline engines, 6-speed automatic transmissions, power steering and brakes, air conditioning and am/fm radios. The new vehicles, with life expectancies of six years or more, are replacing four nine to 11 year-old units with original purchase prices ranging from \$14,485 to \$16,978 each.

See attached summary for trucks and vans by Department.

The old vehicles have reached the end of their economic useful life and will be sold at public auction

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing Florida Sheriff's Association Bid 14-22-0904:

Alan Jay Ford Lincoln, Mercury Inc.....\$683,892.80

Truck, Extended Cab, pick-up 3/4 ton, 4x4 Ford,F-250 (base)	1 EA	@	\$24,446.00	\$24,446.00
Options:				
Power windows & locks	1 EA	@	894.00	894.00
2016 Model Year	1 EA	@	801.00	801.00
Heavy Duty Towing Package	1 EA	@	670.00	670.00
Spray-on bedliner	1 EA	@	579.00	579.00
All terrain Tires	1 EA	@	454.00	454.00
Cab Steps	1 EA	@	369.00	369.00
Electric Brake Control	1 EA	@	269.00	269.00
Shift on the fly	1 EA	@	184.00	184.00
New City Tag	1 EA	@	175.70	175.70
Rain Shields	1 EA	@	145.00	145.00
Additional key	1 EA	@	140.00	140.00
Skid Plates	1 EA	@	99.00	99.00
6.5' Cargo Bed in lieu of 8'	1 EA	@	(100.00)	(100.00)
			\$29,125.70	\$29,125.70
 Truck, pick-up, 3/4 ton, 4x2 Ford F-250 (base)	 1 EA	 @	 \$19,631.00	 \$19,631.00
Options:				
Winch, 8000lb	1 EA	@	1,295.00	1,295.00
Grill Guard, wrap around	1 EA	@	1,195.00	1,195.00
2016 Model Year	1 EA	@	801.00	801.00
Trailer Towing Package	1 EA	@	670.00	670.00

Spray-on bedliner	1 EA	@	579.00	579.00
Limited Slip Differential	1 EA	@	389.00	389.00
Cab Steps	1 EA	@	319.00	319.00
Electric Brake Controller	1 EA	@	269.00	269.00
New City Tag	1 EA	@	175.70	175.70
Rain Shields	1 EA	@	145.00	145.00
Third key	1 EA	@	140.00	140.00
Backup Alarm	1 EA	@	<u>124.00</u>	<u>124.00</u>
			\$25,732.70	\$25,732.70
Truck, pick-up, 3/4 ton, 4x2 Ford F-250 (base)	4 EA	@	\$19,631.00	\$78,524.00
Options:				
2016 Model Year	4 EA	@	801.00	3,204.00
Trailer Towing Package	4 EA	@	670.00	2,680.00
Spray-on bedliner	4 EA	@	579.00	2,316.00
Limited Slip Differential	4 EA	@	389.00	1,556.00
Cab Steps	4 EA	@	319.00	1,276.00
Electric Brake Controller	4 EA	@	269.00	1,076.00
New City Tag	4 EA	@	175.70	702.80
Rain Shields	4 EA	@	145.00	580.00
Third key	4 EA	@	140.00	560.00
Backup Alarm	4 EA	@	<u>124.00</u>	<u>496.00</u>
			\$23,242.70	\$92,970.80
Truck, pick-up, 3/4 ton, 4x4 Ford F-250 (base)	1 EA	@	\$22,581.00	\$22,581.00
Options:				
2016 Model Year	1 EA	@	801.00	801.00
Trailer Towing Package	1 EA	@	670.00	670.00
Spray-on bedliner	1 EA	@	579.00	579.00
All Terrain Tires	1 EA	@	454.00	454.00
Cab Steps	1 EA	@	319.00	319.00
Electric Brake Controller	1 EA	@	269.00	269.00
Shift on the fly	1 EA	@	184.00	184.00
New City Tag	1 EA	@	175.70	175.70
Rain Shields	1 EA	@	145.00	145.00
Third key	1 EA	@	140.00	140.00
Backup Alarm	1 EA	@	124.00	124.00
Skid Plates	1 EA	@	<u>99.00</u>	<u>99.00</u>
			\$26,540.70	\$26,540.70
Truck, pick-up, 3/4 ton, 4x2 Ford F-250 (base)	2 EA	@	\$19,631.00	\$19,631.00
Options:				
Power windows, locks, mirrors	2 EA	@	894.00	1,780.00
2016 Model Year	2 EA	@	801.00	1,602.00
Trailer Towing Package	2 EA	@	670.00	1,340.00
Spray-on bedliner	2 EA	@	579.00	1,158.00
Limited Slip Differential	2 EA	@	389.00	778.00
Sync Hands Free	2 EA	@	350.00	700.00
Cab Steps	2 EA	@	319.00	638.00

Upgrade Radio	2 EA	@	274.00	548.00
Electric Brake Controller	2 EA	@	269.00	538.00
New City Tag	2 EA	@	175.70	351.40
Rain Shields	2 EA	@	145.00	290.00
Third key	2 EA	@	140.00	280.00
Backup Alarm	2 EA	@	<u>124.00</u>	<u>248.00</u>
			\$24,760.70	\$49,521.40
Truck, pick-up, 3/4 ton, 4x4 Ford F-250 (base)	3 EA	@	\$22,581.00	\$67,743.00
Options:				
Standard Service Body Knapheide	3 EA	@	4,985.00	14,955.00
2016 Model Year	3 EA	@	801.00	2,403.00
Spray-on bedliner for utility body	3 EA	@	695.00	2,085.00
Trailer Towing Package	3 EA	@	670.00	2,010.00
All Terrain Tires	3 EA	@	454.00	1,362.00
Cab Steps	3 EA	@	319.00	957.00
Electric Brake Controller	3 EA	@	269.00	807.00
Shift on the fly	3 EA	@	184.00	552.00
New City Tag	3 EA	@	175.70	527.10
Rain Shields	3 EA	@	145.00	435.00
Third key	3 EA	@	140.00	420.00
Backup Alarm	3 EA	@	124.00	372.00
Skid Plates	3 EA	@	<u>99.00</u>	<u>297.00</u>
			\$31,641.70	\$94,925.10
Truck, pick-up, 4x2 Ford F-250 (base)	1 EA	@	\$19,631.00	\$19,631.00
Options:				
Standard Service Body Knapheide	1 EA	@	4,985.00	4,985.00
Utility Body Paint	1 EA	@	3,965.00	3,965.00
Cargo cover for Utility Body	1 EA	@	895.00	895.00
Power mirrors, windows & locks	1 EA	@	894.00	894.00
2016 Model Year	1 EA	@	801.00	801.00
Spray on bedliner for utility body	1 EA	@	695.00	695.00
Trailer Towing Package	1 EA	@	670.00	670.00
Limited Slip Differential	1 EA	@	389.00	389.00
Sync Hand Free	1 EA	@	350.00	350.00
Cab Steps	1 EA	@	319.00	319.00
Upgraded Radio	1 EA	@	274.00	274.00
Electric Brake Controller	1 EA	@	269.00	269.00
New City Tag	1 EA	@	175.70	175.70
Rain Shields	1 EA	@	145.00	145.00
Third key	1 EA	@	140.00	140.00
Backup Alarm	1 EA	@	<u>124.00</u>	<u>124.00</u>
			\$34,721.70	\$34,721.70
Truck, pick-up, 4x2 Ford F-250 (base)	10 EA	@	\$19,631.00	\$196,310.00

Options:

Standard Service Body Knapheide	10 EA @	4,985.00	49,850.00
2016 Model Year	10 EA @	801.00	8,010.00
Spray on bedliner for utility body	10 EA @	695.00	6,950.00
Trailer Towing Package	10 EA @	670.00	6,700.00
Limited Slip Differential	10 EA @	389.00	3,890.00
Cab Steps	10 EA @	319.00	3,190.00
Electric Brake Controller	10 EA @	269.00	2,690.00
New City Tag	10 EA @	175.70	1,750.70
Rain Shields	10 EA @	145.00	1,450.00
Third key	10 EA @	140.00	1,400.00
Backup Alarm	10 EA @	<u>124.00</u>	<u>1,240.00</u>
		\$28,343.70	\$283,437.00

Truck, pick-up, 4x2 Ford F-250 (base) 1 EA @ \$19,631.00 \$19,631.00

Options:

Auto Crane 3203EH	1 EA @	17,975.00	17,975.00
Standard Service Body Knapheide	1 EA @	4,985.00	4,985.00
2016 Model Year	1 EA @	801.00	801.00
Spray on bedliner for utility body	1 EA @	695.00	695.00
Trailer Towing Package	1 EA @	670.00	670.00
Additional Battery Wired for Crane	1 EA @	599.00	599.00
Limited Slip Differential	1 EA @	389.00	389.00
Cab Steps	1 EA @	319.00	319.00
Electric Brake Controller	1 EA @	269.00	269.00
New City Tag	1 EA @	175.70	175.70
Rain Shields	1 EA @	145.00	145.00
Third key	1 EA @	140.00	140.00
Backup Alarm	1 EA @	<u>124.00</u>	<u>124.00</u>
		\$46,917.70	\$46,917.70

Duval Ford, LLC d/b/a Duval Ford \$87,065

Van, Mini, Cargo, Ford Transit Connect 1 EA @ \$18,712.00 \$18,712.00

Options:

Backup Camera	1 EA @	574.00	574.00
New City Tag	1 EA @	130.00	130.00
Additional Key	1 EA @	<u>64.00</u>	<u>64.00</u>
		\$19,480.00	\$19,480.00

Van, Cargo, Ford Transit T250 2 EA @ \$19,758.00 \$39,516.00

Options:

9,000 GVWR Package Long WB	2 EA @	1,349.00	2,698.00
Class III Hitch	2 EA @	825.00	1,650.00
Backup Camera	2 EA @	469.00	938.00
Full size spare tire & rim	2 EA @	249.00	498.00
New City Tag	2 EA @	130.00	260.00
Back up Alarm	2 EA @	124.00	248.00
Third Key	2 EA @	74.00	148.00
Power windows, locks, mirrors	2 EA @	<u>Standard</u>	<u>Standard</u>
		\$22,978.00	\$45,956.00

Van, Cargo, Ford Transit T250	1 EA @	\$19,758.00	\$19,758.00
Options:			
Class III Hitch	1 EA @	825.00	825.00
Backup Camera	1 EA @	469.00	469.00
Full size spare tire & rim	1 EA @	249.00	249.00
New City Tag	1 EA @	130.00	130.00
Back up Alarm	1 EA @	124.00	124.00
Third Key	1 EA @	74.00	74.00
Power windows, locks, mirrors	1 EA @	<u>Standard</u>	<u>Standard</u>
		\$21,629.00	\$21,629.00

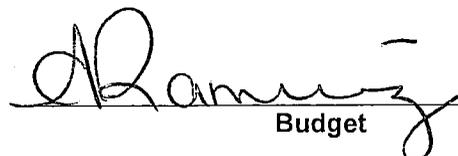
The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Bid No. 14-22-0904 effective through September 30, 2015. This purchase is made in accordance with Section 2-256 (3) of the City Code which authorizes the Mayor or his designee to purchase automotive equipment 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 Management Department, Fleet Mechanical Costs (8002527).

Attachments: Purchase Summaries (2 pages)
Price Histories (2 pages)
Resolution

Approvals:


Administrative


Budget

**Purchase Summary
Vans by Departments**

No.	Description	Qty.	Department	Purpose	Replacement	Age	Life Cycle
1	Van, Cargo, Ford T250, 4X2, 3.7 liter gasoline engine.	1	Library	Used for transporting books and supplies	Yes	9 YRS	6YRS
2	Van, Cargo, Ford T250, 4X2, 3.7 liter gasoline engine	2	Parks & Rec	Used for transporting Materials for facilities Maint and special events	Yes	9 YRS	6YRS
3	Van, mini Cargo, Ford Transit Connect, 4X2, 2.5L liter Gasoline engine.	1	City Clerk Mail room	Used to deliver mail to city departments	Yes	11 YRS	6 YRS
		<u>4</u>					

**Purchase Summary
Pick-up Trucks and SUVs by Departments**

No.	Description	Qty.	Department	Purpose	Replacement	Age	Life Cycle
1	Truck extended cab, pick-up, Ford F-250, 4X4, 5.0 liter gasoline engine.	1	Transporation	Used for transporting traffic message boards and street signs	Yes	14 YRS	7YRS
2	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	1	Sanitation	Used for transporting equipment for lot clearing	Yes	7 YRS	7YRS
3	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	4	Water Resources, Sanitation, Fleet	Used to transport materials used in waster water line maint, and solid waste collection	Yes	7-8 YRS	7 YRS
4	Truck, pick-up, Ford F-250, 4X4, 5.0 liter gasoline engine.	1	Sanitation	Used for transporting containers and equipment for recycling	Yes	10YRS	7YRS
5	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	2	Fire	Used to transport materials and supplies to fire stations	Yes	8-14 YRS	7YRS
6	Truck, pick-up, Ford F-250, 4X4, 5.0 liter gasoline engine.	3	Stormwater	Used to transport personnel and equipment to Stormwater job sites	Yes	7-11 YRS	7YRS
7	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	1	Fire	Used to transport equipment and materials used for building maintence at fire stations	Yes	8 YRS	7YRS
8	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	10	Water Resources	Used to transport equipment and materials used to maintain and repair water and waste water lines.	Yes	8-15 YRS	7YRS
9	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	1	Sanitation	Used to transport materials and equipment used to maintain and repair compactors and containers	Yes	14 YRS	7 YRS

Price History
Vans

Duval Ford PO 184681

No.	Description	Qty.	2006	2008	2012	2015
1	Van, Cargo, Ford T250, 4X2, 3.7 liter gasoline engine.	1	\$14,485		\$17,627	\$21,629
2	Van, Cargo, Ford T250, 4X2, 3.7 liter gasoline engine	2		\$20,917	\$19,913	\$22,978
3	Van, mini Cargo, Ford Transit Connect, 4X2, 2.5L liter Gasoline engine.	1	\$16,978			\$19,480
		<u>4</u>				

**Price History
Pick-up Trucks**

Alan Jay Ford PO 184652

No.	Description	Qty.	2006	2007	2008	2012	2014	2015
1	Truck extended cab, pick-up, Ford F-250, 4X4, 5.0 liter gasoline engine.	1	\$24,180			\$26,945		\$29,125
2	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	1		\$19,234	\$19,834	\$20,894		\$25,732
3	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	4		\$16,235	\$16,834	\$17,894		\$23,242
4	Truck, pick-up, Ford F-250, 4X4, 5.0 liter gasoline engine.	1						
			\$19,020					\$26,540
5	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	2						
				\$17,403	\$18,352	\$19,412		\$24,760
6	Truck, pick-up, Ford F-250, 4X4, 5.0 liter gasoline engine.	3						
			\$27,948					\$31,641
7	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	1						
						\$30,157	\$32,077	\$34,721
8	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	10						
						\$24,674	\$24,699	\$28,343
9	Truck, pick-up, Ford F-250, 4X2, 5.0 liter gasoline engine.	1						
						\$43,248	\$43,273	\$46,917

A RESOLUTION APPROVING THE PURCHASE OF 24 REPLACEMENT TRUCKS FROM ALAN JAY FORD LINCOLN MERCURY, INC. AT A TOTAL COST NOT TO EXCEED \$683,892.80 AND 4 REPLACEMENT VANS FROM DUVAL FORD, LLC D/B/A DUVAL FORD AT A TOTAL COST NOT TO EXCEED \$87,065 065 FOR A TOTAL COST NOT TO EXCEED \$770,957.80 FOR THE FLEET MANAGEMENT DEPARTMENT UTILIZING FLORIDA SHERIFFS ASSOCIATION BID NO. 14-22-0904; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace 24 trucks and 4 vans 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 purchase automotive equipment from the Sheriffs Association and Florida Association of Counties negotiated purchase programs for vehicles; and

WHEREAS, Alan Jay Ford Lincoln Mercury, Inc. and Duval Ford, LLC d/b/a Duval Ford have 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 these awards.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the purchase of 24 replacement trucks from Alan Jay Ford Lincoln Mercury, Inc. at a total cost not to exceed \$683,892.80 and 4 replacement vans from Duval Ford, LLC d/b/a Duval Ford at a total cost not to exceed \$87,065 for a total cost not to exceed \$770,957.80 for the Fleet Management Department 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 these transactions.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

**ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 17, 2015**

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

Subject: Approving the purchase of replacement Ford trucks for the Fleet Management Department from Duval Ford, LLC d/b/a Duval Ford at a total cost of \$660,197.

Explanation: This purchase is being made from Florida Sheriffs Association Bid No. 14-12-0904. The vendor will furnish and deliver 13 vehicles: ten cab and chassis, and three 4-wheel drive 6.7L V-8 diesel engine trucks (see attached summary Pickup Trucks by Department).

The trucks will be equipped with utility bodies and mounted cranes (2); crew cab and 2-3 yard dump bodies (5); 12' stake bodies (2) and crew cab with 9' utility bodies (4). The dealer will install the body chassis. The new trucks, with life expectancies of eight years, will replace nine to 20 year-old trucks with original purchase prices ranging from \$26,817 to \$52,114 each. The old vehicles have reached the end of their useful economic life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing Florida Sheriffs Association Bid No. 14-12-0904:

Duval Ford, LLC d/b/a Duval Ford \$660,197

Ford 550, cab & chassis, dual rear wheel, 17,501 GVWR 4X2 (Base Price)	3	EA @	\$32,017	\$96,051
Options:				
Dump Body, 2-3 yd	3	EA @	10,000	30,000
Trailer Towing Package	3	EA @	1,245	3,735
Limited Slip Differential	3	EA @	359	1,077
Full Size Spare Tire	3	EA @	349	1,047
Cab Steps	3	EA @	319	957
Ship through Vehicle Modifier	3	EA @	260	780
Electric Brake Controller	3	EA @	229	687
New City Tag	3	EA @	175	525
84" Cab to Axle	3	EA @	174	522
Backup Alarm	3	EA @	130	390
Third key	3	EA @	<u>44</u>	<u>132</u>
			\$45,301	\$135,903
Ford 550, cab & chassis, dual rear wheel, 17,501 GVWR 4X2 (Base Price)	2	EA @	\$32,017	\$64,034
Options:				
Auto Crane Body	2	EA @	20,700	41,400
4,000 LB EH Auto Crane	2	EA @	16,800	33,600
Lift Gate, 1500lb	2	EA @	3,150	6,300
Trailer Towing Package	2	EA @	1,245	2,490
Limited Slip Differential	2	EA @	359	718
Full Size Spare Tire & Rim	2	EA @	349	698
Cab Steps	2	EA @	319	638
Ship through Vehicle Modifier	2	EA @	260	520
Electric Brake Controller	2	EA @	229	458
New City Tag	2	EA @	175	350
84" Cab to Axle	2	EA @	174	348
Backup Alarm	2	EA @	130	260
Third Key	2	EA @	44	88
Crane Body Credit	2	EA @	<u>(500)</u>	<u>(1,000)</u>
			\$75,451	\$150,902

Ford 550, cab & chassis, dual rear wheel, 17,501 GVWR 4X4 (Base Price)	1	EA @	\$34,842	\$34,842
Options:				
9' Wide Service Body	1	EA @	6,300	6,300
Crew Cab Model	1	EA @	5,262	5,262
Trailer Towing Package	1	EA @	1,245	1,245
Spray-in Liner	1	EA @	895	895
Cab Steps	1	EA @	369	369
Full Size Spare Tire & Rim	1	EA @	349	349
Ship through Vehicle Modifier	1	EA @	260	260
Electric Brake Controller	1	EA @	229	229
Shift on the fly	1	EA @	184	184
New City Tag	1	EA @	175	175
Backup Alarm	1	EA @	124	124
Third Key	1	EA @	<u>44</u>	<u>44</u>
			\$50,278	\$50,278
Ford 550, cab & chassis, dual rear wheel, 17,501 GVWR 4X2 (Base Price)	1	EA @	\$32,017	\$32,017
Options:				
12 ft Stake Body	1	EA @	4,860	4,860
Trailer Towing Package	1	EA @	1,245	1,245
Solid Bulk Head	1	EA @	450	450
Limited Slip Differential	1	EA @	359	359
Full Size Spare Tire & Rim	1	EA @	349	349
Cab Steps	1	EA @	319	319
Ship through Vehicle Modifier	1	EA @	260	260
Electric Brake Controller	1	EA @	229	229
New City Tag	1	EA @	175	175
84" Cab to Axle	1	EA @	174	174
Backup Alarm	1	EA @	130	130
Third Key	1	EA @	<u>44</u>	<u>44</u>
			\$40,611	\$40,611
Ford 550, cab & chassis, dual rear wheel, 17,501 GVWR 4X2 (Base Price)	1	EA @	\$32,017	\$32,017
Options:				
2-3 yr. Dump Body	1	EA @	10,000	10,000
Crew Cab Model	1	EA @	4,740	4,740
Trailer Towing Package	1	EA @	1,245	1,245
Cab Steps	1	EA @	369	369
Limited Slip Differential	1	EA @	359	359
Full Size Spare Tire & Rim	1	EA @	349	349
Ship through Vehicle Modifier	1	EA @	260	260
Electric Brake Controller	1	EA @	229	229
New City Tag	1	EA @	175	175
84" Cab to Axle	1	EA @	174	174
Backup Alarm	1	EA @	124	124
Third Key	1	EA @	<u>44</u>	<u>44</u>
			\$50,085	\$50,085
Ford 550 single axle crew cab & chassis 17,501 GVWR 4X4 (Base Price)	1	EA @	\$34,842	\$34,842
Options:				
2-3 yr. Dump Body	1	EA @	10,000	10,000
Trailer Towing Package	1	EA @	1,245	1,245

Cab Steps	1	EA @	369	369
Full Size Spare Tire & Rim	1	EA @	349	349
Ship through Vehicle Modifier	1	EA @	260	260
Electric Brake Controller	1	EA @	229	229
New City Tag	1	EA @	175	175
84" Cab to Axle	1	EA @	174	174
Backup Alarm	1	EA @	124	124
Third key	1	EA @	<u>44</u>	<u>44</u>
			\$47,995	\$47,995
Ford 550, cab & chassis, dual rear wheel, 17,501 GVWR 4X2 (Base Price)	3	EA @	\$32,017	\$96,051
Options:				
9' Wide Service Body	3	EA @	6,300	18,900
Crew Cab Model	3	EA @	4,740	14,220
Trailer Towing Package	3	EA @	1,245	3,735
Spray-in Liner	3	EA @	895	2,685
Cab Steps	3	EA @	369	1,107
Limited slip Differential	3	EA @	359	1,077
Full Size Spare Tire & Rim	3	EA @	349	1,047
Ship through Vehicle Modifier	3	EA @	260	780
Electric Brake Controller	3	EA @	229	687
New City Tag	3	EA @	175	525
Backup Alarm	3	EA @	124	372
Third key	3	EA @	<u>44</u>	<u>132</u>
			\$47,106	\$141,318
Ford 550 single axle crew cab & chassis 17,501 GVWR 4X4 (Base Price)	1	EA @	\$34,842	\$34,842
Options:				
12 ft Stake Body	1	EA @	4,860	4,860
Trailer Towing Package	1	EA @	1,245	1,245
Solid Bulk Head	1	EA @	450	450
Cab Steps	1	EA @	369	369
Full Size Spare Tire & Rim	1	EA @	349	349
Ship through Vehicle Modifier	1	EA @	260	260
Electric Brake Controller	1	EA @	229	229
Shift on the fly	1	EA @	184	184
New City Tag	1	EA @	175	175
84" Cab to Axle	1	EA @	174	174
Backup Alarm	1	EA @	124	124
Third Key	1	EA @	44	44
Deletes Stales	1	EA @	<u>(200)</u>	<u>(200)</u>
			\$43,105	\$43,105

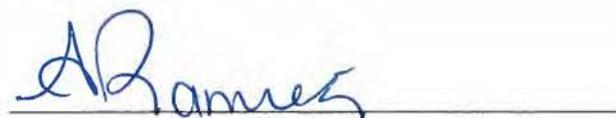
The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Bid No. 14-12-0904 effective through September 30, 2015. This purchase is made in accordance with Section 2-256 (3) of the Procurement Code which authorizes the Mayor or his designee to purchase from the Sheriffs Association, Florida Association of Counties and Florida Fire Chiefs' Association negotiated purchase programs for vehicles.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Management, Fleet Mechanical Cost (8002527).

Attachments: Purchase Summary
Resolution

Approvals:


Administrative


Budget

**Purchase Summary
Pick-up Trucks by Departments**

No.	Description	Qty.	Department	Purpose	Replacement	Age	Life Cycle
1	Truck, Ford F-550, single axle cab & chassis 17,500 GVWR 4X2, 6.7 liter diesel engine.	3	Stormwater	Used for transporting materials used to repair and maintain stormwater lines	Yes	9-16 YRS	8YRS
2	Truck, Ford F-550 single axle cab & chassis 17,500 GVWR 4X2, 6.7 liter diesel engine.	2	Parks & Recreation	Used to maintain park & rec facilities.	Yes	11-14 YRS	8YRS
3	Truck, Ford F-550 single axle cab & chassis 17,500 GVWR 4X4, 6.7 liter diesel engine.	1	Stormwater	Used to transports material used in cleaning ditches	Yes	16 YRS	8 YRS
4	Truck, Ford F-550 single axle cab & chassis 17,500 GVWR 4X2, 6.7 liter diesel engine.	1	Stormwater	Used for transporting materials used to install traffic markings	Yes	15 YRS	8YRS
5	Truck, Ford F-550, single axle crew cab & chassis 17,500 GVWR 4X2, 6.7 liter diesel engine.	1	Sanitation	Used to transport equipment used in lot clearing	Yes	16 YRS	8YRS
10	Truck, Ford F-550 single axle crew cab & chassis 17,500 GVWR 4X4, 6.7 liter diesel engine.	1	Stormwater	Used to transport equipment used for line cleaning	Yes	16 YRS	8YRS
12	Truck, Ford F-550, single axle crew cab & chassis 17,500 GVWR 4X2, 6.7 liter diesel engine.	3	Water Resources	Used to repair water lines	Yes	9-10 YRS	8YRS
13	Truck, Ford F-550 single axle cab & chassis 17,500 GVWR 4X4, 6.7 liter diesel engine.	1	Stormwater	Used to transport equipment used in aquatic weed control	Yes	20 YRS	8YRS

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT FOR THE PURCHASE OF REPLACEMENT FORD TRUCKS FROM DUVAL FORD, LLC D/B/A DUVAL FORD AT A TOTAL COST NOT TO EXCEED \$660,197 FOR THE FLEET MANAGEMENT DEPARTMENT UTILIZING FLORIDA SHERIFF'S ASSOCIATION BID NO. 14-12-0904; 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 vehicles that have reached the end of their economic useful lives; and

WHEREAS, pursuant to Section 2-256(3) of the City Code, the City is permitted to purchase vehicles from selected entities providing vehicles pursuant to the Florida Sheriff's Association and Florida Association of Counties negotiated purchase program; and

WHEREAS, Duval Ford, LLC has met the specifications, terms and conditions of the Florida Sheriff's Association Bid No. 14-12-0904; 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 that the award of an agreement to Duval Ford, LLC for the purchase of replacement Ford trucks at a total cost not to exceed \$660,197 for the Fleet Management Department utilizing Florida Sheriff's Association Bid No. 14-12-904 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

.ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 17, 2015

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

SUBJECT: Approving a resolution approving a First Amendment to the Construction Manager at Risk Agreement ("CMAR") with the Haskell Company to authorize the use of competitive bidding during the pre-construction phase to develop the Guaranteed Maximum Price and to include additional pre-construction phase services associated with the Biosolids to Energy Project for State Revolving Fund Assistance and for the Southwest Water Reclamation Facility Gas Generator and Electrical Improvements Project, in an amount not to exceed \$106,856; an additional appropriation is needed to fund this Amendment No. 1 to the CMAR Agreement and additional Engineering project management costs related to this project in the amount of \$25,144. The total appropriation of \$132,000 will cover this Amendment No. 1 to the CMAR Agreement and the Engineering costs; approving a supplemental appropriation in the amount of \$132,000 which includes the CMAR Agreement costs as well as additional engineering project management costs in the amount of \$25,144, from the unappropriated balance of the Water Resources Capital Project Fund (4003) to the WRF SW Biosolids CMAR FY15 Project (14855); to cover the total CMAR Agreement and Engineering costs; and providing an effective date.

EXPLANATION: On November 25, 2013 the City Council approved Task Order No. 12-04-BV/W for the lump sum fee of \$472,031 for engineering services to support design, bidding and permitting for two 1,100 kW compressed natural gas ("CNG") engine combined heat and power ("CHP") generators, modifications to the existing diesel generator backup power system, heat recovery piping loop and backup boiler, electrical distribution switchgear; a new electrical motor control center (MCC) building, and demolition of the existing old plant facilities at the Southwest Water Reclamation Facility (SWWRF).

On November 24, 2014, the City Council approved a Construction Manager at Risk Agreement ("CMAR") between the City and The Haskell Company ("Haskell") for preconstruction phase services for the new Biosolids to Energy Project for the not to exceed authorized amount of \$227,438. The scope of services for the CMAR Agreement included preconstruction phase services for the following:

- Two new primary clarifiers
- New flow splitter facility
- Gravity belt thickeners capacity expansion
- Two new digesters and modifications to existing Digester No. 3
- Waste heat to biosolids heat recovery system
- Fats, oil and grease receiving station that uses primary clarifier odor control system
- New dewatering facility
- Electrical and boiler building
- Facilities for the cleaning of biogas to pipeline quality natural gas
- New Odor Control Facilities

On June 4, 2015, the City Council approved Amendment No. 1 to Task Order 12-04-BV/W for the lump sum fee of \$91,917 to provide for the professional design services to modify the current two CHP generator design and to rewrite and resubmit the FDEP Air Permit. The single gas powered

CHP generator will result in a lower capital and operating cost for the Gas Generator and Electrical Improvement project as compared to the two generator design.

The CHP generator is an integral part of the Biosolids to Energy Project. The CHP generator will provide the base load electrical power for the plant and the waste heat will be captured and used to support the thermophilic anaerobic digestion process.

Amendment No. 1 to the CMAR Agreement modifies the contract documents to authorize the use of competitive bidding during the pre-construction phase to develop the Guaranteed Maximum Price. Amendment No. 1 also modifies the Scope of Services to include preconstruction phase services to assist the City in obtaining Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF) Funding for the Biosolids to Energy Project and consists of development of contract documents for FDEP review, including but not limited to drawing and design coordination with Black and Veatch, Brown and Caldwell, AECOM and Carollo for SRF drawing submittal and SRF schedule updates, pre-application meeting with FDEP for the August public meeting, response to FDEP requests for information, development of up to one amendment to adjust contract documents, up to one telephone conference with FDEP and attendance of up to one meeting with FDEP. In addition, Amendment No. 1 includes preconstruction phase services related to the Generator and Electrical Improvements Project. The scope of services includes milestone cost estimates from the 95% design documents, provide value engineering, engineering and constructability review, and develop a Guaranteed Maximum Price (GMP) for the Southwest Water Reclamation Facility Gas and Electrical Improvements Project, including demolition of old plant facilities, as designed by Black and Veatch (B&V). An additional appropriation is needed to fund this Amendment No. 1 to the CMAR Agreement in the amount of \$106,856 and to cover additional Engineering project management costs related to this project in the amount of \$25,144. The total appropriation of \$132,000 will cover this Amendment No. 1 to the CMAR Agreement and related Engineering costs.

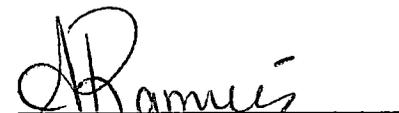
RECOMMENDATION: Administration recommends that City Council approve Amendment No. 1 to the Construction Manager at Risk ("CMAR") Agreement between the City of St. Petersburg, Florida and The Haskell Company ("Haskell") to authorize the use of competitive bidding during the pre-construction phase to develop the Guaranteed Maximum Price and to include additional CMAR pre-construction phase services associated with the Biosolids to Energy Project for State Revolving Fund ("SRF") assistance and for the Southwest Water Reclamation Facility Gas Generator and Electrical Improvements Project, in an amount not to exceed \$106,856; authorizing the Mayor or his designee to execute Amendment No. 1 to the CMAR Agreement (Engineering Project No. 15032-111; Oracle No. 14855); and approve a supplemental appropriation in the amount of \$132,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW Biosolids CMAR FY15 Project (14855) to cover the total CMAR Agreement and Engineering costs.

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available following a supplemental appropriation in the amount of \$132,000 from the unappropriated balance of the Water Resources Capital Project Fund (4003) to the WRF SW Biosolids CMAR FY15 Project (14855).

ATTACHMENTS: Resolution

APPROVALS:
hpk


Administrative


Budget

RESOLUTION NO. 2015- _____

A RESOLUTION APPROVING A FIRST AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH THE HASKELL COMPANY FOR ADDITIONAL PRE-CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE BIOSOLIDS TO ENERGY PROJECT TO AUTHORIZE THE USE OF COMPETITIVE BIDDING DURING THE PRECONSTRUCTION PHASE AND TO INCLUDE STATE REVOLVING FUND ASSISTANCE AND THE SOUTHWEST WATER RECLAMATION FACILITY GAS GENERATOR AND ELECTRICAL IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED AND SIX THOUSAND EIGHT HUNDRED AND FIFTY SIX DOLLARS (\$106,856); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF ONE HUNDRED THIRTY TWO THOUSAND DOLLARS (\$132,000) WHICH INCLUDES THE CMAR AGREEMENT COSTS AS WELL AS ADDITIONAL ENGINEERING COSTS IN THE AMOUNT OF TWENTY FIVE THOUSAND AND ONE HUNDRED FORTY FOUR DOLLARS (\$25,144) FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECT FUND (4003) TO THE WRF SW BIOSOLIDS CMAR PROJECT (14855); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On November 24, 2014, City Council approved a Construction Manager at Risk Agreement with a Guaranteed Maximum Price ("CMAR Agreement") between the City of St. Petersburg, Florida and The Haskell Company ("Haskell") for preconstruction and construction phase services for the Biosolids to Energy Project and authorized payment to Haskell in the amount of Two Hundred Twenty-Seven Thousand Four Hundred and Thirty-Eight Dollars (\$227,438) for the preconstruction phase services; and

WHEREAS, the City and Haskell would like to enter into Amendment No. 1 to the CMAR Agreement to authorize the use of competitive bidding during the preconstruction phase to develop the Guaranteed Maximum Price and to include additional preconstruction phase services associated with the Biosolids to Energy Project for State Revolving Fund ("SRF") assistance and for the Southwest Water Reclamation Facility Gas Generator and Electrical Improvements Project, in an amount not to exceed \$106,856; and

WHEREAS, funding for the above-referenced Amendment No. 1 will require a supplemental appropriation in the amount of \$132,000 from the Water Resources Capital Project Fund (4003) to the WRF SW Biosolids CMAR FY 15 Project (14855); and

WHEREAS, such funding in the amount of \$132,000 is needed to fund this Amendment No. 1 to the CMAR Agreement in the amount of \$106,856 and additional Engineering project management costs related to this project in the amount of \$25,144.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the First Amendment to the Construction Manager at Risk Agreement between the City of St. Petersburg, Florida and Haskell Company for additional preconstruction phase services associated with the Biosolids to Energy Project to authorize the use of competitive bidding during the preconstruction phase to develop the Guaranteed Maximum Price and to include State Revolving Fund assistance and the Southwest Water Reclamation Facility Gas Generator and Electrical Improvements Project in an amount not to exceed One Hundred and Six Thousand Eight Hundred Fifty-Six Dollars (\$106,856) is hereby approved and the Mayor or his designee is authorized to execute Amendment No. 1 to the CMAR Agreement.

BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the unappropriated balance of the Water Resources Capital Project Fund (4003) to the WRF SW Biosolids CMAR Project (14855) for fiscal year 2015 as follows:

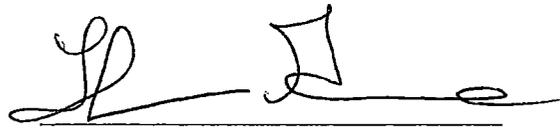
Water Resources Capital Project Fund (4003)
WRF SW Biosolids CMAR Project (14855) \$132,000

This resolution shall become effective immediately upon its adoption.

APPROVALS:



City Attorney (designee)



Budget



Administration

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 17, 2015

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

SUBJECT: Authorizing the Mayor or his designee to execute Amendment No. 1 to the Architect/Engineering Agreement ("A/E") with Brown and Caldwell dated April 18, 2013, for additional professional engineering design services in the amount of \$194,371 for the new Biosolids and Waste to Energy Project, for a total amount not to exceed \$3,115,509 (Engineering Project No. 13057-111, Oracle No. 13830)

EXPLANATION: On April 18, 2013, the City Council approved an Architect/Engineering Agreement between the City and Brown and Caldwell for Design Services related to the new Biosolids and Waste to Energy Project, in the total amount of \$2,921,138.

The scope of services included preliminary and final design services, permitting, and the preparation of bidding documents and bidding phase services necessary for design of a new splitter box, conveyance piping, two new primary clarifiers, new odor control covers, new primary sludge pumping station, new odor control system, and the conversion of the current digestion system to a temperature-phased anaerobic digestion (TPAD; thermophilic followed by mesophilic) system to facilitate Class A sludge production. Services include all necessary general civil, architectural, structural, electrical, process-mechanical, HVAC, plumbing, fire suppression, instrumentation and controls engineering. Biosolids thickening, dewatering, and loading for disposal will occur within a new enclosed building with odor control. This building will be designed by another Consultant with more relative experience in biosolids dewatering.

The scope of services also included a new fats, oils, and grease (FOG) receiving and handling facility pump station, and gas treatment system. The design includes a new odor control system, and connections to recover heat from the combined heat power (CHP) engine electrical generator designed by another consultant with expertise in CHP design. The CHP engine will provide heated process water to support the TPAD process. The new digester gas treatment system will be designed to remove carbon dioxide, siloxanes, hydrogen sulfide, water, and other impurities. The gas treatment system will clean the digester gas to meet or exceed the compressed natural gas fuel standards established by the Society of Automotive Engineers (SAE J1616). The renewable natural gas will be used to fuel new boilers, an electric generator for plant electrical needs, and excess natural gas shall be compressed (CNG) and transported by tube trailer to the City Sanitation yard where it will be used to fuel the new CNG fleet refuse trucks. Renewable natural gas is eligible for renewable energy credits through the EPA Renewable Fuel Standards Program. Also included is the design of anaerobic digesters including a new digester (#2) as a thermophilic concrete tank with a concrete submerged-fixed-cover, a new digester (#1) as a digester that is capable of functioning at thermophilic or mesophilic temperatures with gas-storage capability, modification of digester (#3) to incorporate it as

a mesophilic digester, and new batch tanks. All of the digesters will be completely sealed with fixed covers so that all of the digester gas that is produced can be captured and used for energy recovery, in addition to preventing release into the atmosphere.

As the design progressed, project cost estimates increased above the original \$60M estimate. Due to the projected cost increase, it was decided to procure a Construction Manager at Risk to review designs, value engineer, and provide a Guaranteed Maximum Price (GMP) proposal.

On November 24, 2014, the City Council approved a Construction Manager at Risk Agreement ("CMAR") between the City and The Haskell Company ("Haskell") for preconstruction phase services for the new Biosolids and Waste to Energy Project for the not to exceed authorized amount of \$227,438. The scope of services for the CMAR Agreement included preconstruction phase services for the following:

- Two new primary clarifiers
- New flow splitter facility
- Gravity belt thickeners capacity expansion
- Two new digesters and modifications to existing Digester No. 3
- Waste heat to biosolids heat recovery system
- Fats, oil and grease receiving station that uses primary clarifier odor control system
- New dewatering facility
- Electrical and boiler building
- Facilities for the cleaning of biogas to pipeline quality natural gas
- New Odor Control Facilities

The 60% complete design documents were provided to The Haskell Company for value engineering review during the preconstruction phase services. As the preconstruction phase services progressed, 56 value engineering items were developed by Haskell and Brown and Caldwell and presented to City staff for consideration. Of the 56 items, 46 items were accepted by the City. Major changes involved elimination of rehabilitation and reuse of an existing digester, in favor of enlarging a planned new mesophilic digester, evaluation of alternate foundation system for tanks to reduce costly augercast piles, relocation of the Biogas cleaning equipment to the central plant area, and reduction in some tank sizes and coating systems. The savings associated with these items is estimated to be at approximately \$8.1M in construction costs. In order to realize this savings, the design documents require substantial modifications, and additional coordination with other design consultants to complete biddable construction documents. These modifications will require an amendment to the Brown and Caldwell Agreement in the amount of \$194,371. These expenses are reimbursable under a Department of Energy grant for design of the Biosolids and Waste to Energy Project.

Amendment No. 1 to the A/E Agreement with Brown and Caldwell will provide for additional professional engineering design services in the amount of \$194,371 will provide for necessary value engineering design services, for a total not to exceed amount of \$3,115,509.

RECOMMENDATION: Administration recommends that City Council approve Amendment No. 1 to the Architect/Engineering Agreement ("A/E") with Brown and Caldwell dated April 18, 2013 for additional professional engineering design services in the amount of \$194,371 for the new Biosolids and Waste to Energy Project, for a total amount not to exceed \$3,115,509 (Engineering Project No. 13057-111, Oracle No. 13830) and authorize the Mayor or his designee to execute Amendment No. 1 to the Architect/Engineering Agreement ("A/E") with Brown and Caldwell.

COST/FUNDING/ASSESSMENT INFORMATION: Funds are available in the Water Resources Capital Projects Fund (4003) WRF SW Digesters FY13 Project (13830).

ATTACHMENTS: Resolution

APPROVALS:
hpk/tbg

Thomas B. Gibson
Administrative

A. Ramirez
Budget

Resolution No. 2015- _____

A RESOLUTION APPROVING AMENDMENT NO. 1 TO THE ARCHITECT/ENGINEERING AGREEMENT ("A/E") WITH BROWN AND CALDWELL DATED APRIL 18, 2013, FOR ADDITIONAL PROFESSIONAL ENGINEERING DESIGN SERVICES IN THE AMOUNT OF \$194,371 FOR THE NEW BIOSOLIDS AND WASTE TO ENERGY PROJECT, FOR A TOTAL AMOUNT NOT TO EXCEED \$3,115,509 (ENGINEERING PROJECT NO. 13057-111, ORACLE NO. 13830); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION AND AMENDMENT NO. 1 TO THE ARCHITECT/ENGINEERING AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 18, 2013, the City Council approved an Architect/Engineering Agreement between the City and Brown and Caldwell for Design Services related to the new Biosolids and Waste to Energy Project, in the total amount of \$2,921,138; and

WHEREAS, the initial scope of services included preliminary and final design services associated with the new Biosolids and Waste to Energy Project; and

WHEREAS, project cost estimates increased above the original \$60M estimate as the design phase progressed and it was decided to procure a Construction Manager at Risk to review designs, value engineer, and provide a Guaranteed Maximum Price (GMP) proposal; and

WHEREAS, on November 24, 2014, the City Council approved a Construction Manager at Risk Agreement ("CMAR") between the City and The Haskell Company ("Haskell") for preconstruction phase services for the new Biosolids and Waste to Energy Project for the not to exceed authorized amount of \$227,438; and

WHEREAS, as a result of value engineering, changes to the project were developed and accepted by the City which result in a savings of approximately \$8.1M in construction costs, which require modifications to the engineering services performed under the Brown and Caldwell Agreement in the amount of \$194,371; and

WHEREAS, Amendment No. 1 to the A/E Agreement with Brown and Caldwell shall provide for additional professional engineering design services in the amount of \$194,371 and will provide for necessary value engineering design services, for a total not to exceed amount of \$3,115,509.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that Amendment No. 1 to the Architect/Engineering Agreement ("A/E") with Brown and Caldwell dated April 18, 2013, for additional professional engineering design services in the amount of \$194,371 for the new Biosolids and Waste to Energy Project, for a total amount not to exceed \$3,115,509 is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate this Resolution and Amendment No. 1 to the Architect/Engineering Agreement.

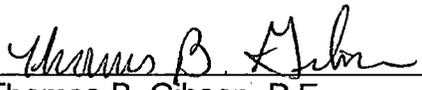
This Resolution shall become effective immediately upon its adoption.

Approved by:

Approved by:



Legal Department
By: (City Attorney or Designee)



Thomas B. Gibson, P.E.
Engineering Director

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 17, 2015

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

SUBJECT: Authorizing the Mayor or his designee to execute Amendment No. 1 to the Architect/Engineering Agreement ("A/E") with Brown and Caldwell dated April 18, 2013, for additional professional engineering design services in the amount of \$194,371 for the new Biosolids and Waste to Energy Project, for a total amount not to exceed \$3,115,509 (Engineering Project No. 13057-111, Oracle No. 13830); and approving a supplemental appropriation in the amount of \$112,186 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW Digester FY13 Project (13830); and providing an effective date.

EXPLANATION: On April 18, 2013, the City Council approved an Architect/Engineering Agreement between the City and Brown and Caldwell for Design Services related to the new Biosolids and Waste to Energy Project, in the total amount of \$2,921,138.

The scope of services included preliminary and final design services, permitting, and the preparation of bidding documents and bidding phase services necessary for design of a new splitter box, conveyance piping, two new primary clarifiers, new odor control covers, new primary sludge pumping station, new odor control system, and the conversion of the current digestion system to a temperature-phased anaerobic digestion (TPAD; thermophilic followed by mesophilic) system to facilitate Class A sludge production. Services include all necessary general civil, architectural, structural, electrical, process-mechanical, HVAC, plumbing, fire suppression, instrumentation and controls engineering. Biosolids thickening, dewatering, and loading for disposal will occur within a new enclosed building with odor control. This building will be designed by another Consultant with more relative experience in biosolids dewatering.

The scope of services also included a new fats, oils, and grease (FOG) receiving and handling facility pump station, and gas treatment system. The design includes a new odor control system, and connections to recover heat from the combined heat power (CHP) engine electrical generator designed by another consultant with expertise in CHP design. The CHP engine will provide heated process water to support the TPAD process. The new digester gas treatment system will be designed to remove carbon dioxide, siloxanes, hydrogen sulfide, water, and other impurities. The gas treatment system will clean the digester gas to meet or exceed the compressed natural gas fuel standards established by the Society of Automotive Engineers (SAE J1616). The renewable natural gas will be used to fuel new boilers, an electric generator for plant electrical needs, and excess natural gas shall be compressed (CNG) and transported by tube trailer to the City Sanitation yard where it will be used to fuel the new CNG fleet refuse trucks. Renewable

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CA-4(b)

natural gas is eligible for renewable energy credits through the EPA Renewable Fuel Standards Program. Also included is the design of anaerobic digesters including a new digester (#2) as a thermophilic concrete tank with a concrete submerged-fixed-cover, a new digester (#1) as a digester that is capable of functioning at thermophilic or mesophilic temperatures with gas-storage capability, modification of digester (#3) to incorporate it as a mesophilic digester, and new batch tanks. All of the digesters will be completely sealed with fixed covers so that all of the digester gas that is produced can be captured and used for energy recovery, in addition to preventing release into the atmosphere.

As the design progressed, project cost estimates increased above the original \$60M estimate. Due to the projected cost increase, it was decided to procure a Construction Manager at Risk to review designs, value engineer, and provide a Guaranteed Maximum Price (GMP) proposal.

On November 24, 2014, the City Council approved a Construction Manager at Risk Agreement ("CMAR") between the City and The Haskell Company ("Haskell") for preconstruction phase services for the new Biosolids and Waste to Energy Project for the not to exceed authorized amount of \$227,438. The scope of services for the CMAR Agreement included preconstruction phase services for the following:

- Two new primary clarifiers
- New flow splitter facility
- Gravity belt thickeners capacity expansion
- Two new digesters and modifications to existing Digester No. 3
- Waste heat to biosolids heat recovery system
- Fats, oil and grease receiving station that uses primary clarifier odor control system
- New dewatering facility
- Electrical and boiler building
- Facilities for the cleaning of biogas to pipeline quality natural gas
- New Odor Control Facilities

The 60% complete design documents were provided to The Haskell Company for value engineering review during the preconstruction phase services. As the preconstruction phase services progressed, 56 value engineering items were developed by Haskell and Brown and Caldwell and presented to City staff for consideration. Of the 56 items, 46 items were accepted by the City. Major changes involved elimination of rehabilitation and reuse of an existing digester, in favor of enlarging a planned new mesophilic digester, evaluation of alternate foundation system for tanks to reduce costly augercast piles, relocation of the Biogas cleaning equipment to the central plant area, and reduction in some tank sizes and coating systems. The savings associated with these items is estimated to be at approximately \$8.1M in construction costs. In order to realize this savings, the design documents require substantial modifications, and additional coordination with other design consultants to complete biddable construction documents. These modifications will require an amendment to the Brown and Caldwell Agreement in the amount of \$194,371. Fifty percent (50%) of these expenses are reimbursable under a Department of Energy grant for design of the Biosolids and Waste to Energy Project. A

supplemental appropriation in the amount of \$112,186 is necessary to fund 50% of the consultant costs and 50% of in-house engineering personnel expenses.

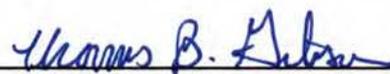
Amendment No. 1 to the A/E Agreement with Brown and Caldwell will provide for additional professional engineering design services in the amount of \$194,371 will provide for necessary value engineering design services, for a total not to exceed amount of \$3,115,509.

RECOMMENDATION: Administration recommends that City Council approve Amendment No. 1 to the Architect/Engineering Agreement ("A/E") with Brown and Caldwell dated April 18, 2013, for additional professional engineering design services in the amount of \$194,371 for the new Biosolids and Waste to Energy Project, for a total amount not to exceed \$3,115,509 (Engineering Project No. 13057-111, Oracle No. 13830); and approving a supplemental appropriation in the amount of \$112,186 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW Digester FY13 Project (13830); and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available following a supplemental appropriation in the amount of \$112,186 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW Digesters FY13 Project (13830).

ATTACHMENTS: Resolution

APPROVALS:
hpk/tbg



Administrative



Budget

Resolution No. 2015- _____

A RESOLUTION APPROVING AMENDMENT NO. 1 TO THE ARCHITECT/ENGINEERING AGREEMENT ("A/E") WITH BROWN AND CALDWELL DATED APRIL 18, 2013, FOR ADDITIONAL PROFESSIONAL ENGINEERING DESIGN SERVICES IN THE AMOUNT OF \$194,371 FOR THE NEW BIOSOLIDS AND WASTE TO ENERGY PROJECT, FOR A TOTAL AMOUNT NOT TO EXCEED \$3,115,509 (ENGINEERING PROJECT NO. 13057-111, ORACLE NO. 13830); AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$112,186 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) TO THE WRF SW DIGESTER FY13 PROJECT (13830); AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION AND AMENDMENT NO. 1 TO THE ARCHITECT/ENGINEERING AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 18, 2013, the City Council approved an Architect/Engineering Agreement between the City and Brown and Caldwell for Design Services related to the new Biosolids and Waste to Energy Project, in the total amount of \$2,921,138; and

WHEREAS, the initial scope of services included preliminary and final design services associated with the new Biosolids and Waste to Energy Project; and

WHEREAS, project cost estimates increased above the original \$60M estimate as the design phase progressed and it was decided to procure a Construction Manager at Risk to review designs, value engineer, and provide a Guaranteed Maximum Price (GMP) proposal; and

WHEREAS, on November 24, 2014, the City Council approved a Construction Manager at Risk Agreement ("CMAR") between the City and The Haskell Company ("Haskell") for preconstruction phase services for the new Biosolids and Waste to Energy Project for the not to exceed authorized amount of \$227,438; and

WHEREAS, as a result of value engineering, changes to the project were developed and accepted by the City which result in a savings of approximately \$8.1M in construction costs, which require modifications to the engineering services performed under the Brown and Caldwell Agreement in the amount of \$194,371; and

WHEREAS, Amendment No. 1 to the A/E Agreement with Brown and Caldwell shall provide for additional professional engineering design services in the amount of \$194,371 and will provide for necessary value engineering design services, for a total not to exceed amount of \$3,115,509.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that Amendment No. 1 to the Architect/Engineering Agreement ("A/E") with Brown and Caldwell dated April 18, 2013, for additional professional engineering design services in the amount of \$194,371 for the new Biosolids and Waste to Energy Project, for a total amount not to exceed \$3,115,509 is hereby approved.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate this Resolution and Amendment No. 1 to the Architect/Engineering Agreement; and

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

<u>Water Resources Capital Projects Fund (4003)</u>	
<u>WRF SW Digester FY13 Project (13830)</u>	\$112,186

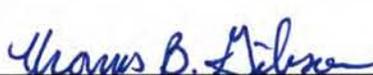
This Resolution shall become effective immediately upon its adoption.

Approved by:

Approved by:



Legal Department
By: (City Attorney or Designee)



1502
Thomas B. Gibson, P.E.
Engineering Director



Tom Greene
Budget Director

**ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 17, 2015**

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

Subject: Approving the purchase of replacement trucks and vans from Alan Jay Chevrolet-Cadillac, Inc. for the Fleet Management Department at a total cost of \$451,449.30.

Explanation: This purchase is being made from Florida Sheriff's Association Bid No. 14-22-0904. The vendor will furnish and deliver 17 pick-up trucks with 4.3L gasoline engines and 6-speed automatic transmissions, and two cargo vans with 6.6L V-8 diesel engines and 4-speed automatic transmissions. All will have power steering, brakes windows and locks, air conditioning, and AM/FM radios (see attached summary Trucks and Vans by Department).

The new pick-up trucks with life expectancies of six years or more, are replacing 17 eight to 14-year-old units with original purchase prices ranging from \$18,541 to \$21,335 each. The new vans, with life expectancies of seven years or more, are replacing two eight to 13-year-old units with original purchase prices ranging from \$22,966 to \$27,562 each.

The old vehicles have reached the end of their useful economic 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 14-22-0904:

Alan Jay Chevrolet-Cadillac, Inc.....\$451,449.30

Van, Cargo, Chevrolet Express, (base)	2 EA	@	\$19,228.00	\$38,456.00
Options:				
Upgrade, Diesel Engine	2 EA	@	11,890.00	23,780.00
Standard Body Length	2 EA	@	4,299.00	8,598.00
9,200GVWR	2 EA	@	1,201.00	2,402.00
2016 Model Year	2 EA	@	859.00	1,718.00
Air Conditioning	2 EA	@	394.00	788.00
Speed Control	2 EA	@	324.00	648.00
Limited Slip Differential	2 EA	@	199.00	398.00
Backup Camera				
New City Tag	2 EA	@	175.70	351.40
Keyless Entry	2 EA	@	169.00	338.00
Remote Power Windows	2 EA	@	114.00	228.00
Deluxe Engine Cover	2 EA	@	19.00	38.00
Power Windows/Door locks	2 EA	@	Standard	Standard
Rear & Side Door Glass	2 EA	@	<u>No Charge</u>	<u>No. Charge</u>
			\$38,871.70	\$77,743.40
Truck, Crew Cab, Chevrolet Silverado (base)	1 EA	@	\$21,872.00	\$21,872.00
Options:				
1 LT Package	1 EA	@	3,009.00	3,009.00
Fiberglass Cab High Topper with sliding front and side windows	1 EA	@	2,257.00	2,257.00
Bed Length 6.5'	1 EA	@	899.00	899.00
Cab Steps	1 EA	@	699.00	699.00
Sliding Rear Window	1 EA	@	645.00	645.00

Spray-on bedliner	1 EA	@	579.00	579.00
HD Towing Package	1 EA	@	457.00	457.00
Electric Brake Control	1 EA	@	229.00	229.00
New City Tag	1 EA	@	175.70	175.70
Additional Key	1 EA	@	<u>94.00</u>	<u>94.00</u>
			\$30,915.70	\$30,915.70
Truck, Pickup 1/2 ton (4x2) (base)	2 EA	@	\$18,037.00	\$36,074.00
Options:				
Power windows & door locks	2 EA	@	609.00	1,218.00
Cab Steps	2 EA	@	589.00	1,178.00
Spray-on Bedliner	2 EA	@	579.00	1,158.00
Trailer Towing Package	2 EA	@	464.00	928.00
Seat Upgrade Lumbar Support	2 EA	@	414.00	828.00
Limited Slip Differential	2 EA	@	394.00	788.00
Electric Brake Controller	2 EA	@	229.00	458.00
New City Tag	2 EA	@	175.70	351.40
Rainshields	2 EA	@	145.00	290.00
Backup Alarm	2 EA	@	137.00	274.00
Third Key	2 EA	@	<u>94.00</u>	<u>188.00</u>
			\$21,866.70	\$43,733.40
Truck, Extended cab 1/2 ton (4x2) (base)	8 EA	@	\$19,278.00	\$154,224.00
Options:				
Spray-on Bedliner	8 EA	@	579.00	4,632.00
Heavy Duty Towing Package	8 EA	@	457.00	3,656.00
Electric Brake Control	8 EA	@	229.00	1,832.00
Backup Camera	8 EA	@	199.00	1,592.00
New City Tag	8 EA	@	175.70	1,405.60
Additional key	8 EA	@	<u>94.00</u>	<u>752.00</u>
			\$21,011.70	\$168,093.60
Truck, Extended cab, pick-up, 1/2 ton (4x4) (base)	1 EA	@	\$22,723.00	\$22,723.00
Options:				
Cab Steps	1 EA	@	589.00	589.00
Spray-on Bedliner	1 EA	@	579.00	579.00
New City Tag	1 EA	@	175.70	175.70
Skid Plates	1 EA	@	149.00	149.00
Additional key	1 EA	@	<u>94.00</u>	<u>94.00</u>
			\$26,128.70	\$26,128.70
Truck, Pickup 1/2 ton (4x2) (base)	2 EA	@	\$18,037.00	\$51,777.00
Options:				
Long bed in lieu of short bed	2 EA	@	899.00	1,798.00
Cab Steps	2 EA	@	589.00	1,178.00
Spray-on Bedliner	2 EA	@	579.00	1,158.00
Trailer Towing Package	2 EA	@	464.00	928.00
Limited Slip Differential	2 EA	@	394.00	788.00
Electric Brake Controller	2 EA	@	229.00	458.00

New City Tag	2 EA	@	175.70	351.40
Rainshields	2 EA	@	145.00	290.00
Backup Alarm	2 EA	@	137.00	274.00
Third Key	2 EA	@	<u>94.00</u>	<u>188.00</u>
			\$21,742.70	\$43,485.40
Truck, Pickup 1/2 ton (4x2) (base)	3 EA	@	\$18,037.00	\$51,777.00
Options:				
Cab Steps	3 EA	@	589.00	1,767.00
Spray-on Bedliner	3 EA	@	579.00	1,737.00
Trailer Towing Package	3 EA	@	464.00	1,392.00
Electric Brake Controller	3 EA	@	229.00	687.00
New City Tag	3 EA	@	175.70	527.10
Rainshields	3 EA	@	145.00	435.00
Backup Alarm	3 EA	@	137.00	411.00
Third Key	3 EA	@	<u>94.00</u>	<u>282.00</u>
			\$20,449.70	\$61,349.10

The vendor has met the specifications, terms and conditions of the Florida Sheriffs Association Bid No. 14-22-0904 effective through September 30, 2015. This purchase is made in accordance with Section 2-256 (3) of the Procurement Code which authorizes the Mayor or his designee to purchase from the Sheriffs Association, 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 Management Department, Fleet Mechanical Costs (8002527).

Attachments: Purchase Summary
 Price History
 Resolution

Approvals:



 Administrative



 Budget

Purchase Summary
Pick-up Trucks and Vans by Departments

No.	Description	Qty.	Department	Purpose	Replacement	Age	Life Cycle
1	Van, Cargo, Chevrolet Express, 4X2, 6.6 liter diesel engine.	2	Police	Used for transporting prisoner transport	Yes	8-13 YRS	7YRS
2	Truck, crew cab, pick-up, Chevrolet Silverado 1500, 4X4, 4.3 liter gasoline engine.	1	Parks & Rec	Used for transporting supplies and animals	Yes	13 YRS	6YRS
3	Truck, pick-up, Chevrolet Silverado 1500, 4X2, 4.3 liter gasoline engine.	2	Parks & Rec	Used to transport material used for park land maintence	Yes	11 YRS	6 YRS
4	Truck extended cab, pick-up, Chevrolet Silverado 1500, 4X2, 4.3 liter gasoline engine.	8	Building Inspection, Engeering, Transporation, Parks, Stormwater	Used to transport material used for park land maintence, building inspection, traffic signals.	Yes	8-11 YRS	6 YRS
5	Truck extended cab, pick-up, Chevrolet Silverado 1500, 4X4, 4.3 liter gasoline engine.	1	Parks & Rec	Used to transport equipment used to plant and maintain plant materials	Yes	13 YRS	6 YRS
6	Truck, pick-up, Chevrolet Silverado 1500, 4X2, 4.3 liter gasoline engine.	2	Water Resources	Used to transport barricades to construction sites, and enviromental compliance	Yes	8-14 YRS	6 YRS
7	Truck, pick-up, Chevrolet Silverado 1500, 4X2, 4.3 liter gasoline engine.	3	Parks & Rec	Used for Facilites and Golf Course maintenance	Yes	10-14 YRS	6 YRS

**Price History
Pick-up Trucks and Vans**

No.	Description	Qty.	2007	2008	2011	2012	2015
1	Van, Cargo, Chevrolet Express, 4X2, 6.6 liter diesel engine.	2	\$27,562		\$35,361		\$38,871
2	Truck, crew cab, pick-up, Chevrolet Silverado 1500, 4X4, 4.3 liter gasoline engine.	1		\$25,337			\$30,915
3	Truck, pick-up, Chevrolet Silverado 1500, 4X2, 4.3 liter gasoline engine.	2	\$16,097		\$16,796		\$21,866
4	Truck extended cab, pick-up, Chevrolet Silverado 1500, 4X2, 4.3 liter gasoline engine.	8					
			\$16,935				\$21,011
5	Truck extended cab, pick-up, Chevrolet Silverado 1500, 4X4, 4.3 liter gasoline engine.	1				\$24,058	\$26,128
6	Truck, pick-up, Chevrolet Silverado 1500, 4X2, 4.3 liter gasoline engine.	2			\$17,251		\$21,742
7	Truck, pick-up, Chevrolet Silverado 1500, 4X2, 4.3 liter gasoline engine.	3			\$15,184		\$20,449
		<u>19</u>					

A RESOLUTION APPROVING THE PURCHASE OF 17 REPLACEMENT TRUCKS AND 2 VANS FROM ALAN JAY CHEVROLET-CADILLAC, INC. AT A TOTAL COST NOT TO EXCEED \$451,449.30 FOR THE FLEET MANAGEMENT DEPARTMENT 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 17 trucks and 2 vans 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 purchase automotive equipment from the Sheriffs Association and Florida Association of Counties negotiated purchase programs for vehicles; and

WHEREAS, Alan Jay Chevrolet-Cadillac, 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 these awards.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the purchase of 17 replacement trucks and 2 vans from Alan Jay Chevrolet-Cadillac, Inc. at a total cost not to exceed \$451,449,30 for the Fleet Management Department 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)

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 17, 2015

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

Subject: Renewing a blanket purchase agreement with BLD Services, LLC for Sanitary (SAN) Sewer Lateral Lining FY 2015 for the Water Resources Department at an estimated annual cost of \$450,000.

Explanation: On March 5, 2015 City Council approved a six month agreement for Sanitary (SAN) Sewer Lateral Lining rehabilitation through September 30, 2015 with a one-year renewal option. Approval of this final renewal is requested.

The vendor provides cured-in-place pipe lining rehabilitation of the public portion of sewer service laterals within the gravity wastewater collection system. The Water Resources Department's strategy for the renewal/rehabilitation of the wastewater collection system utilizes open-cut and trenchless methods under annual contracts to supplement the Water Resources Department's maintenance staff. This purchase is being made from City of Largo's Bid No. 14 C-461.

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

BLD Services, LLC.....\$450,000

The contractor has agreed to hold prices firm under the terms and conditions of Bid No. 14 C-461 dated November 1, 2013. Administration recommends renewal of the agreement based upon the vendor's past satisfactory performance, demonstrated ability to comply with the terms and conditions of the contract, and no requested increase in unit price. The renewal will be effective from date of approval through September 30, 2016.

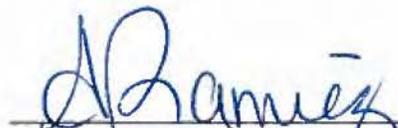
Cost/Funding/Assessment Information: Funds will be available upon approval of the FY16 adopted budget in the Water Resources Capital Improvement Project Fund (4003) SAN Pipe Repair & Replacement FY16 Project (TBD).

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION APPROVING A ONE-YEAR RENEWAL OPTION TO THE AGREEMENT (BLANKET AGREEMENT) WITH BLD SERVICES LLC FOR SANITARY SEWER LATERAL LINING REHABILITATION FOR FY 2015 FOR THE WATER RESOURCES DEPARTMENT AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$450,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 5, 2015 City Council approved the award of a six-month agreement (Blanket Agreement) with a one-year renewal option to BLD Services LLC for Sanitary Sewer Lateral Lining rehabilitation for FY 2015 for the Water Resources Department pursuant to Bid No. 14 C-461 dated November 1, 2013; and

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

WHEREAS, BLD Services LLC has agreed to hold prices firm under the terms and conditions of Bid No. 14 C-461; and

WHEREAS, the Procurement and Supply Management Department, in cooperation with the Water Resources Department, recommends approval of the one-year renewal option of the Agreement.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the one-year renewal option of the Agreement (Blanket Agreement) with BLD Services LLC for Sanitary Sewer Lateral Lining rehabilitation for FY 2015 for the Water Resources Department at an estimated annual cost not to exceed \$450,000 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that the renewal will be effective from the date of approval through September 30, 2016.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

**ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 17, 2015**

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

Subject: Renewing a blanket purchase agreement with Apollo Construction & Engineering Services, Inc. for plumbing services and repairs at an estimated annual cost of \$150,000.

Explanation: On November 1, 2012 City Council approved a three-year agreement for plumbing services and repairs through October 31, 2015, with two one-year renewal options. This is the first renewal.

The contractor provides services such as new installations, repair and replacement of valves, seals and washers, drains, waste and water pipes, fire sprinkler lines, water heaters, toilets, faucets, sinks and opening stopped drains. The primary users are Engineering and Capital Improvements, Water Resources, Downtown Enterprise Facilities, Parks and Recreation, Police, and Fire departments.

The contractor's services are based on labor rates for time and materials as provided in the original bid response. The rates include labor, travel, tools, equipment and overhead. The material is billed at cost plus 15 percent.

The Procurement Department recommends for renewal:

Apollo Construction & Engineering Services, Inc. (SBE)..... \$150,000

The contractor has agreed to hold prices firm under the terms and conditions of Bid No. 7348 dated September 6, 2012. Administration recommends renewal of the agreement based upon the contractor's past satisfactory performance, demonstrated ability to comply with the terms and conditions of the contract, and no requested increase in prices. The contractor is also a certified SBE. The renewal will be effective from date of approval through October 31, 2016.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the General Fund (0001) [\$34,000], Fire Department, Fire Administration (1501485), Library Department, Library Administration (2001133), Parks & Recreation Department, Parks Administration (1902333), and the Police Department, Administrative Services Administration (1401385); Water Resources Operating Fund (4001) [\$23,000], Water Resources Department, Water Resources Administration (4202045); Marina Operating Fund (4041) [\$10,000]; Municipal Office Building Fund (5005) [\$5,000]; City Hall & Annex (3602613) and Municipal Services Center (3602617) and in various capital improvement projects in the Recreation and Culture Capital Improvement Fund (3029) [\$22,000], City Facilities and Capital Improvement Fund (3031) [\$10,000] and the Marina Capital Projects Fund (4043) [\$5,000].

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION APPROVING THE FIRST ONE-YEAR RENEWAL OPTION TO THE AGREEMENT (BLANKET AGREEMENT) WITH APOLLO CONSTRUCTION & ENGINEERING SERVICES, INC. FOR PLUMBING SERVICES AND REPAIRS AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$150,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 1, 2012 City Council approved the award of a three-year agreement (Blanket Agreement) with two one-year renewal options to Apollo Construction & Engineering Services, Inc. for plumbing services pursuant to Bid No. 7348 dated September 6, 2012; and

WHEREAS, the City desires to exercise the first one-year renewal option of the Agreement; and

WHEREAS, Apollo Construction & Engineering Services, Inc. has agreed to hold prices firm under the terms and conditions of Bid No. 7348; and

WHEREAS, the Procurement and Supply Management Department recommends approval of the one-year renewal option of the Agreement.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the one-year renewal option of the Agreement (Blanket Agreement) with Apollo Construction & Engineering Services, Inc. for plumbing services and repairs at an estimated annual cost not to exceed \$150,000 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction; and

BE IT FURTHER RESOLVED that the renewal will be effective from the date of approval through October 1, 2016.

This resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

**ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 17, 2015**

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

Subject: Approving the purchase of replacement SUVs and a van for the Fleet Management Department from Duval Ford, LLC d/b/a Duval Ford at a total cost of \$144,854.75.

Explanation: This purchase is being made from Florida State Contract No. 25100000-15-1. The vendor will furnish and deliver six SUVs with 2.5L 4-cylinder gasoline engines and one 15-passenger van with a 3.7L V-6 gasoline engine, (see attached summary SUVs and Vans by Department).

The new SUVs and van with life expectancies of six to seven years will replace eight to 14 year-old vehicles currently in service. The old SUVs and van, with original purchase prices ranging from \$14,998 to \$23,510 respectively, have reached the end of their economic service life and will be sold at public auction.

The Procurement Department, in cooperation with the Fleet Management Department, recommends for award utilizing Florida State Contract No. 25100000-15-1:

Duval Ford, LLC d/b/a Duval Ford..... \$144,854.75

SUV, small size, Ford Escape (Base Price)	6	EA @	\$18,756.00	\$112,536.00
Options:				
Third key	6	EA @	250.00	1,500.00
New City Tag	6	EA @	<u>130.00</u>	<u>780.00</u>
			\$19,136.00	\$114,816.00
 Van, 15-passenger, Ford Transit T350 (Base Price)	 1	 EA @	 \$27,089.00	 \$27,089.00
Options:				
Upgrade, Engine 3.5L Eco Boost	1	EA @	1,351.50	1,351.50
Seating, 15 Passenger	1	EA @	799.00	799.00
Backup Camera	1	EA @	399.50	399.50
New City Tag	1	EA @	200.00	200.00
Running Boards	1	EA @	136.00	136.00
Third Key	1	EA @	63.75	63.75
Remote Power Mirrors	1	EA @	<u>Standard</u>	<u>Standard</u>
			\$30,038.75	\$30,038.75

The vendor has met the specifications, terms and conditions of the Florida State Contract 25100000-15-1 effective through November 16, 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.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Management, Fleet Mechanical Cost (8002527).

Attachments: Purchase Summary
Resolution

Approvals:


_____ **Administrative**


_____ **Budget**

**Purchase Summary
SUVs and Van by Departments**

No.	Description	Qty.	Department	Purpose	Replacement	Age	Life Cycle
1	SUV, small size Ford Escape, FWD, 2.5 liter gasoline engine.	4	Engineering, Stormwater	Used for transporting personnel to job site and meeting	Yes	8-9 YRS	6YRS
2	SUV, small size Ford Escape, FWD, 2.5 liter gasoline engine.	2	Water Resources	Used for transporting personal to job site and meeting	No	N/A	6YRS
3	Van, 15-passenger, Ford T350, 4X2, 3.7L liter Gasoline engine.	1	Fire	Used to transports personnel to training classes	Yes	14 YRS	7 YRS
		7					

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT FOR THE PURCHASE OF 6 REPLACEMENT SUVS AND 1 VAN FROM DUVAL FORD, LLC D/B/A DUVAL FORD AT A TOTAL COST NOT TO EXCEED \$144,854.75 FOR THE FLEET MANAGEMENT DEPARTMENT UTILIZING FLORIDA STATE CONTRACT NO. 25100000-15-1; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to replace vehicles that have reached the end of their economic useful lives; and

WHEREAS, pursuant to Section 2-256(2) of the City Code, the City is authorized to utilize competitively bid contracts of other governmental entities; and

WHEREAS, Duval Ford, LLC has met the specifications, terms and conditions of the Florida State Contract No. 25100000-15-1; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Fleet Management Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the award of an agreement to Duval Ford, LLC d/b/a Duval Ford for the purchase of 6 Replacement SUVS and 1 Van from Duval Ford, LLC d/b/a Duval Ford at a total cost not to exceed \$144,854.75 for the Fleet Management Department Utilizing Florida State Contract No. 25100000-15-1 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

**ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 17, 2015**

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

Subject: Approving the purchase of a replacement aerial truck from Altec Industries, Inc. for the Fleet Management Department at a total cost of \$123,933.

Explanation: This purchase is being made from National Joint Powers Alliance Contract No. 31014-ALT. The vendor will furnish and deliver one aerial telescopic articulating truck. This vehicle will be assigned to the Stormwater Department and will be used to repair and maintain traffic signals.

The new vehicle, with a life expectancy of seven years, is replacing a truck that is eight years-old with original base purchase price of \$88,680. The old vehicle 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 National Joint Powers Alliance Contract No. 031014-ALT:

Altec Industries, Inc.\$123,933

Truck, Altec Model AT40M, Insulated Base	1 EA	@	\$112,202	\$112,202
Options:				
Altec Model AT40S – Non-Insulated	1 EA	@	(2,646)	(2,646)
Directional Light Bar, 3000W Inverter	1 EA	@	6,111	6,111
Custom Retainer Around Platform, Altec ARM JIB	1 EA	@	4,775	4,775
Delivery	3 EA	@	1,396	1,396
Chassis, 2016 Ford 550	1 EA	@	1,250	1,250
Strobe System, 4 point, Spot3	1 EA	@	477	477
Body, Custom cone holders in tailshelf	1 EA	@	<u>368</u>	<u>368</u>
			\$123,933	\$123,933

Altec Industries, Inc. has met the specifications, terms and conditions of the National Joint Powers Alliance Contract No. 060311-ALT effective through April 10, 2018. This purchase is made in accordance with Section 2-256 (2) of the City Code which authorizes the Mayor or his designee to purchase supplies from competitively bid contracts of other government entities.

Cost/Funding/Assessment Information: Funds have been previously appropriated in the Equipment Replacement Fund (5002), Fleet Management, Fleet Mechanical Cost (8002527).

Attachments: Price History
Resolution

Approvals:



Administrative



Budget

Price History
Aerial Articulating Telescopic Truck

Item					
No.	Description	2011	2013	2015	% Change
1	Aerial Articulating Telescopic Truck	\$ 112,338	\$ 117,345	\$ 123,933	-

A RESOLUTION APPROVING THE AWARD OF AN AGREEMENT FOR THE PURCHASE OF A REPLACEMENT AERIAL TRUCK FROM ALTEC INDUSTRIES, INC. AT A TOTAL COST NOT TO EXCEED \$123,933 FOR THE FLEET MANAGEMENT DEPARTMENT UTILIZING NATIONAL JOINT POWERS ALLIANCE CONTRACT NO. 31014-ALT; 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 an aerial truck that has reached the end of its economic useful life; and

WHEREAS, pursuant to Section 2-256(2) of the City Code, the Mayor or the Mayor's Designee is authorized to utilize competitively bid contracts of other governmental entities; and

WHEREAS, Altec Industries, Inc. has met the specifications, terms and conditions of National Joint Powers Alliance Contract No. 31014-ALT; 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 that the award of an agreement to Altec Industries, Inc. for the purchase of a replacement aerial truck at a total cost not to exceed \$123,933 for the Fleet Management Department utilizing National Joint Powers Contract No. 31014-ALT is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 17, 2015

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

Subject: Accepting a proposal from Parkmobile, LLC to provide Pay by Phone Parking Services for the Transportation and Parking Management Department.

Explanation: The Procurement Department received eight proposals for Pay by Phone (PbP) Parking Services. The PbP option allows a motorist who does not have change for the meter to pay for, and increase parking time with a phone and a credit card or other alternate payment. Customers also receive a call or text message when their time is about to expire. This program includes approximately 1,850 on-street metered spaces in the downtown area of St. Petersburg.

The vendor will provide all equipment, software applications, and secure internet access web-site for consumers, hosting services, and credit card payment processing and customer instructional signage/stickers for provision of PbP services. Additionally, the vendor shall provide training on the use of its software, payment verification for enforcement, technical support services and marketing of the program to potential PbP consumers.

PbP customers will pay a \$0.35 convenience fee for each parking transaction or \$0.25 with a monthly membership fee of \$0.99. Confirmed primary residents of St. Petersburg will not pay a convenience fee. The vendor is guaranteeing a revenue share to the city in the minimum amount of \$121,000 during the initial three year term. All customer payments for convenience fees and parking payments will be deposited directly into the City's bank account. The City will retain all parking revenue and settle convenience fees with Parkmobile consistent with terms and conditions of the agreement.

Proposals were evaluated based on experience of the firm, proposed solution including ease of use, implementation plan, past performance on similar contracts and reasonableness of cost. Parkmobile's proposal is recommended as it met all requirements; demonstrated user convenience through a strong regional presence (thus allowing customers to use the same smartphone app in Tampa, Clearwater and St. Pete Beach); strong statewide and national presence; offered no convenience fees to St. Petersburg residents and provided a minimum guaranteed revenue share to the City based on convenience fees collected.

The Procurement Department, in cooperation with the Transportation and Parking Management Department, recommends for award:

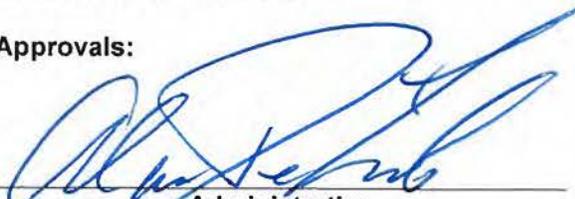
Parkmobile, LLC..... \$ 121,000 revenue share

Parkmobile, LLC has met the specifications and requirements of RFP No. 7847 dated June 18, 2015. This agreement will be effective through September 30, 2018 with one two-year renewal option. The vendor has performed these services to the city in the past and has performed satisfactorily. Proposals were received from Cale America, Inc., LocoMobi, Inc., MobileNow, LLC, Pango USA, LLC, Parkmobile, LLC, ParkX, Passport and PayByPhone Technologies, Inc.

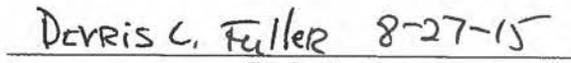
Cost/Funding/Assessment Information: Funding for this program is generated through revenues received from convenience fees paid by users to the vendor.

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE PROPOSAL AND APPROVING THE AWARD OF A THREE-YEAR AGREEMENT WITH ONE TWO-YEAR RENEWAL OPTION TO PARKMOBILE, LLC TO PROVIDE PAY BY PHONE PARKING SERVICES FOR THE TRANSPORTATION AND PARKING MANAGEMENT DEPARTMENT; ACCEPTING A \$121,000 GUARANTEED MINIMUM REVENUE SHARE TO THE CITY DURING THE INITIAL THREE-YEAR PERIOD OF THE AGREEMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received eight proposals for pay by phone parking services pursuant to RFP 7847 dated June 18, 2015; and

WHEREAS, Parkmobile, LLC has met the specifications and requirements of RFP No. 7847; and

WHEREAS, the City will receive \$121,000 guaranteed minimum revenue share during the initial three-year period of the agreement, and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Transportation and Parking Management Department, recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the proposal and award of a three-year agreement with one two-year renewal option to Parkmobile, LLC to provide Pay by Phone Parking Services for the Transportation and Parking Management Department is hereby approved; and

BE IT FURTHER RESOLVED that a \$121,000 guaranteed minimum revenue share to the City during the initial three-year period is hereby accepted and the Mayor or Mayor's designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of September 17, 2015

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

Subject: Awarding three-year blanket purchase agreements to Arbor Source, LLC, Blades of Green, Inc., Evergreen Tree Service, Inc., and Yutzy Tree Service, Inc. for city facility and right-of-way tree services at an estimated annual cost of \$220,000.

Explanation: The Purchasing Department received four proposals for tree services for city facilities and right-of-way. The vendors will provide labor, tools, materials and equipment to trim, prune, and removal of dead wood and palm fronds located on city properties and on rights-of-way. Additional services in these agreements include stump grinding and tree and related debris removal. The primary users of these services are the Water Resources Department and Parks & Recreation Department.

The Purchasing Department recommends for award:

Tree Trimming Services, Public Facility and & Right of Way.....\$220,000

Arbor Source Professional Tree Care (SBE)
Blades of Green, Inc.
Evergreen Tree Service, Inc. (SBE)
Yutzy Tree Services, Inc. (SBE)

The vendors have met the requirements of RQU No. 7867 dated July 21, 2015. Blanket purchase agreements will be issued and will be binding only for actual services rendered. Amounts paid to awardees pursuant to these agreements shall not exceed a combined total of \$220,000. The agreement will be effective from date of award through July 21, 2018, with two one-year renewal options. Funding for years two and three will be subject to future appropriation.

Cost/Funding/Assessment Information: Funds are available in the Water Resources Operating Fund (4001), Water Resources Wastewater Maintenance (420-2145) [\$70,000], Water Resources Capital Projects Fund (4003), SAN Pipe Repair & Replacement projects [\$100,000], and Parks & Recreation Department (190) Various Divisions [\$60,000].

Attachments: Resolution

Approvals:



Administrative



Budget

A RESOLUTION ACCEPTING THE BIDS AND APPROVING THE AWARD OF THREE-YEAR AGREEMENTS (BLANKET AGREEMENTS) TO ARBOR SOURCE, LLC, BLADES OF GREEN, INC., EVERGREEN TREE SERVICE AND YUTZY TREE SERVICE, INC. FOR CITY FACILITY AND RIGHT-OF-WAY TREE SERVICES AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$220,000; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THESE TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received four proposals for City facility and right-of-way tree services pursuant to RFQ No. 7867 dated July 21, 2015; and

WHEREAS, Arbor Source, LLC, Blades Of Green, Inc., Evergreen Tree Service and Yutzy Tree Service, Inc. have met the terms and conditions of RFQ No. 7867; and

WHEREAS, the Procurement & Supply Management Department recommends approval of these awards.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the proposals bids and award of three-year agreements (Blanket Agreements) to Arbor Source, LLC, Blades of Green, Inc., Evergreen Tree Service and Yutzy Tree Service, Inc. for City facility and right-of-way tree services at an estimated annual cost not to exceed \$220,000 is hereby approved and the Mayor or Mayor's Designee is authorized to execute all documents necessary to effectuate these transactions.

This Resolution shall become effective immediately upon its adoption.

Approved as to Form and Substance:



City Attorney (Designee)

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 17, 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 Lease Agreement with The Garden Club of St. Petersburg, Inc., a Florida not-for-profit corporation, for the use of City-owned real property located at 500 Sunset Drive South, St. Petersburg, within Coconut Park for a period of three (3) years, at an aggregate rent of \$36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same; and providing an effective date. *(Requires affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate and Property Management received a request from The Garden Club of St. Petersburg, Inc. ("GCSP") to enter into a new lease agreement for the use of a ±5,854 sq. ft. Clubhouse building and property located within the northern portion of City-owned parkland located at 500 Sunset Drive South, St. Petersburg, known as Coconut Park ("Premises"), that GCSP has utilized for the purpose of maintaining a club house and garden areas for activities normally carried on by garden clubs in the interest of beautification of St. Petersburg, since October 1, 1956.

In January 2012, GCSP, at its sole cost and expense, expended approximately \$73,000 without any financial assistance from the City to replace the roof and make improvements to the ceiling and lights resulting from upgrades made to the air conditioning duct system.

GCSP has executed a new Lease Agreement ("Lease") for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed during the preceding term. The rental rate is one dollar (\$1.00) per month or thirty-six dollars (\$36.00) for the entire term. The Lessee may continue to rent the Clubhouse or a portion thereof, for periods of time not to exceed seventy-two (72) hours, to other organizations and the public for meetings, weddings, and parties. The Lessee is responsible for all interior and exterior maintenance of the building and utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance. Additionally, the Lessee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, protecting the City against all claims or demands that may arise or be claimed on account of the Lessee's use of the Premises. The Lease may be terminated by either party without cause with one hundred eighty (180) days written notice prior to the scheduled date of termination.

City Council Resolution No. 79-740A, dated October 4, 1979, establishes policies for the sale and leasing of City-owned park and waterfront property. This resolution requires that when leasing City property to a non-profit, private organization "... the organization pays operating costs plus a reserve for replacement." Due to the limited financial resources of the organization and the fact that GCSP constructed and has maintained the facility at its sole cost and expense, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived. These

terms and conditions are consistent with prior leases with this and other non-profit organizations. Under the terms of the Lease, "the City is under no obligation to provide a replacement facility under any circumstances."

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

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor, or his Designee, to execute a Lease Agreement with The Garden Club of St. Petersburg, Inc., a Florida not-for-profit corporation, for the use of City-owned real property located at 500 Sunset Drive South, St. Petersburg, within Coconut Park for a period of three (3) years, at an aggregate rent of \$36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administration:



Budget:

N/A

Legal:



(As to consistency w/attached legal documents)

Legal: 00244348.doc V. 1

ILLUSTRATION



500 Sunset Drive South, St. Petersburg, Florida
Pinellas County Parcel I.D. No.: 19/31/16/84186/059/0080

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LEASE AGREEMENT WITH THE GARDEN CLUB OF ST. PETERSBURG, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF CITY-OWNED REAL PROPERTY LOCATED AT 500 SUNSET DRIVE SOUTH, ST. PETERSBURG, WITHIN COCONUT PARK FOR A PERIOD OF THREE (3) YEARS, AT AN AGGREGATE RENT OF \$36.00; TO WAIVE THE RESERVE FOR REPLACEMENT REQUIREMENT; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Garden Club of St. Petersburg, Inc. ("Lessee") desires to continue to lease certain City-owned real property located within the northern portion of City-owned parkland located at 500 Sunset Drive South, St. Petersburg, known as Coconut Park ("Premises"), that GCSP has utilized for the purpose of maintaining a club house and garden areas for activities normally carried on by garden clubs in the interest of beautification of St. Petersburg, since October 1, 1956; and

WHEREAS, the proposed lease ("Lease") will be for a term of thirty-six (36) months, subject to City Council approval, with the terms and conditions providing the Lessee with the same basic rights and privileges it has enjoyed during the preceding term; and;

WHEREAS, the rental rate is one dollar (\$1.00) per month or thirty-six dollars (\$36.00) for the entire term; and

WHEREAS, the Lessee may rent the Clubhouse or a portion thereof, for periods of time not to exceed seventy-two (72) hours, to other organizations and the public for meetings, weddings, and parties; and

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

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

WHEREAS, this Lease may be terminated by either party without cause with one hundred eighty (180) days written notice prior to the scheduled date of termination; and

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

WHEREAS, due to the limited financial resources of the organization and the fact that the Lessee constructed the facility at its sole cost and expense, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived; and

WHEREAS, these terms and conditions are consistent with prior leases with this and other non-profit organizations; and

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

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

WHEREAS, the subject property is zoned (NT-3) Neighborhood Traditional Single Family-3.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his Designee, is hereby authorized to execute a Lease Agreement with The Garden Club of St. Petersburg, Inc., a Florida not-for-profit corporation, for the use of City-owned real property located at 500 Sunset Drive South, St. Petersburg, within Coconut Park for a period of three (3) years, at an aggregate rent of \$36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

APPROVED BY:

City Attorney (Designee)

Legal: 00244348.doc V. 1

Michael J. Jefferis, Director
Parks & Recreation

APPROVED BY:

Bruce E. Grimes, Director
Real Estate and Property Management

ST. PETERSBURG CITY COUNCIL

Meeting of September 17, 2015

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

SUBJECT: A resolution approving a transfer of \$150,000 from the unappropriated balance of the Intown West Tax Increment District (1107) to the General Capital Improvement Fund (3001); authorizing a supplemental appropriation in the amount of \$150,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Central Ave Improvement Project (14009); providing that this resolution shall supersede Resolution 2015-336 and that the prior transfer is nullified; and providing an effective date.

EXPLANATION: On July 23, 2015, City Council approved Resolution 2015-336 which transferred \$150,000 from the unappropriated balance of Intown West Tax Increment District Fund (1107) to the Neighborhood and Citywide Infrastructure Fund (Penny fund 3027). This funding was for URS Corporation Southern to provide planning services that enables the completion of The EDGE District's master plan. Administration now desires to change the fund where the money is being transferred to in order to prevent TIF resources from being comingled into a Penny for Pinellas Fund.

Currently, there is \$2,260,828 in the unappropriated balance of the Intown West Tax Increment District Fund. In order for the \$150,000 to be available in the General Capital Improvement Fund for the Edge District master plan (i) a transfer from the Intown West Tax Increment District Fund (1107) to the General Capital Improvement Fund (3001) and (ii) a supplemental appropriation from the unappropriated balance of the General Capital Improvement Fund (3001) to Central Ave Improvement Project (14009) is needed.

RECOMMENDATION: Administration recommends approval of the attached resolution approving a transfer of \$150,000 from the unappropriated balance of the Intown West Tax Increment District (1107) to the General Capital Improvement Fund (3001); authorizing a supplemental appropriation in the amount of \$150,000 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Central Ave Improvement Project (14009); providing that this resolution shall supersede Resolution 2015-336 and that the prior transfer is nullified; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funding in the amount of \$150,000 for the Edge District master plan will be available in the General Capital Improvement Fund after (i) a transfer of \$150,000 from the unappropriated balance of the Intown West Tax Increment District Fund (1107) to the General Capital Improvement Fund (3001) and (ii) a supplemental appropriation in the amount of \$150,000 from the increase in the unappropriated balance General Capital Improvement Fund (3001) to Central Ave Improvement Project (14009). The prior transfer to the Neighborhood and

Citywide Infrastructure Fund (Penny fund 3027) shall be nullified.

ATTACHMENTS: Resolution

APPROVALS: 
_____ Administrative

DAVID C. FULLER 9-2-15
Budget

RESOLUTION NO. 2015-

A RESOLUTION APPROVING A TRANSFER OF \$150,000 FROM THE UNAPPROPRIATED BALANCE OF THE INTOWN WEST TAX INCREMENT DISTRICT (1107) TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001); AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$150,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE ABOVE TRANSFER, TO THE CENTRAL AVE IMPROVEMENT PROJECT (14009); PROVIDING THAT THIS RESOLUTION SHALL SUPERSEDE RESOLUTION 2015-336 AND THAT THE PRIOR TRANSFER IS NULLIFIED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, July 23, 2015, City Council approved Resolution 2015-336 which transferred \$150,000 from the unappropriated balance of Intown West Tax Increment District Fund (1107) to the Neighborhood and Citywide Infrastructure Fund (Penny fund 3027); and

WHEREAS, such funding was for URS Corporation Southern to provide planning services that enables the completion of The EDGE District's master plan; and

WHEREAS, in order to prevent TIF resources from being comingled into a Penny for Pinellas Fund, Administration desires to change the fund where such money is being transferred to; and

WHEREAS, in order for such funding to be available in the General Capital Improvement Fund (3001): (i) a transfer from the Intown West Tax Increment District Fund (1107) to the General Capital Improvement Fund (3001) and (ii) a supplemental appropriation from the unappropriated balance of the General Capital Improvement Fund (3001) to Central Ave Improvement Project (14009) is needed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that there is hereby approved the following transfer for fiscal year 2015:

Intown West Tax Increment District (1107)

Transfer to: General Capital Improvement Fund (3001) \$150,000

BE IT FURTHER RESOLVED that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, the following supplemental appropriation for fiscal year 2015:

General Capital Improvement Fund (3001)

Central Ave Improvement Project (14009) \$150,000

BE IT FURTHER RESOLVED that this Resolution supersedes Resolution 2015-336 and that the prior transfer is hereby nullified.

This Resolution shall become effective immediately upon its adoption.

APPROVALS:



City Attorney (Designee)



Administration

Budget & Management

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of September 17, 2015

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

SUBJECT: A resolution authorizing the Mayor to execute Amendment No. 2 To The Interlocal Agreement Between Pinellas County And The City Of St. Petersburg For The Maintenance Of Regulatory Zone Signage: Time Extension And Other Modifications, and all other documents necessary to effectuate this resolution; and providing an effective date.

EXPLANATION: The County and the City entered into the Interlocal Agreement Between Pinellas County And The City Of St. Petersburg For The Maintenance Of Regulatory Zone Signage ("Agreement") on November 19, 2010 for the purpose of maintaining existing regulatory signage delineating various regulatory zones within the City and amended the Agreement on December 16, 2013 to extend the term of the agreement for an additional two (2) years, expiration which is September 30, 2015.

The County and the City desire to extend the Agreement for five (5) years to remain in effect until September 30, 2020.

The County desires to amend the addressee for official notice to Pinellas County Water and Navigation, Attn: Brian Johns, Environmental Specialist II, 22211 U.S. 19th N, Building 10, Clearwater, FL 33765 (727) 464-3511.

The County and the City desire to amend the maximum reimbursement the County owes the City in a given year to provide for a maximum reimbursement of fifty thousand dollars (\$50,000) over five years for a maximum reimbursement of twenty-five thousand (\$25,000) in any single fiscal year.

Specific services include replacing destroyed or damaged regulatory signs and/or piles, previous placed by the County of the City that designate a regularly established boating zone within the City.

RECOMMENDATION: Administration recommends that City Council adopt the attached resolution authorizing the Mayor to execute Amendment No. 2 To The Interlocal Agreement Between Pinellas County And The City Of St. Petersburg For The Maintenance Of Regulatory Zone Signage: Time Extension And Other Modifications, and all other documents necessary to effectuate this resolution; and providing an effective date.

COST/FUNDING/ASSESSMENT INFORMATION: Funds will be available upon approval of the FY16 adopted budget in the unappropriated balance of the Stormwater Utility Operating Fund (4011.400.1317) and expended in the Stormwater Utility Operating Fund (4011), Stormwater, Pavement and Traffic Operations Department (400) Seawall and Bridges Division

(1317). Revenues in the amount of \$10,000 will be received annually across a five year term beginning October 1, 2015.

ATTACHMENT: Resolution

APPROVALS:

ADMINISTRATION Thomas B. Gilson

BUDGET: Alan...

LEGAL: RSS

Legal: 00244291.doc V. 5

Resolution No. 2015 - ____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 2 TO THE INTERLOCAL AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF ST. PETERSBURG FOR THE MAINTENANCE OF REGULATORY ZONE SIGNAGE: TIME EXTENSION AND OTHER MODIFICATIONS AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The County and the City entered into the Interlocal Agreement Between Pinellas County And The City Of St. Petersburg For The Maintenance Of Regulatory Zone Signage ("Agreement") on November 16, 2010, for the purpose of maintaining existing regulatory signage delineating various boating regulatory zones within the City, and amended the Agreement on December 16, 2013 to extend the term of the Agreement for an additional two (2) years; and

WHEREAS, Section 5 of the Agreement, TERMINATION OF AGREEMENT, allows for modification to the Agreement upon written mutual consent of the parties; and

WHEREAS, the County and the City desire to extend the Agreement for an additional five (5) years; and

WHEREAS, the County desires to designate a new addressee for official notice; and

WHEREAS, The County and the City desire to amend the maximum reimbursement the County owes the City in a given year to provide for a maximum reimbursement of fifty thousand dollars (\$50,000) over five years for a maximum reimbursement of twenty-five thousand (\$25,000) in any single fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor is authorized to execute Amendment No. 2 To The Interlocal Agreement Between Pinellas County And The City Of St. Petersburg For The Maintenance Of Regulatory Zone Signage: Time Extension And Other Modifications, and all other documents necessary to effectuate this resolution.

This resolution shall become effective immediately upon its adoption.

APPROVALS:

Administration: _____

Legal: _____

Legal: 00244291doc V. 5

Thomas B. Giblin

R. S. S.



MEMORANDUM

Council Meeting of September 17, 2015

TO: Members of City Council

FROM: Mayor Rick Kriseman 

RE: Confirmation of appointment to the Investment Oversight Committee

I respectfully request that Council confirm the appointment of Gary G. Conwell as a regular member to the Investment Oversight Committee to serve an unexpired two-year term ending March 31, 2017.

RK/cs
Attachment

cc: A. Fritz, Finance Director

A RESOLUTION CONFIRMING THE
APPOINTMENT OF A REGULAR MEMBER
TO THE INVESTMENT OVERSIGHT
COMMITTEE; 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 Gary G. Cornwell as regular a member to the Investment Oversight Committee to serve an unexpired two-year term ending March 31, 2017.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content

City Attorney (or Designee)



MEMORANDUM

Council Meeting of September 17, 2015

TO: Members of City Council

FROM: Mayor Rick Kriseman

RE: Confirmation of Reappointment and Appointment to the Development Review Commission

I respectfully request that Council confirm the of reappointment of Joseph Griner III, and the appointment of Robert Schumaker as regular members to the Development Review Commission to serve a three-year term ending September 30, 2018.

I respectfully request that Council confirm the appointment of Patricia Castellano as an alternate member to the Development Review Commission to serve an unexpired three-year term ending September 30, 2016.

Copies of their resumes have been provided to the Council office for your information.

RK/cs

Attachment

cc: D. Goodwin, Planning & Economic Development Director

E. Abernethy, Zoning Official

A RESOLUTION CONFIRMING THE REAPPOINTMENT AND APPOINTMENT OF REGULAR AND ALTERNATE MEMBERS TO THE DEVELOPMENT REVIEW 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 reappointment of Joseph Griner III, and Robert Schumaker, as regular members to the Development Review Commission to serve a three-year term ending September 30, 2018.

BE IT FURTHER RESOLVED that Council confirms the appointment of Patricia Castellano as an alternate member to the Development Review Commission to serve an unexpired three-year term ending September 30, 2016.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content

City Attorney or (Designee)

REVISED
SEP 11 2015



MEMORANDUM

Council Meeting of September 17, 2015

TO: Members of City Council

FROM: Mayor Rick Kriseman 

RE: Confirmation of Reappointment and Appointment to the Development Review Commission

I respectfully request that Council confirm the of reappointment of Joseph Griner III, and the appointment of Robert Schumaker as regular members to the Development Review Commission to serve a three-year term ending September 30, 2018.

I respectfully request that Council confirm the appointments of Patricia Castellano and Melissa Rutland as alternate members to the Development Review Commission to serve an unexpired three-year term ending September 30, 2016.

Copies of their resumes have been provided to the Council office for your information.

RK/cs

Attachment

cc: D. Goodwin, Planning & Economic Development Director

E. Abernethy, Zoning Official

A RESOLUTION CONFIRMING THE
REAPPOINTMENT AND APPOINTMENT OF
REGULAR AND ALTERNATE MEMBERS TO
THE DEVELOPMENT REVIEW 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 reappointment of Joseph Griner III, and Robert Schumaker, as regular members to the Development Review Commission to serve a three-year term ending September 30, 2018.

BE IT FURTHER RESOLVED that Council confirms the appointment of Patricia Castellano and Melissa Rutland as alternate members to the Development Review Commission to serve an unexpired three-year term ending September 30, 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 September 17, 2015

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

Subject: Accepting a bid from Rossman Enterprises, Inc., dba Clean Air Concepts, to furnish and install vehicle exhaust removal systems for the Fire and Rescue Department at a total cost of \$422,906.64.

Explanation: The Procurement Department received one bid to furnish and install twelve vehicle exhaust removal systems in the City's fire stations. The vendor will provide all labor, materials, supervision, tools, equipment and vehicles necessary for installation of a structure-mounted Vehicle Exhaust Removal System (Source Capture Extraction System).

The nozzle system is mounted to the vehicle's exhaust pipe and connects into an exhaust duct system that vents to the exterior of the station bay/engine room. When the engine starts, an auto-sensor activates the exhaust fan drawing the emissions into the nozzle system. The nozzle automatically disconnects at the bay doorway as the vehicle exits. The system meets NFPA 1500 Standard for "no less than 100% effective capture" to eliminate dangerous exhaust emissions in firehouses. The vehicle exhaust removal systems will be used on a daily basis and will improve the health and safety of fire and rescue personnel and will help to reduce maintenance costs related to painting, fixture replacement and contaminated firefighter protective gear.

The Procurement Department, in cooperation with Fire and Rescue, recommends:

Rossman Enterprises, Inc dba Clean Air Concepts.....\$422,906.64

Rossman Enterprises, Inc dba Clean Air Concepts, the lowest responsible and responsive bidder, has met the specifications, terms and conditions of Bid No. 5786 dated September 3, 2015. They have satisfactorily installed similar systems with Gainesville, Indialantic, Pompano Beach, Orlando and Nocatee Fire and Rescue departments. References have been checked and are satisfactory. The principal of the firm is Edward J. Rossman, acting as President, Vice President and Secretary.

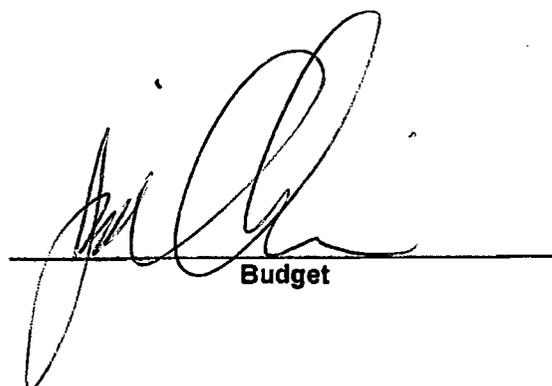
Recommendation: Administration recommends awarding this contract to Rossman Enterprises, Inc dba Clean Air Concepts in the amount of \$422,906.64.

Cost/Funding/Assessment Information: Funds are available in the General Capital Improvement Fund (3001) and the City Facilities Capital Improvement Fund (3031), 2014 AFG Grant Project (14944).

Attachments: Bid Tabulation
Resolution

Approvals:


Administrative


Budget

City of St. Petersburg
Bid Tabulation
Procurement and Supply Management

Rossman Enterprises, Inc.
dba Clean Air Concepts
Cincinnati, OH
Terms: Net 30
Delivery: 150 Days

Item No.	Description	Qty. UOM	Unit Price	Extended Price
1	1 CIP/SCES Source Capture Extraction System for 12 Stations	12 EA	\$35,242.22	\$422,906.64
Total:				\$422,906.64

A RESOLUTION ACCEPTING THE BID AND APPROVING THE AWARD OF AN AGREEMENT TO ROSSMAN ENTERPRISES, INC. D/B/A CLEAN AIR CONCEPTS TO FURNISH AND INSTALL TWELVE (12) VEHICLE EXHAUST REMOVAL SYSTEMS FOR THE FIRE AND RESCUE DEPARTMENT AT A TOTAL COST NOT TO EXCEED \$422,906.64; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Procurement & Supply Management Department received two bids to furnish and install twelve (12) vehicle exhaust removal systems for the Fire and Rescue Department pursuant to Bid No. 5786 dated July 13, 2015; and

WHEREAS, Rossman Enterprises, Inc. d/b/a Clean Air Concepts has met the specifications, terms and conditions of Bid 5786; and

WHEREAS, the Procurement & Supply Management Department, in cooperation with the Fire and Rescue Department recommends approval of this award.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the bid and award of an agreement to Rossman Enterprises, Inc. to furnish and install twelve (12) vehicle exhaust removal systems for the Fire and Rescue Department at a total cost not to exceed \$422,906.64 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)



MEMORANDUM

Council Meeting of September 17, 2015

TO: Members of City Council
FROM: Mayor Rick Kriseman 
RE: Reappointment to the Code Enforcement Board

I respectfully request that Council reappoint Jo Ann Malone as a regular member, realtor category, to the Code Enforcement Board to fill an unexpired three-year term ending December 31, 2015.

A copy of her resume has been provided to the Council office for your information.

RK/cs

Attachment

cc: M. Dove, Neighborhood Affairs Director
T. Yost, Code Compliance Assistance Director

A RESOLUTION REAPPOINTING A
REGULAR MEMBER TO THE CODE
ENFORCEMENT BOARD; AND
PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida,
that this Council hereby appoints Jo Ann Malone as a regular member, realtor category, to the
Code Enforcement Board to fill an unexpired three-year term ending December 31, 2015.

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 September 17, 2015

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

SUBJECT: Ratifying the proposed amendments to the labor agreement between the City of St. Petersburg and the Suncoast Police Benevolent Association (PBA) for the Sergeants and Lieutenants bargaining unit covering the job classifications within that unit effective October 1, 2014, through September 30, 2016.

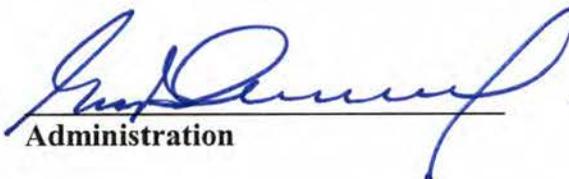
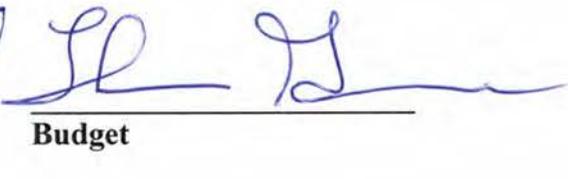
The City and the Union have reached tentative agreement on the following amendments to the terms of a collective bargaining agreement with the PBA Sergeants and Lieutenants unit. Unit members ratified these amendments on Friday, September 11, 2015, and if approved and ratified by Council, the proposed amendments will be effective the first payroll period of fiscal year (FY) 2016.

The agreement provides a three percent (3%) general wage increase in FY 2016 for all members. The parties also agreed to adjust the step plans in order to avoid wage compression among and between the Police Officers, Master Patrol Officers, Sergeants, and Lieutenants. And finally, all members' personal leave accruals were reduced from 50 hours annually to 24 hours annually.

Cost/Funding Information:

Specific costs for the increases are within the budget provisions for FY 2016 and will come from funds within the operating budget for the General Fund, Police Department.

Attachment – Resolution

Approvals:  
Administration Budget

CB-17

**A RESOLUTION APPROVING
AMENDMENTS TO THE NEGOTIATED
AGREEMENT WITH THE SUNCOAST
POLICE BENEVOLENT ASSOCIATION
REPRESENTING THE SERGEANTS AND
LIEUTENANTS BARGAINING UNIT, FOR
THE PERIOD OF OCTOBER 1, 2014
THROUGH SEPTEMBER 30, 2016, AND
ESTABLISHING AN EFFECTIVE DATE
FOR THIS RESOLUTION**

WHEREAS, the City of St. Petersburg and the Suncoast Police Benevolent Association have agreed to amend the labor agreement with the Sergeants and Lieutenants bargaining unit effective October 1, 2014 through September 30, 2016;

WHEREAS, the amendments provide a 3% general wage increase in FY 2016 for all members;

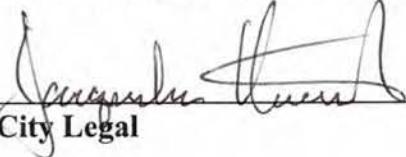
WHEREAS, the amendments adjust the step plans for Sergeants and Lieutenants to prevent wage compression among and between all of the Police classifications; and

WHEREAS, the amendments reduce employees' personal leave accruals from 50 hours annually to 24 hours annually.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St Petersburg, Florida, that the Agreement with the Suncoast Police Benevolent Association, for the period of October 1, 2014, through September 30, 2016, is approved.

This resolution shall become effective immediately upon its adoption.

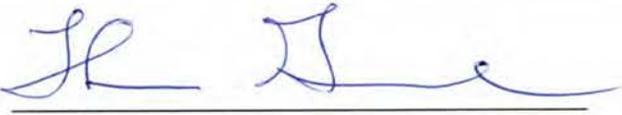
APPROVED AS TO FORM AND CONTENT:



City Legal



Administration



Budget

ST. PETERSBURG CITY COUNCIL

CONSENT AGENDA

Meeting of September 17, 2015

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

SUBJECT: Ratifying the proposed amendments to the labor agreement between the City of St. Petersburg and the Suncoast Police Benevolent Association (PBA) for the Police Officers and Technicians bargaining unit covering the job classifications within that unit effective October 1, 2014, through September 30, 2016.

The City and the Union have reached tentative agreement on the following amendments to the terms of a collective bargaining agreement with the PBA Police Officers and Technicians unit. Unit members ratified these amendments on Friday, September 11, 2015, and if approved and ratified by Council, the proposed amendments will be effective the first payroll period of fiscal year 2016.

The amendments provide a three percent (3%) general wage increase in fiscal year 2016 for all members. The agreement also increases the maximum step of the Police Officers plan in an effort to remain competitive with the City of Orlando; adjusts the steps to provide uniformity in progression within the pay range; and increases the Master Patrol Officer step to avoid wage compression with the maximum step of the Police Officers plan.

Cost/Funding Information:

Specific costs for the increases are within the budget provisions for FY 2016 and will come from funds within the operating budget for the General Fund, Police Department.

Attachment – Resolution

Approvals:  Administration  Budget

CB-18

**A RESOLUTION APPROVING
AMENDMENTS TO THE NEGOTIATED
AGREEMENT WITH THE SUNCOAST
POLICE BENEVOLENT ASSOCIATION
REPRESENTING THE POLICE OFFICERS
AND TECHNICIANS BARGAINING UNIT,
FOR THE PERIOD OF OCTOBER 1, 2014
THROUGH SEPTEMBER 30, 2016, AND
ESTABLISHING AN EFFECTIVE DATE
FOR THIS RESOLUTION**

WHEREAS, the City of St. Petersburg and the Suncoast Police Benevolent Association have agreed to amend the labor agreement with the Police Officers and Technicians unit effective October 1, 2014 through September 30, 2016;

WHEREAS, the agreement provides a 3% general wage increase in FY 2016 for all members;

WHEREAS, the agreement also increases the maximum step of the Police Officers plan to be competitive with the City of Orlando Police Officer step plan;

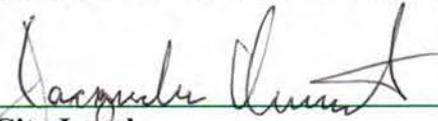
WHEREAS, the agreement increases the Master Patrol Officer step to avoid wage compression with the maximum step of the Police Officers plan; and

WHEREAS, the agreement adjusts steps to provide uniformity in progression within the pay range.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St Petersburg, Florida, that the Agreement with the Suncoast Police Benevolent Association, for the period of October 1, 2014, through September 30, 2016, is approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CONTENT:



City Legal



Administration



Budget

A RESOLUTION REQUESTING AN APPROPRIATION FROM GENERAL REVENUE SOURCES TO COMPLETE THE DESIGN AND CONSTRUCTION OF THE I-175 – 4TH STREET SOUTH ACCESS RAMP IN ST. PETERSBURG, FLORIDA; URGING THE FLORIDA LEGISLATURE TO SUPPORT AND PASS LEGISLATION FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the roadway network in St. Petersburg, Florida, lacks northbound left-turn access directly from 4th Street South to the Interstate I-175 westbound on-ramp;

WHEREAS, traffic in this area is forced to travel a circuitous route to access I-175 from 4th Street South, including traffic from major regional economic drivers such as the University of South Florida St. Petersburg, All Children's Hospital / John Hopkins Medicine, Bayfront Health St. Petersburg, the Marine Science District, Albert Whitted Airport, the City of St. Petersburg Port, the Dali Museum, and the Mahaffey Theater;

WHEREAS, adjustments over the past ten (10) years, including the two-way conversion between 4th and 6th Avenue South which was funded in part by the City of St. Petersburg, have positioned the area for this project;

WHEREAS, the Florida Department of Transportation ("FDOT") has helped to process the Interchange Operational Analysis Report required by the Federal Highway Administration ("FHWA") and the project received approval in Spring 2015;

WHEREAS, the approval by FDOT and FHWA requires the project to be constructed and open to traffic within the next three (3) years in order that the project not be re-evaluated adding to the overall project costs;

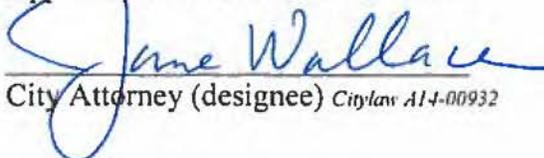
WHEREAS, FDOT has indicated that programming for this project would not be available within the timeframe of the current Five-Year work program and within the required time frame from FHWA without a direct appropriation; and

WHEREAS, with an appropriation in the amount of \$1,000,000, the City would be able to complete the design and construction in 2016-17.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that City Council requests that the Florida Legislature make a State appropriation of \$1,000,000 from General Revenue Sources to complete the I-175 – 4th Street South access ramp design and construction.

This Resolution shall become effective immediately upon its adoption.

Approved as to form and content:


City Attorney (designee) *Citylaw A14-00932*

A RESOLUTION SUPPORTING AND ENDORSING THE REQUEST OF PINELLAS SUNCOAST TRANSIT AUTHORITY ("PSTA") FOR FUNDING FOR CENTRAL AVENUE BUS RAPID TRANSIT PROJECT IN ST. PETERSBURG; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, express Bus Rapid Transit service in St. Petersburg's Central Avenue corridor from downtown St. Petersburg to the Gulf beaches will provide expedited, limited stop travel from downtown St. Petersburg to the Gulf beaches seven (7) days a week on First Avenue North (westbound) and First Avenue South (eastbound); and

WHEREAS, the goals of Central Avenue Bus Rapid Transit service are to support local revitalization and economic development plans, support tourism with a fast and convenient transportation alternative between two of Pinellas County's major tourist centers, and provide service in a cost-effective manner;

WHEREAS, the Central Avenue Bus Rapid Transit project has some existing funding identified and is the most shovel-ready project of the six (6) potential corridors recommended in past studies with express service expected to begin in 2019;

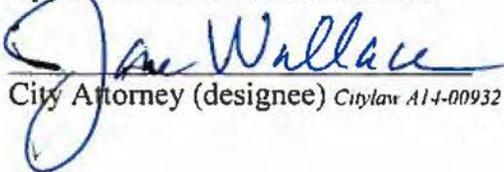
WHEREAS, Central Avenue Bus Rapid Transit is an ideal pilot project for Pinellas County and will be the first of what may ultimately be a future network of rapid transit services connecting St. Petersburg, Clearwater Beach, Tampa International Airport, and other key tourist destinations and economic centers; and

WHEREAS, PSTA will seek \$16.5 million over three (3) years from federal, state and local sources.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that City Council supports and endorses PSTA's request for funding for the Central Avenue Bus Rapid Transit project.

This Resolution shall become effective immediately upon its adoption.

Approved as to form and content:


City Attorney (designee) Citylaw A14-00932